

COMMISSION ON THE CITY PLAN
Tuesday, April 20, 2021, 7:00 PM
Virtual/Remote Meeting
NORWICH, CT
REGULAR MEETING

Assistant City Planner Daniel Daniska read information pertaining to virtual meetings and clearly stated that the meeting, including video, would be recorded.

A. CALL TO ORDER: Chairman Frank Manfredi called the meeting to order at 7:04 PM.

B. ROLL CALL AND SEATING OF ALTERNATES:

Present: Chairman Frank Manfredi, Vice Chairman Les King, Swarnjit Singh Bhatia, Jason Courter and Michael Lahan (entered the meeting at 7:07 PM)

Absent: Kathy Warzecha

Swarnjit Singh Bhatia and Jason Courter were seated as participating members.

Others Present: City Planner Deanna Rhodes, Assistant City Planner Dan Daniska, David McKay of Boundaries LLC, Jonathan Chappell, Matt Greene, Mike G. of Cove View Towers and Recording Secretary Melinda Wilson

C. APPROVAL OF MINUTES: Commission on the City Plan (CCP) March 16, 2021 Meeting Minutes

On a motion by Les King, seconded by Swarnjit Singh Bhatia, the minutes of the March 16, 2021 CCP meeting were unanimously approved as presented.

D. COMMUNICATIONS: Mr. Daniska reported on three communications.

The Town of Preston sent a notice regarding a change in farming uses to include apartments for workers. There was general agreement that the change would have no effect on the City of Norwich.

Per the City Clerk's office, all CCP members' terms had expired by the end of February. Mr. Daniska asked that all members please complete the Renewal/Application on the city's website.

The Connecticut Federation of Planning & Zoning Agencies sent three award Letters for Length of Service – Frank Manfredi, Les King and Michael Lahan all have served for 12 years or more on a planning & zoning board. The virtual presentation will be held tomorrow night. City Planner Deanna Rhodes offered her congratulations and noted that she sent the login link to CCP members to attend the presentation ceremony.

E. NEW BUSINESS:

1. **SUB #433:** 9 Smith Avenue. Request for two (2) lot subdivision. Property and application of Ballard Builders, LLC (Craig Ballard). Assessor's Map 95, Block 2, Lot 2. Zone R-20.

David McKay of Boundaries LLC presented on behalf of applicant Craig Ballard. Mr. McKay spoke to a displayed subdivision plan. The application would subdivide one lot into two. Both would be above the required minimum size for the zone. There is a proposed conservation easement over a steep, wooded slope to the rear of the lots. The plans were sent Connecticut's Department of Energy and Environmental Protection (DEEP) for review. DEEP sees no negative impact due to the proposed project and submitted a letter to this effect. Public utilities are available to both lots.

Mr. Daniska added that he received communication regarding the CAM application and there are no foreseen problems with the proposed development. He also noted that the city engineer's comments have been addressed and satisfied. Multiple departments have seen the plan and been given time to review. He reviewed his memo dated 4/9/21. He asked, and was granted, permission to waive the reading of bullet points at the end of his memo. He noted that the CCP would need to decide on the necessity of a public hearing for the proposed subdivision.

On a motion by Les King, seconded by Michael Lahan, a public hearing on SUB #433 was unanimously waived.

Chair Frank Manfredi opened discussion on the merits of application and questions. Mr. King asked if state archeology and city departments had responded and if this was necessary. Chair Manfredi confirmed that this is not required. Mr. Daniska confirmed that no comment from city departments is an indication of no concerns. Mr. McKay confirmed that markers and pins are proposed to be set after construction.

Michael Lahan made a motion to approve SUB #433 with the following conditions:

- That final revised plans be submitted and reviewed by City Staff, including all unaddressed comments in staff and Planner's memos.
- That the City's Letter of Approval be placed on the final revised plan set and mylar (cover page preferred).
- That an erosion and sediment control bond estimate be submitted with the plot plan submitted for development of each lot. The City Engineer will review the estimate and determine whether the amount is sufficient and increase if deemed necessary. Bonds must be submitted in a form acceptable to the City (check or letter of credit) prior to any land disturbance activities occurring.
- Two (2) mylars and six (6) prints of the plan must be submitted to the Planning Department for endorsement by the Chairman of the Commission on the City Plan. Mylars for the approved subdivision must be filed on the Norwich Land Records at the Office of the City Clerk within ninety (90) days of the official date of approval. The State of Connecticut Statute allows for a maximum of two (2) ninety (90) extensions that must be granted by the Commission. The mylars must include the red indelible ink certification which includes the name of producer and process used.
- That certification by a licensed land surveyor be submitted to indicate that the installation of property boundary markers and conservation boundary markers in accordance with the subdivision plan and completed prior to the filing of the mylars.
- All legal documents should be submitted to the City within 30 days of approval for review and comment by the City Attorney and Director of Public Works. These include the Right of Way (ROW) conveyance and Conservation Easements. The City Council must accept the ROW + Conservation Easements prior to filing of mylars and legal documents.

REASON: The proposed project conforms to the City of Norwich Subdivision Regulations

Jason Courter seconded. With no further discussion, the motion was unanimously approved.

2. **Referral from the City Council:** AN ORDINANCE PROVIDING FOR THE ABATEMENT OF REAL ESTATE TAXES ON THE REAL PROPERTY IMPROVEMENTS AND THE WAIVER OF BUILDING PERMIT FEES FOR THE HISTORIC REDEVELOPMENT AND/OR REUSE OF THE PONEMAH MILL BUILDING #2, ALSO KNOWN AS 555 & 575 NORWICH AVENUE – **TABLED at the request of the Applicant.**

On a motion by Les King, seconded by Swarnjit Singh Bhatia, the CCP unanimously tabled this discussion at the request of the applicant.

F. OLD BUSINESS:

- **612 West Thames Street – Tree Cutting and Conservation Easement – Update**

Joseph Theroux, Forester, gave an oral report to the CCP on the effects of tree cutting which had occurred in the conservation easement area. Mr. Theroux reported that a lot of small trees were cut. Only four were large enough to be tallied as saw timber trees, with a stumpage value of \$66.84. The easement area's true value is a wildlife conservation area. He reported seeing deer trails and evidence of small game, making this area essentially a wildlife corridor. Abatement or mitigation should be done to reestablish this area. Currently, invasive species such as vines (bittersweet) are negatively impacting the easement area. He suggested the replanting of native trees and shrubs. His written report contains suggestions of wildlife friendly species. He submitted photos, as well. He recommended that since the dead trees are tangled, they be cut up and used as wildlife habitat on site. It is a hard site to access by forestry equipment. Landscapers could walk in with chainsaws and make the habitat by hand. An intermittent water course runs through the site. If the area were replanted with the proper species, it would grow up rather quickly.

A planting schedule be submitted,

Attorney Matt Greene spoke, representing the owner of the property. He raised two concerns. 1) The land is for sale and of concern to potential purchasers is that it gets cleaned up. 2) The purpose of easement was not for the environment but for the protection of the neighbors. He represented that the owner wants the larger trees removed. They have a sales contract on the land.

Ms. Rhodes reported that she has had inquiries into the site. She noted that it is a single-family lot. There has been some interest in multi-family. Concern has been expressed about the conservation easement. She also clarified that a conservation easement has multiple purposes; it does have a value for wildlife and protects the steep slope from development.

The situation was reviewed. The condo association knew this was a separate lot. Cove View Towers thought it was their land. They cut the trees for an improved view. Jonathan Chappell, attorney for Cove View Towers, reported that they are prepared to remedy the situation. He asked for an invoice to pay the forester for the report. He also noted that due to the steep slope, removing the downed trees would be very difficult.

Mr. Theroux clarified that eighteen trees were newly cut. He did not tally the older cut trees. He noted they are easy to discern, are further down the slope and there are not too many.

Discussion ensued on the potentiality of removing the large downed trees. Matt Greene updated his request to replanting and creating habitat with the tree trunks, keeping the timber there in a uniform fashion.

Chair Manfredi summarized that the land should be returned it to previous condition with limited damage. Mr. Theroux was tasked with writing a plan for remediation. This plan will be presented to the CCP so all parties are on same page and can progress from there. Mr. Theroux estimated his invoice to date to be \$600. A remediation plan would cost less than that. His remediation plan will contain species and numbers so potential bidders could give accurate bids on the remediation. Mr. Chappell noted that Mike G. was the property manager for Cove View and was on the call. Mr. G will be able to get the

landscaping aspect taken care of once they have the plan. Mr. Theroux confirmed that the plantings in the remediation plan will augment the site to reestablish natural habitat that was there, including nuts for squirrels and flowering dog woods. The finished product will please the neighbors.

Chair Manfredi closed out the conversation by planning for the May 18, 2021 meeting agenda. Mr. Theroux will present the remediation plan and a planting schedule. Matt Greene noted that he was in agreement with what was discussed at tonight's meeting.

G. EXTENSION REQUESTS: None

H. BOND REDUCTION / RELEASE REQUESTS: None

I. OTHER BUSINESS:

- DRAFT – Open Space Fee Language – Subdivision Regulations
Mr. Daniska referenced the draft language posted on the department's website. Once reviewed by CCP, it would be sent to the City Attorney for review. Ms. Rhodes noted the language was copied with permission from another municipality and the purpose is to address the Open Space Fee. Mr. Lahan reported that he had several comments. Frank suggested further review of Mr. Lahan's comments. Ms. Rhodes suggested Kathy Warzecha be involved.

On a motion to table by Les King, seconded by Swarnjit Singh Bhatia, the CCP voted unanimously to table the matter to the following meeting on 05/18/2021.

Ms. Rhodes will circulate Mr. Lahan's notes on the draft language to all CCP members.

- DRAFT – Building Square Footage to Trigger CCP Review Language – Zoning Regulation

On a motion by Les King, seconded by Jason Courter, the CCP unanimously voted to send the proposal to Michael Driscoll for review.

J. POCD Plan Implementation Committee (PIC) MEETING UPDATE + REMINDER: July 14, 2021 Virtual Meeting

Chair Manfredi reminded the CCP members of the July 14, 2021 POCD-PIC meeting.

K. STAFF REPORT: Ms. Rhodes reported the following:

Hale Mill is anticipated to be submitted this week. It will be on the CCP meeting agenda next month. The State Historic Preservation Office (SHPO) changed a few elements of the plans.

Ponemah South Mill project by One Key was originally going to be presented as an extension of the original approval, however it will be a new project. Prior to any tax abatement approvals, the project must have an approved plan in place.

West Ledge Apartments is looking for Certificates of Occupancy. There was an article in the newspaper recently.

The city's offices will be open again soon. CCP will continue with remote meetings. Some remodeling will be taking place for handicap access to the 23 Union Street building.

Ms. Rhodes has not heard back from Burger King's developer. She will reach out again via email. Bill Sweeney is no longer involved in the project.

These Guys will close on the Church Street property in June. The brewery is moving forward.

The two building officials are very busy. She asked that if anyone knows a building official who can review plans for the city, please let her know.

Bank of America in Norwichtown is closing. Mr. Lahan noted that by the end of May the branch will be closed.

Chair Manfredi reported that the Norwich Community Development Corporation (NCDC) is getting close to selection of new President. He expects the board will make an offer within 2-4 weeks. They are down to two candidates.

The Business Master Plan District was approved by the City Council with all considerations suggested by the CCP except expanding the list of uses.

L: ADJOURNMENT: On a motion by Jason Courter, seconded by Les King, the CCP unanimously adjourned at 8:24 PM.

*Respectfully submitted,
Melinda Wilson
Recording Secretary*