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**Seymour Planning and Zoning Commission  
Public Hearing 12-12-2019  
6:30 Norma Drummer Room, Seymour Town Hall**

**Bladen's Rldge Affordable Housing Development:  
Continuation of text change & zone change and public hearing  
Site plan application public hearing**

Commission Members Present: Joe Ziel, Walter Birdsell, Joe Niezelski, Tom Lavranchuk, Leon Sloat (entered at 6:47)

Commission Members Absent: Jamie Brennan

1. Call to order.

The Chair called the public hearing to order at 6:36.

2. Pledge of Allegiance  
All stood for the pledge.

3. Bladen's Ridge Affordable Housing Continuation of public hearing.  
a. Text Change  
b. Zone change

The Chair read the notice of public hearing into the record.

Notice is hereby given that the Seymour Planning and Zoning Commission will conduct a Public Hearing on **Thursday, December 12, 2019 at 6:30 p.m.**, in the Norma Drummer Room of Seymour Town Hall, 1 First Street, Seymour, CT, upon application of SHC Seymour Springs LLC for Site Plan approval to facilitate the development of a residential community known as "Bladens Ridge" that will provide the Town of Seymour and the region with multi-family affordable and market-rate residential rental units in compliance with Section 8-30g of the Connecticut General Statutes and the proposed Affordable Housing Zone. Said development is proposed to consist of 90 two-bedroom and three-bedroom apartments, approximately 173 parking spaces, a property management building and associated landscaping and site improvements. The property consists of 3 properties comprised of approximately 10.6± acres located at the intersection of Smith Street and Spring Street in the M-F and R-18 zones, commonly referred to as 20 Spring Street (Parcel ID 8-12- 51-0), 16 Smith Street (Parcel ID 8-12-50-0) and 17 Smith Street (Parcel ID 8-12-32-0).

A full copy of the above referenced applications is available for review during regular business hours in the Planning & Zoning Department, Seymour Town Hall, 1 First Street, Seymour, CT.

At the above time and place all interested persons shall be given an opportunity to be heard. The hearing may be continued to such time and place as may be announced by the Seymour Planning and Zoning Commission.

The Chair stated that they are also in the middle of a continuation of the prior application which is set to open at 7pm, but instead they will open both of them at once. He asked Counsel Pat Sullivan about the information coming out for one application that is not necessarily relevant to the second application, the Chair sees no problem with hearing both as he thinks they can keep both applications separate. The Chair and Counsel asked if the applicant had any problem with this and they said no. The Chair then opened the continuation of last months public hearing on the map and text change.

The Chair reminded everyone that at some point in this hearing they will be closing the public hearing that was a continuation from last month. He asked if it was okay to start with that hearing, finish it, and move on to the site plan application. The Chair asked if all the Commissioners were okay with that, and there were no objections.

The Chair said that at the last public hearing, the Commission discussed where the applicant and staff were in terms of coming together on remaining issues where there were differences. He asked the applicant to address the Commission to describe where their view is and then have the town's staff can comment, to hopefully find an area where we can come to terms of agreeance.

Attorney Lisa Fienberg who is Counsel for the applicant, introduced the staff that were brought along with her tonight and stated there during her prior presentations, they focused on the text amendment and the map change. The text change is creating the Affordable Housing Zone and the map change was re-designating her client's property into the Affordable Housing Zone. Tonight the primary focus will be on the site plan but they will start with the final housekeeping items left with the text and map change. Those are:

- After further review of the text that was discussed with the staff, they noticed a potential issue with the 15-foot buffer area as it relates to access ways. (Feinberg pointed out the area and reminded everyone that after hearing Mr. Nesteriak's comments, 17 Smith Street is only applicable to the zone change there are no developments proposed on that parcel anymore.) After closer review, they realized the buffer would have applied to the side lot lines on both access points. From a site line safety perspective, this will not make sense to have if the requirement is a 15 foot buffer on all side and rear lot lines around the entire property, it will apply all the way up to the street and it is a 6 foot high opaque-ish buffer and it just does not make sense. They are proposing is to modify the text so that the first 100 linear feet, will be excluded from that buffer requirement, it would not be excluded for the landscaping requirement.
- The neighborhood has requested they give consideration to reducing the density, which is not something they plan on doing. The density is supportive of the economics of the project together, so there is not much they can change.

The Chair brought up the paved travel lane, which they were agreeable to the 10 feet in each direction, except they were not willing to comply with the town construction standards, he asked for a reason as to why they could not make a reasonable accommodation for this.

Feinberg answered that because the existing text in the Town's MF Zone for Garden Apartments, is the same text that the applicant has introduced and there is a conflict in the MF and the subdivision standards. She thought that they had reached a resolution on this subject with the staff.

The staff stated that this was correct and the Chair withdrew his question.

The Chair asked about the parallel parking ban and where the staff stood on that.

Keith Rosenfeld, the Town Planner, stated that they were going to defer to the Fire Marshal's office on that particular subject.

Feinberg said that she had nothing else on the text portion of this public hearing. The Chair asked the Fire Marshal what issues he sees on this being a town wide regulation, focusing mainly on the health and safety.

Deputy Fire Marshall Robert Rockwell, stated that the grade level is the only difference of opinion they had. The town's planning and zoning regulations say 1 in 12, while from his research in the fire codes he found 1 in 10, which could be flexible with the fire safety code depending on the fire department apparatus.

The Chair asked if this was because with too much grade, the trucks bottom out in the front and the rear.

Rockwell responded that is called the approach grade because it will bottom out and the departure grade which will hit the back of the truck. What he is really talking about here is with is a tower ladder truck. His main concern however is that approach grade and departure grade, which would just need to be changed to the 1 in 10 zone, so they do not bottom the truck out. The rest can be negotiated. He has not had the chance to sit down and speak with them on where their grade should be at right now, however he has spoken with their consultant and there is most likely something that can be worked out. At the end of the day, the town's restrictions say 1 in 12. He has no other issues with the site plan review itself, just the grade. This grade is concerned at the entrance and the entrance to a different road going up, they just need to ensure that they do not bottom out the truck. The trucks can cost from \$800,000 to \$1.5 million now and they do not want to do anything to damage them.

The Chair said he believes they've addressed everything according to staff with the text and map change.

Lisa Fienberg handed out copies to the Commissioners of the revision related to the access way that she mentioned previously in the evening. These revisions have already been reviewed by town staff so they could be the final changes, unless the landscape architect says otherwise. She handed out copies of the existing zoning, which relates to the map change.

The Chair asked for final comments from the staff on anything related to text or map changes.

Keith Rosenfeld, the town planner, said that both himself and the town engineer have worked with the applicant in terms of getting issues resolved. The Fire Marshal's office has also worked on getting the issues just discussed, resolved. He is fine with the regulations as they stand now. He reminds the Commission that the staff would like a chance to develop motions for these 2 issues, and develop a series of motions that reflect what they are talking about tonight which allows the Commissioners to make a decision based on the testimony of the public as well as the testimony of the staff.

The Chair asked for final comments from the staff, and hearing none asked for comments from the public.

Cynthia Zukas 270 Pearl Street apologized for her ignorance on this project. She understands that the issues being addressed here in this meeting, yet she has read in the Inland and Wetlands Commission meetings different things. The last time they were in front of the Planning and Zoning Commission, they said that this project would take 1 year. During the Inlands and Wetlands meeting, it's a project of 6 phases over 1 year, which is only the clearing of the land. This forces her to assume that this will be a multi year project. She is also concerned that this meeting is combined between the site plan and the housing. According to Inlands and Wetlands, it has already been approved in 2015 for 64 units. She was under the assumption that this meeting was to approve the 90 apartments of the 64 apartments, low income housing or multifamily housing. She thinks that there are a lot of other things being thrown into the issue and it not simply going department by department to figure out what is best for the town. She says she knows one way or another, there will be apartments there. She would like to know more about the water. They keep saying they will be putting the water that goes down Smith Street into the catch basins, even though that water still goes down into Bladen's Brook.

The Chair reminded Ms. Zukas that they will be discussing all of this in the site plan application. He understands this process gets very confusing. He clarifies that tonight they will be getting to an understanding between the Town and the applicant, on what it is they will be approving. The resolution will be drafted and put before this Commission and each member will be tasked with voting, and that is what will either be denied or approved. The only thing they are discussing right now is the amendment to the text.

Ms. Zukas said that it gets confusing reading the Inlands and Wetlands meeting when they say an application has already been approved for 11 buildings. The wording of saying they have already submitted an application that was approved should not be allowed, because it gets confusing.

The Chair told Ms. Zukas that whenever the applicant owns property that comes in under the affordable housing statute, everything is opened up. If she looks at what has gone on with these types of cases in the past and try to put that into context of this applicant, it can only confuse you. What he did tell her is that when the Commission does sit down with the language, the Commissioners and the people will know exactly what will be approved or not approved, and most importantly if everything complies with state statutes, there is a very hard uphill climb to do anything but approve it.

Sarah Castro 10 Spring Street read and submitted a letter to the Commission for the record. She believes that it is more to the site plan, but would read it anyway.

Dear Planning and Zoning, ultimately in general we would like to see this project denied but as we all know, and I agree with Cindy on what she said, this is going to move forward whether we like it or not. Even though we would like it to stay zoned for multifamily and developed as such with may be a few houses that would fit into the neighborhood, verses a 90 unit insatiable eye sore in the back of my yard, I would like the following items to be considered regarding this project.

1. The reduction of size of the development from 90 to the original 64 or less
2. Proper privacy fencing along the back side of the property with plenty of distance from the fence to the property line
3. High density separation for added privacy with plenty of distance from property line
4. That the emergency access road being put in on Spring Street will be chained off at times unless of an emergency

5. Appropriate soft lighting in parking lots for tenants and also strategically placed so that current residences are not bothered by light going into their homes in the evening or night hours.
6. To re-designate stone removal sites
7. Shutters and neutral building colors for added aesthetics so it blends in with the neighborhood
8. Possible speed bumps on Spring Street and Smith Street (unsure how this would affect plowing or if this request needs to be presented to the police commissioner)
9. If gas will be provided to the Bladen's Ridge could something be worked out to provide it to the entire neighborhood
10. A serious eval of the current roadway to determine the severity of the current damage there
11. Determine whether or not road construction is going to be necessary to fix these current issues

Conrad Dahm 18 Spring Street asked about the rules for setbacks around these new buildings, what is going to be right next to his house (he pointed to a spot on the map). It seems to be 5 feet away from his home and he would like to know the rules for that. Also, last week the excavator tried to back up the road with a half inch of snow on the ground. The excavator could not get the truck up the road, and needed to race it up the road. How will it work when there are 90 people's cars trying to get up that road in the snow?

The Chair said that this would be addressed in the approval of the site plan and that the applicant would talk about it.

Cynthia Zukas 270 Pearl Street just wanted to clarify that a lot of the neighbors are here, but do not want to speak because it is so repetitive. There are also many neighbors who are not here, but they are all against this project. She thanked the Commissioners for listening to the comments and working hard on this project.

Lisa Fienberg clarified the confusion that Ms. Zukas had related to the Inland and Wetlands was that that particular Commission had approved a site plan in 2015 that looks almost identical to this plan. The 2015 plan had 11 buildings and the way that it went from 64 units to 90 units is by adding a level. P & Z did not approve that application so nothing is allowed to be built until P & Z approves it. Ms. Castro concerns will be responded to by the landscape architect and civil engineer. Mr. Dahm's question concerning his set back, she answered is that there is no specific set back from the roadway in front of the property line, but they do however need to maintain a 20 foot access way. This means that any room left on either side, which is almost 15 feet that will be landscaping.

Tom Lavranchuk asked if this was just the emergency access way.

Fienberg said yes, to the extent that the fire marshal's office agrees to a chain in front of the access way, her client is certainly happy to do it. They have not shown anything on the plan because they are looking for direction from their office. There is no constant traffic going in and out of that area, the proposal is just for emergencies only.

The Chair if staff had anything else to say, and hearing none asked for a motion to close the public hearing.

Tom Lavranchuk made a motion to close the public hearing to text and map change.

Seconded by Joe Niezelski.

All in favor. No abstentions. No opposition.

4. Motion to seat the alternate Leon Sloat.  
The Chair asked for a motion to seat the alternate.

Tom Lavranchuk made a motion to seat the alternate.

Seconded by Joe Niezelski.

3-1-0

Joe Ziel- yes      Tom Lavranchuk- yes      Joe Niezelski- yes      Walter Birdsell- no

5. Bladen's Ridge Affordable Housing Site Plan Application Public Hearing

Lisa Fienberg said that as she had previously noted the property consists of 4.2 acres when just talking about the development parcel, which is the area of 20 Spring Street and 16 Smith Street. The proposal is to construct 11 separate buildings with 90 units. The breakdown in the units is 42 of the 2 bedroom apartments, ranging from about 1300 sq ft to about 1500 sq ft and 48 of the 3 bedroom apartments ranging from about 1400 sq ft to about 1550 sq ft. There are 28 affordable units proposed, which is that 30% required by the CT General Statutes 8-30G. Those 28 units will be broken in half. 14 of them will be made affordable to families earning less than 80% of the state median income and 14 will be designated for families earning less than 60% of the state median income. Those units will be evenly dispersed throughout the site and be completely identical to the market rate units. The rents would just be reduced and the types of units will proportionate. There is a complete affordability plan that was submitted in connection with the original application binder. It conforms to the requirements of the CT General statutes. In addition to the 11 buildings on the site there is a leasing/maintenance office located on the 16 Smith Street parcel. The building is about 1400 square feet and one story, less than 25 feet as required by the staff. There is a single family home there today which is about 2600 square feet and is 2 stories high, it also has a detached garage and a driveway, so in this sense this will be an improvement. There are 173 parking spaces proposed, which is a ratio of 1.92 spaces per unit. About 80 of the spaces are covered and the remaining 93 are uncovered and dispersed throughout the site. There is a robust landscaping plan proposed. The site will be very green with 57 or 58% open space. Given the shape of the site it is tucked behind the homes located along Spring Street and the hope is that from the street there will not be a lot to be seen. She turned things over to their architect.

Janet Roseski from Gooding Architecture briefly went through the 10 acre site. It is nestled in the Spring Street and Smith Street areas. There is a circular drive for access into the development. There is a road on the hill that bisects the development and there is a one way road around the green space which is called Bladen's Circle. She pointed out the emergency access out. The roads and the buildings will all be within the setbacks set by the town (75 foot rear, 25 foot side, 60 foot front, and continuous 15 foot landscape buffer around the buildings.) Emergency access motor vehicles can access the front of all the buildings. In the development there are garbage enclosures which are located and screened. The development will have a

green and a playground. There are 174 parking and it does equate to 1.9 spaces per unit. There are 11 buildings and a management building. The management building will house the mail boxes and handle the management of the day to day development. The 11 buildings are broke into an A, B, C buildings. A is the smallest, B is the largest and C is the medium size building. A is located in the front entry with 6 units each. 3 of the 3 bedrooms and 3 of the 2 bedrooms. It is a little less than a 4200 square foot area. The B building has 10 units, 6 of the 3 bedrooms and 4 of the 2 bedroom units with a 6600 sq ft area. The C buildings have 7 units, about 5000 sq feet and they're are 3 of the 3 bedroom units and 4 of the 2 bedroom units. In CT there is a requirement for multifamily to meet accessibility requirements so that 10% of the number of units on the property would have to be accessible type A which is the highest level of accessibility for handicap. There is a requirement for 9 units to be type A accessible. The remaining units will be type B accessible which is a level of lesser accessibility. The 9 units that are required would be houses in B and C buildings and would be in the units on the ground floor. With these units are handicap accessible parking spaces, in the covered garage. The floor plan of the building is a flat or 1 level unit on the ground and the remaining units are up a set of stairs and would be in the townhouse (which would have a stair up to the unit and a stair within the unit so there is a 2 story townhouse.) all the units will have private entrances, 9 foot ceilings and relatively large market rate units. The building's architecture is a traditional residential style for the buildings. All 3 different types of buildings will look the same, sloped roofs, asphalt shingles, vinyl siding, vinyl windows, general neutral colors both white and gray. It will blend in with the residential area with residential features. The project will conform to all the building code and there is no concern with any of the health and safety with regard to the building's safety. The building will be fully sprinkled. The covered parking is a desirable amenity, it has easy access and can limit the unsightly parking developments that can often happen with large apartment complexes. The larger apartments are larger in sq ft than market rates for the number of bedrooms that they have. There will be a shared open space for the residents in a common village green for the residents with a gazebo, shared walkways, picnic areas, and a children's playground. There are recreational opportunities and a sense of community for the residents.

Leon Sloat asked if there were one bathroom or 2 in the apartments.

Janet answered that there were 2 bathrooms.

Matthew Popp the landscape architect prepared the landscaping plan which is presented to the Commission. There was one revision which has been updated. The whole site has deciduous trees, mainly white pines. There is an Inland Wetlands area off the site. The site development drains away from the wetlands. The landscape design uses species that are easily found and easily maintained. This starts with the deciduous trees including the shea tree which are canopy trees and are larger growing trees, there are 63 of them. They mainly wrap around the perimeter of the site. Those consist of oaks, red maples, ect. They are all native and are found within the area. There are 55 small flowering/ accent trees. They consist of Winter King Hawthorn and cherry. The smaller trees will be aligned on the street, along the street next to the utility poles, there will be more shay trees. Evergreen trees will be placed along the perimeter of the site, totally 253. Most of the evergreens are spruce with just a few white pines. Near the wetland areas there are American Holly and Red Seger trees because they are native. The evergreen trees around the perimeter provide screening for the neighbors before that 15 feet opaque buffer. They're also proposing a short grass meadow which gets cut about once or twice a year, to benefit the water quality, it does not need fertilizers and sustains some of the wildlife. There

are some areas with no trees, that is because there are water quality basins placed there and they cannot have trees growing over them.

Walter Birdsell asks about the right side of Spring Street, on the map it says it will be the snow storage area. What will happen to the people's backyards when the snow starts melting?

Popp answered that it does not all flow down at one time and when it does trickle down it will go back into the ground, so he does not anticipate it being an issue for the neighbors. Originally the snow storage area was in a different location, but it has since been moved in order to project the inlands/wetlands area.

Birdsell said that if there is a very large pile of snow in the winter, it will take a long time to melt and when it does it will go into the neighbors yard.

John Paul Garcia the applicant's engineer, said that the original snow shelf in the upper left hand corner and the Wetlands Commission did not want it there because they were afraid that it would melt and impact the offsite wetlands that is not shown on the map. There will not be a pile of snow melting in 20 minutes to get a river running down people's yards, instead it will gradually melt over time. There are test pits all over so there will be very good infiltration in the spring when it starts to melt.

Walter Birdsell said they will be getting something and it won't be good.

Garcia responded that it will not be much different than what they are getting now. Worse case scenario if there is a lot of snow they will bring in a burner that will melt it into the storm water system.

The Chair asked what they would do if the pile did melt and the water was rushing into the neighbor's backyard.

Garcia responded that if they received a complaint, they would remedy that by putting a swale in and direct it into the catch basin nearby.

Birdsell that they should do that from the beginning.

Garcia said they would be happy to modify the drawings.

Popp continued going over the landscaping, showing the commission where the rest of the trees would be planted.

The Chair asked about the 11 neighbors that are right up against the property line and what they will see when they look at the development.

Popp answered that there are 8 to 10 foot trees that are being put in around the perimeter. At first, they will be able to see the roof of the development, however over time some of the trees will grow 60 feet plus in height which will create a buffer there.

Tom Lavranchuk mentioned the residents of 18 Spring Street would like to have it blocked.

Leon Sloat asked if they had a plan in place to keep the wildlife from destroying the trees.

Popp answered that these trees are fast growing and resistant, and some will grow up to 3 feet per year. He then showed the lighting plan which uses low lights on 10 foot high poles. They are dark sky compliant which means the light shines down instead of up and the temperature of them is 3,000k which is warm light instead of a cold light. There is no light spillage, it is 0.0 on the property line which is easy to get to with those types of bulbs.

Keith Rosenfeld asked if there was any attempt to identify or mark any trees that are existing on the site that are a valuable species or unique in any way shape or form.

Popp answered that mainly the trees in the area are common such as Black Birch, Oaks and White Pines. There are no trees that are Wolf Trees or wide ranging or have been there for years. All the trees are fairly the same age so if you save one tree, later it will come back with being asked, why they saved it. But there were no trees out there that caught his eye that they should be saving.

Walter Birdsell said that the trees they are going to plant are the trees that break and snap during a storm. Why are they doing that?

Popp answered that the White Pines are probably the only ones that would snap and there are only about 10 or 11 on the site. They grow up and wide at the top which provides extra screening which is why they are valuable to the site.

Birdsell says his daughter lives in a condo in Derby and a lot of those trees snap and break and need to be cut down, he believes it would be much better if they were not put on the site at all.

Popp says he does a lot screening for Aquarion Water Company and he sees the spruce are the ones that survive and are best for the long term. If he ever needs to replace trees on a project it will be a spruce because they are the most durable. Near the wetlands that is American Holly and Red Cedar grow slowly in size. But along the property line you would like the trees that grow faster for screening purposes.

The Chair asked if there were any other questions and seeing none, the applicant moved on to the next professional.

Steve Alman the traffic engineer for the project, said that the traffic study done for this application was revised in 2019. This includes the new counts they did on Route 67 on North Beach and Skokorat and Smith Street. They also counted the intersections at Spring and Smith Street. They also reviewed the crash data from UCONN Crash Data Repository from Jan 1 2016 to December 31, 2018, which is a 3 year period. With this development they need to know how many new trips will be generated and put on the roadway network. The Land Use 220 Multifamily LowRise is the trip generation manual that will be the most accurate for this development. The average daily trips generated for this is 640 during the AM peak hour, that will be 43 new trips (10 vehicles entering and 33 exiting) and during the PM peak hour 54 totals (34 entering and 20 exiting). The capacity analysis he did was for existing conditions. The 2021 no build conditions are for the time period with general background growth. He used 5% per year which is the general growth from 2015 to 2019 so he carried it out. This is a high estimate but he used it anyways.

- The capacity analysis for the 2019 existing conditions and 2019 no build conditions show the 2 intersections (67 at north and 67 at Beach/Skokorat) operate at level of service of B or better during the AM and PM peak periods, and all the side streets operate at a level of service of C or better at all un-signalized intersections.
- Capacity analysis for the build conditions; most stay the same or went up slightly. However 2 areas (Day St approach to Pearl Street went from B to C, Smith St approach to 67 went from C to D)
- Addition of the driveway near the intersection of Smith St, he recommends it be turned into an all way stop which would create a level of service A or better throughout the whole day

Alman said in conclusion this development will not affect the health and safety of the public.

The Chair asked Alman to describe the difference between level service A, B, C, & D.

Steve Alman said that level of service A is great while level of service F is failure. A & B are demonstrated when a driver is on a road with either no drivers or drivers that don't affect what any other drivers are doing. Level of service C, drivers feel as though they need to pay attention to what other cars are doing, but are not directly impacted in a negative way by them. Level of service D are congested driving conditions in which a driver cannot easily change lanes. Level of service E becomes capacity, a good example is at a signalized intersection and a driver is at the end of the line of cars and when you pass through the signal, it has just switched to yellow. Level of service is defined by average delay per vehicle. A- average delay of less than 10 seconds B- average delay between 10 and 20 seconds C- between 20 and 35 D- 35 and 55 seconds E- 55 to 80 seconds and F is anything above that.

The Chair asked if Alman had done the original study and when was it done.

Alman said yes and it was done in 2015, it's the original study that was included in the report. The original report for this new proposal was done in July of this year.

The Chair asked if the plan had changed from the original plan to where we are now.

Alman said that the original plan had 2 main accessways from the site and since then has been changed to 1 main accessway with 1 emergency access. He tested the streets with the now changed information, in the same spot.

The Chair said that when he looks at both studies, he sees a doubling. The level of service has stayed the same, yet the plan for the accessway has changed dramatically.

Alman says they must remember that when he did the study in July of 2019, he did not count the cars from 67. He said there is not a huge difference between the studies. The unsignalized road ways from the July report were all level service A & B. The change C to D change is Smith Street at route 67, which he did not study in July. That is new data that is being provided. The routes studied in July were not studied again in the most recent study. He studied Spring & Pearl, Pearl & Day, Pearl & North & Smith, and Spring & Smith. When they changed the plan to make the one exit emergency access only, he added the intersections above at 67 in accordance with the Commissions request. Now because of the one accessway, he does not anticipate anyone going down Spring anymore to reach Pearl. When the emergency access is at Spring, it was an obvious route. However he does not see anyone going to Smith and Spring, then going to Pearl by going down Spring Street.

Tom Lavranchuk said that he disagrees and that drivers will use any other way to avoid traffic.

Steve Alman says that he knows that this is true but driving Spring and that section of Pearl, he does not see them doing that. Maybe one or 2 cars maybe. The driveway is on Smith so that is the way they will be going.

Tom Lavranchuk said that he knows Alman is following the report but he drives these roads a lot and 67 is an F. cars will go any way they can to avoid traffic. He said that he would go into Ansonia to avoid 67 because he knows it is faster.

Walter Birdsell said that he agrees with Lavranchuk.

Steve Alman said that in the AM peak hour they are only adding 43 vehicles and in the PM peak hour they are only adding 54 vehicles, so it will not be adding that much more traffic.

Walter Birdsell says that Alman is doing this study without the building there. When the building is built, they are going to come out of the driveway, take a right down Smith Street more than the other light, to reach Pearl.

Alman said he has the study with an estimated 30% of the traffic going down Pearl Street. In reality, if he is off by 10% it is still only 3.5 cars per hour using that route. He has tried to account for the geography and what is going to happen.

Lavranchuk asked what hours were his peak hours.

Alman said between 4pm and 6pm as well as 7am and 9am.

Bryan Nesteriak said that it doesn't look like the report included the Spring and Pearl intersection.

Alman said that he did originally but he did not perceive someone exiting the site and taking a right down Spring to get to Pearl, when they could go straight to Smith and continue down.

Leon Sloat asked about people returning to the site, coming back from New Haven, they are not going to want to turn.

Alman said they are going to turn onto Smith and come back up to the development.

Lavranchuk said that at peak hour, traffic at that light is packed. He believes that Alman should include the Spring Street route into the report.

Alman said that he measured it in 2015 and drew it out with a 5% increase and if that is the case, the flow of traffic would be so low it would be service A. That was submitted in the July report.

The Chair asked how many total cars would be overnight housed at the location.

Alman said 174 was the number in total but generally speaking a development like this, on the weekends it would be around 1.4 or 1.3 cars per unit that would be there (120 cars).

Walter Birdsell said that they are talking about 1.3 or 1.4 cars, but his daughter has a condo with reserved spots and not reserved spots. When people who have 3 cars own 1 unit, they park in the public spaces near the complex, there are more cars than the study is holding and it is going to cause a problem.

The Chair said he cannot argue with the numbers because they are fact, but some of the assumptions escape him. He also does not understand how the addition of the 1 intersection at Skokorat Street, so vastly changes.

Alman said it does not, it is just one letter at one location. That is 4 cars that are exiting there per hour. He cannot get people from the development to turn down Smith street, but with the development built, those same 4 cars will see an increase of an average 1.6 seconds that they need to wait to get out.

Lavranchuk asked how many years it would take for the level of service to go from a D to an F.

Alman said 20 or 10 years. It depends on the growth on 67. The analysis is they used the heaviest analysis for a peak hour in a multiple hour period, he then assumes that the heaviest amount of traffic generated by the development will happen during that peak hour, in addition to the traffic already there in that peak hour.

Lavranchuk said he is not worried about the development he is worried about 67 which is already at an F.

Alman said that was his opinion, not what is true according to the report.

The Chair asked how many more accidents a year are predicted to occur after the development.

Alman responded that he could not see it any perceivable increase. Crashes this year were around Pearl Street, with someone who just lost control. That is not something they can predict or control.

Lavranchuk asked what will be the impact on the trucks that will be on those roads during the construction.

Alman said that typically because that is short term impact it is not included in this study, and he has never done one. The assumption is that most of the trucks are going in and out during the day on weekdays.

Lavranchuk says that because the trucks are hauling so much of the material, they need to start before peak hour and will affect those busy times of day.

Lisa Feinberg said that the applicant is willing to work with the logistics on the construction trucks going in and out as well as, accept a condition that requires a construction logistics plan to be submitted along with a building permit.

John Paul Garcia the engineer for the project gave an overview of the project. The proposal is 11 units, approximately 2600 feet of road, and the biggest issue is the storm water control detention and treatment. The site water currently runs uncontrolled from the south side, down north of Spring Street and drains into Bladen's river. This water is not treated and ends up in town road drainage and runs across people's yards. What they are proposing to do is have a high point in between units 2 and 6, which basically splits the site in half. The east side of the site will drain down in a series of treatment facilities, across Spring Street down Smith and tie into an existing catch basin at Smith Street and then from there, flow through the existing town drainage system into Bladen's River. On the West side of the property, it will come down through a series of treatment systems, enter into a catch basins that is opposite the one way exit onto Smith Street and that will enter into existing town road drainage. Mr. Nesteriak submitted his suggestions of changes to the applicants and the one thing they have not done is a detail for the security gate. The fire marshal usually reports to the applicant on what he would like, either 2 gates with a padlock on it, just a chain across, but there is no standard detail. One thing Mr. Nesteriak asked for was test pits, so Garcia sent in a machine to do test pits for the sites. These test pits were about 38 to 40 feet deep. The results showed that the throughout all the test pits, they have hit no ledge at all. In a number of the test pits there is a lot of sand and gravel. Groundwater has been hit in 2 of the test pits but for the most part it was uniformly sand and gravel. No blasting is anticipated. If they do hit ledge it will be in some of the trenches but he does not foresee that. The only thing he and Mr. Nesteriak really disagree on are the storm water. He handles the storm water in accordance with the 2004 Storm Water and Soil Erosion treatment manual published by the state of CT, which was published with information on technology over 20 years ago. It talks about primary and secondary treatment. One of the arguments Garcia and Nesteriak had was whether or not this was primary or secondary treatment. Garcia reminds the Commission that ice and snow is a huge problem in our area. He does not want to design a system that will only work from March until November, and would be 70% effect. His idea is that he will design a system that will work 100% percent of the time because there is a very low sediment load and they can now act as infiltration basins 100% of the time. This is not included in the design, and infiltration is assumed, which is why he says it's a conservative design. There will be a lot of drop out and storm water sediment pulled out through the sediment chamber, which is what it is designed to do. These chambers will also act as sediment traps. Hopefully 99% of the water will be clean. Mr. Nesteriak's opinion on biofiltration is great until the water freezes or becomes snow, in which it does not work and will only work 75%. Garcia says that he knows these treatments work and takes out 80% of the sediments and a majority of the pollutants. The treatment chain they have established does exactly what the manual wants which is take at least 80% of the sediments and nutrient load out, as well as provide a better outflow from when they started.

Tom Lavranchuk where treatment system number 1 is and if that was where the deepest cut would be.

John Paul Garcia pointed it out on the map and stated that Mr. Nesteriak specifically asked about that one which was why they cut down so deep.

Lavranchuk asked if there was anything put up for erosion control in that area.

Garcia responded that no because it's in an area where it is not going to erode.

Lavranchuk said that the cut was very deep, and pointed out spots that were not gravel. There were spots where real gravel would not have flat rocks in it. He pointed out that there are 2 different machines with two different buckets in the photos.

Jerry Kiley said that they were the same machine with the same buckets, but there is rubble rock in there and with that machine its pouring the rock from the bucket.

Lavranchuk said that he understands, but that Garcia was saying that the ground was pervious which is not true.

Garcia said that the majority of the hole is pervious but not all of it.

Lavranchuk said that there are two different buckets.

Kiley pointed out that there are 2 different buckets, not in the same spot but yes they used two different ones on the project.

Garcia said that he has sent this revised phasing plan to Mr. Nesteriak but he has not finalized the drawings and they would like to do that before submitting them to the Commission.

Joe Steve, fire protection consultant, responded to the fire marshals comments. There is a letter dated December 9th submitted by Attorney Fienberg which responds to the comments from the fire marshal. 3 out of 6 of the items addressed had to do with the fire lane.

1. The width- the fire code requires the width be 20 feet which they provided
2. Grade- the slope of the road should be acceptable to the fire marshal, meaning it allows the marshal to use 10% as a guideline. The town's rule is 12% and that was what they used.
3. Marking of no parking- they will comply
4. Fire hydrants- a standard was referenced, it does comply with that because it is state law.
5. Placement of the hydrants- the marshal's discretion was made on where they should be and they will comply.
6. Fire code- the site plan and building will apply with the fire code. The plans should submit to the fire code by the building inspector before the plans are approved.

Fire Marshal Rockwell mentioned something early about compliance with fire safety codes during the construction phases. The fire prevention code does have a section in it that regards buildings under construction and requires a plan be submitted for his approval which outlines all the phases of constructions, and they will of course comply with this and he will approve it. In his professional opinion there are no health or safety concerns here.

The Chair asked if he agreed with the 1st issue (the width of the road).

Steve said yes he agreed.

The Chair asked if he agreed with the 2nd issue (the grade) should be 10%.

Steve said no he believes the rule is 12% of the town and the 10% is suggested. 12% is good enough for a town road so it should be good enough for this project. There is only a small section where this affects this project.

Lavranchuk asked if the fire marshal has the final say.

Steve said yes he will ultimately have the final say and have to argue why the 12% is not good enough.

The Chair clarified that this was the only disagreement and that everything else that the fire marshal mentioned, they had complied with. Steve said yes.

Robert Rockwell, deputy fire marshal said, his office is at a point where they did not have the complete information on what their driveway was. The tower truck is comfortable working in a 1 in 8 or a 1 in 10 situation, but their section that is 1 in 12 does not have any building. He understands they will work with us and that they don't want the trucks bottoming out but it's mainly that they don't need to set up the ladder there.

Lisa Fienberg said that the fire marshal is going to have to sign off on a building permit and if he does decide that for that stretch of road that it must be 1 in 10, they will figure it out.

The Chair asked if staff had any questions.

Kieth Rosenfeld asked about the application that was sent to DEEP concerning endangered species. It had been identified that something was found on their map, so what has DEEP said since then?

John Paul Garcia said that he has checked with DEEP and that they told not to call because they are 8 to 12 weeks behind.

Rosenfeld said that it is a very important issue and they would like to get that resolved as quickly as possible.

Matthew Popp stated that he believed it was a mating box turtle that was found in the area. If there are conditions that should be put in place that is totally fine, sometimes they will put up a fence and someone will go in and walk the site, and if there is one found they will move it. There are also educational sign that could be put in. During May or June they can absolutely have someone go walk around and move them behind the barrier.

Rosenfeld said that they would like to see that on the plan and a formal procedure as well as the signs.

Bryan Nesteriak stated that if anyone has any questions he will answer, but he does not feel inclined to comment tonight without more research on the new information he was just given.

## 6. Public Comment

Cythia Zukas 270 Pearl Street, said that she would like to see the trees such as hickory, chestnuts, and black walnuts on the site plan. She likes the suggestion of the stop signs because the traffic will be a nightmare. She said that 67 will get worse and Pearl will be a mess. With the truck school there, the traffic lights will take forever and she really does believe that people will speed down Pearl. So the traffic study should include more areas. She likes that the

building will be gray, but she hopes the back side of the building is nice to look at as well. The water flows underground so there are going to be problems with the drainage unless they end up putting it in the catch basins.

Michaael Gerontano 36 Smith Street said that he believes the traffic study is that no one looked at Knorr Street. He also believes that no one uses a blinker when they are turning left and that will cause a lot of accidents. Smith Street is a one way street that people don't use as a one way. The traffic near Skokorat piles up and people will barrel down Smith Street because its so backed up and people from New Haven are in a rush. There is a serious traffic problem with the truck schools and it gets backed up with the new CDL drivers. He says there is not enough supply of water coming from the road and they seriously need to fix it. He needs to see some action from the town or he will put a for sale sign in front of the home.

Christopher Calkins 19 Spring Street says he also has concerns about the traffic, especially the traffic coming off 67 into the Pearl area. He will go out of his way to avoid the traffic during the work hours. He will also drive to Ansonia or Derby to avoid the traffic. He also brings up the issues of the buses coming down Pearl and they will stop people in traffic behind them and cause a lot of congestion.

Conrad Dahm 18 Spring Street asked the engineer about the 4 cubic yards.

Garcia said that no it was 4 cubic feet.

Dahm said that as a reminder there are animals hibernating under the ground right now, so they should be careful when they go up and start anything on the site.

The Chair asked if he could continue the hearing to next month.

Walter Birdsell made a motion to postpone until next month's meeting 6:30 January 19, 2020.

Second by Joe Niezelski.