

AGENDA

Regular Meeting

Canton Planning and Zoning Commission
Wednesday, February 17, 2016 at 7:30 pm
Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER:

ROLL CALL:

READING OF THE LEGAL NOTICE:

PUBLIC HEARINGS

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. **File #193; ApIn #1571;** 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner
3. **File #140; ApIn #1574;** 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner
4. **File #8; ApIn #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. **File #193; ApIn #1571;** 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

3. **File #140; ApIn #1574;** 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner
4. **File #8; ApIn #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

OLD BUSINESS:

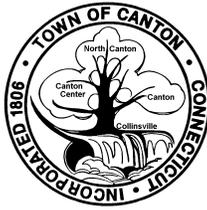
NEW BUSINESS:

1. **File #543;** 169 and 177 Robin Drive; Assessor's Map 7; Parcels 4580169 & 4580177; Zone R3; Lot Line Revision; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner
2. **Pre-Application Review;** 50 Old River Road; Assessor's Map 34; Parcel 4060050; Zone MCPF; discussion of redevelopment concepts for the Town Garage; Town of Canton, applicant/owner

OTHER BUSINESS:

1. Review minutes of the January 19, 2016 regular meeting
2. Discussion of Possible Edits to Zoning Regulations
3. Discussion of Design Regulations
4. Discussion of Subdivision Regulations Rewrite
5. Discussion of Electronic Message Board Signs
6. Staff Reports:
 - a. Town Planner's Report
 - b. ZEO Report

ADJOURNMENT:



AGENDA
WORKING NOTES

Regular Meeting
Canton Planning and Zoning Commission
Wednesday, February 17, 2016 at 7:30 pm
Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER:

Call to order the Regular Meeting of the Canton Planning and Zoning Commission, February 17, 2016 at ____ PM

ROLL CALL:

Commissioners Present are: _____.

Commissioners Absent are: _____.

- David Bondanza –Regular Member
 - Jonathan Thiesse – Regular Member
 - Phil Pane – Regular Member
 - David Evens – Regular Member
 - John Huyghebaert – Regular Member
 - *Keith August – Regular Member
 - Lans Perry – Regular Member
 - David Freeman – Alternate Member
 - Bill Sarmuk – Alternate Member
 - Vacant – Alternate Member
- *members indicated they will be absent

A quorum of the Commission is present?

(If a Regular Member is absent: "Mr. _____ is hereby seated for Mr. _____.")

Modification of Agenda

Suggest moving New Business Item #2 to the top of the agenda.

READING OF THE LEGAL NOTICE:

Remarks by Chair Re: Meeting Conduct

PUBLIC HEARINGS

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner

____ Commissioners Seated 1. _____, 2. _____, 3. _____,

4. _____, 5. _____, 6. _____, 7. _____

____ Alternates Seated a. _____, b. _____, c. _____, and for whom

The Public Hearing was opened in November and continued to December. At the December meeting the applicant granted an extension under CGS 8-7d to allow the hearing to remain open to January 19th, 2016. At that meeting an additional extension was granted to the February 17th meeting. Remaining statutory time could extend the hearing to February 26, 2016.

At the time Working Notes was drafted the applicant has not responded to several inquiries from the Land Use Office requesting materials to address the outstanding items identified in the October 21, 2015 staff report and raised during the proceeding.

Additional information is required to be submitted 10 days in advance of the meeting per Section 9.1.A 7 and 8. In lieu of an extension, or the willingness of a special meeting, or the willingness to accept additional information with less than 10 days of lead time, the Commission must close the hearing this evening. If the hearing is closed the Commission may deliberate for 65 days (March 24, 2016). However with the remaining outstanding information not being submitted (**please see the October 21, 2015 staff report**) the Commission would likely be required to deny the application.

Suggested Motion:

Motion: to Close the public hearing for File #379; Apln. #1559.

A motion is made,
is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

2. **File #193; Apln #1571**; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

___ Commissioners Seated 1. _____, 2. _____, 3. _____,
4. _____, 5. _____, 6. _____, 7. _____

___ Alternates Seated a. _____, b. _____, c. _____, and for whom

The Public Hearing opens this evening. This application was submitted on December 28, 2015, received by the Commission on January 19th, 2016 and scheduled for a public hearing to be opened on February 17th. As a special permit application a hearing is required. The Commission has 35 days to close the hearing (March 23, 2016). The applicant is unable to attend due to a motor vehicle accident.

There is no formal staff report for this application. The applicant proposes to address a violation identified (self-raised) during the most recent proceeding on this property by the submission of this application. The applicant has recently installed an outdoor seasonal display area on the south side of the green house approved by the Commission in December 2015. Staff reviewed the criteria of Section 7.10.B Outdoor Display with the applicant and found no concerns based on the historical layout of the property and flow of pedestrian traffic as the site presently functions.

Suggested Motion:

Motion: to Close the public hearing for File #193; Apln. #1571.

A motion is made,
is there a second?

All in favor? All Opposed? Any Abstentions?
Motion passes / fails

3. **File #140; ApIn #1574;** 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

___ Commissioners Seated 1. _____, 2. _____, 3. _____,

4. _____, 5. _____, 6. _____, 7. _____

___ Alternates Seated a. _____, b. _____, c. _____, and for whom

The Public Hearing opens this evening. This application was submitted on January 28, 2016, and was submitted with sufficient time for the legal notices to run, for the application to be received and the hearing opened this evening. As a special permit application a hearing is required. The Commission has 35 days to close the hearing (March 23, 2016).

There is no formal staff report for this application. The applicant has recently acquired 175 Albany Turnpike ("the Hinmann property") and proposes (work already underway) to clean up the site. The applicant intends to remove several dilapidated greenhouses and buildings/ structures as shown in the submitted site plan. The applicant owns adjoining properties to the east that will be connected to this property. After improvements at 175 Albany Turnpike are approved the entire "complex" of properties from 163 – 175 Albany Turnpike could be treated as one consolidated site plan (similar to the Conceptual Example shown on Page 45 of the 2014 POCD Strategic Plan).

While certain activities and uses occurred on the premises over the years, it is not clear the extent that they received zoning approval, or are considered business district uses. Previous retail and display activity on the site occurred under regulations that allowed agricultural uses as of right within business districts. The applicant wishes to remove any obscurity over allowed uses through this application and seeks approval of retail and service uses over 2,500 sf.

The applicant further wishes to establish outdoor display and parking area allowances and demarcations.

The applicant further wishes to seek approval of a unified signage theme. The properties owned by the applicant to the east have a particular style of signage that pre-date current signage standards. The signage theme is proposed to allow the applicant to add one sign to 175 Albany Turnpike that match two others installed along the complex's frontage.

The Commission may wish to seek clarification or additional details on the following:

- o Dimensions, materials, etc for the proposed signage theme
- o Demarcation of limits and quantification of parking
- o Demarcation of limits and use of outdoor display areas
- o Limits of retail and service uses allowed over 2,500 sf
- o Access management changes as part of the new site plan operation.

Suggested Motions:

Motion: to Continue the public hearing for File #140; ApIn. #1574.
Or

Motion: to Close the public hearing for File #140; ApIn. #1574.

A motion is made,

is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

4. **File #8; ApIn #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

___ Commissioners Seated 1. _____, 2. _____, 3. _____,

4. _____, 5. _____, 6. _____, 7. _____

___ Alternates Seated a. _____, b. _____, c. _____, and for whom

The Public Hearing opens this evening. This application was submitted on January 28, 2016, and was submitted with sufficient time for the legal notices to run and for the application to be received and the hearing opened this evening. As a special permit application a hearing is required. The Commission has 35 days to close the hearing (March 23, 2016).

There is no formal staff report for this application.

Please see the January 14, 2016 Wetlands Permit for regulated activity associated with this application.

Please see the review comments from the Project Administrator

On February 2, the applicant was contacted and asked to provide a summary of how this proposal meets the flood plain management criteria of Section 6.2. It was also requested that the plans be updated to show the real boundary of the flood plain based on the new topography of the site (post Shoppes construction). The mapped boundary shown is no longer accurate based on the post fill conditions. No response has been received.

As part of an explanation to Project Administrator comments on flood storage, the applicant has presented that substantial cuts occurred during initial Shoppes construction. Those cuts were of a volume far greater than what was necessary to accommodate the fill occurring at that time (possibly in anticipation of additional development in the future). This should be closely considered to ensure appropriate action occurs under current flood plain standards.

Suggested Motions:

Motion: to Continue the public hearing for File #8; ApIn. #1575.

Or

Motion: to Close the public hearing for File #8; ApIn. #1575.

A motion is made,
is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner

Discussion

Do I have a motion?

Suggested motion: Moved that the Commission hereby denies File #379, ApIn. #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner.

This denial is made, in part, on the basis of, and the Commission's reliance upon, the application form dated October 11, 2015; information received at a public hearing commenced on November 18, 2015, continued to December 16, 2015, continued to January 19, 2016, continued to February 17, 2016 closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

List of Drawings

1. Sheet 1; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
2. Sheet 2; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
3. Sheet 3; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
4. Sheet 4; Elevations; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
5. Sheet 5; Ground Floor Plan; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
6. Sheet 6; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
7. Sheet 7; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
8. Sheet 8; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
9. Sheet 9; Alternate Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated October 7, 2015

Correspondence:

1. Town of Canton – Zoning Development Application for File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. Copy of Payment; Check #200

3. Assessor's Card for 301 Albany Turnpike; Parcel 1010301
4. List of Abutters within 100 feet
5. Copy of the abutter notice sent to neighboring properties on September 21, 2015 notifying them of the upcoming Public Hearing on October 21, 2015
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 9/21/15
7. Proof of Certified Mailing from the Hartford Courant; dated October 1, 2015
8. Email from David Whitney to Neil Pade regarding soil tests at 301 Albany Turnpike; dated October 13, 2015
9. Email from David Whitney to Renee Narducci regarding revised plans; dated October 14, 2015
10. Email from David Whitney to Renee Narducci regarding a letter with additional information for the proposed Dance Studio; dated October 14, 2015
11. Letter from David Whitney to Neil Pade regarding additional information for the proposed Dance Studio; dated October 12, 2015
12. Application review comments from Police Chief Christopher Arciero; received October 14, 2015
13. Application review comments from Fire Marshal Tim Tharau; received October 15, 2015
14. Certified mail receipts
15. Agenda for the October 21, 2015 Regular Meeting of the Planning and Zoning Commission
16. Email from David Whitney to Neil Pade regarding the postponement for the opening of the public hearing; dated October 19, 2015
17. Letter from David Whitney to Neil Pade formally requesting the postponement for the opening of the public hearing to the next regularly scheduled meeting on November 18, 2015; dated October 19, 2015
18. Notice of hearing postponement for File #379; ApIn #1559; placed at entrance of Room F prior to meeting
19. Email from George Wallace to Neil Pade regarding his preliminary review of this application; dated October 21, 2015
20. October 21, 2015 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
21. Draft minutes from the October 21, 2015 Regular Meeting of the Planning and Zoning Commission
22. Email from David Markowitz to Neil Pade regarding the easement and deed for 301 Albany Turnpike; dated October 23, 2015
23. Warranty Deed for 301 Albany Turnpike; Volume #299, Page #1002; dated October 2, 2003
24. Driveway Easement for 301 Albany Turnpike; Volume #315, Page #265; dated August 4, 2004
25. Letter from David Markowitz to Neil Pade regarding the proposed Dance Studio; received via email; dated November 16, 2015
26. Description of the proposed dance studio, provided to the Commission by Kym Nash prior to the Public Hearing on November 18, 2015
27. Draft minutes from the November 18, 2015 regular meeting of the Planning and Zoning Commission
28. Consent for extension of statutory time (CGS, Chapter 8-7d) signed by Kym Nash; received by the Land Use Office on December 1, 2015
29. Agenda for the 12/16/15 Regular Meeting of the Planning and Zoning Commission
30. Draft minutes from the 12/16/15 Regular Meeting of the Planning and Zoning Commission
31. Draft minutes from the 1/19/16 Regular Meeting of the Planning and Zoning Commission
32. Consent for extension of statutory time (CGS, Chapter 8-7d) signed by Kym Nash; received by the Land Use Office on January 19, 2016

This application is denied in accordance with Section 9.1.A.11 and by the finding that the application:

1. is incomplete;

2. fails to provide information necessary for the Commission to review in order to determine compliance with the regulations;
3. does not meet the requirements of the regulations as documented in the October 21, 2015 staff report; and
4. fails to address outstanding issues and concerns raised or otherwise discussed during the public hearing that have not been addressed.

A motion is made, is there a second?

All in favor? All Opposed? Any Abstentions?

Motion passes / fails

2. **File #193; ApIn #1571**; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

___ Discussion

___ Do I have a motion?

Suggested motion: Moved that the Commission hereby approves File #193, ApIn. #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner.

This approval with conditions and modifications is made, in part, on the basis of, and the Commission's reliance upon, the application form dated December 28, 2015; information received at a public hearing commenced on February 17, 2016 and closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

Drawings:

1. Sheet 1; Modified Plot Plan; 465 Albany Turnpike; Prepared by David F. Whitney Consulting Engineers, LLC; Prepared for 465 Albany Turnpike, LLC; Dated December 16, 2015

Correspondence:

1. Town of Canton Planning/Zoning – Development Application for File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner
2. Special Permit application checklist
3. Copy of payment; check # 3618
4. Copy of abutter notice; received by the Land Use Office on 12/30/15
5. Abutter list
6. January 13, 2016 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
7. Draft minutes from the 1/19/16 regular meeting of the Planning and Zoning Commission
8. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 1/20/16
9. Public hearing sign affidavit; dated 1/20/16
10. Certified Mail receipts
11. Town of Canton legal notice

12. Proof of legal notice from the Hartford Courant; dated 2/2/16

This approval is effective March 8, 2016 (20 Days from approval date) and UPON THE RECORDING OF AN APPROVAL LETTER AND A CERTIFICATE OF ACTION WITH THE TOWN CLERK.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

- 1.
2. Limited to
3. This approval shall be binding upon the Applicant / developer, heirs, assigns, and grantees.

A motion is made, is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

3. **File #140; ApIn #1574;** 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

Discussion
 Do I have a motion?

There is no draft motion

A motion is made, is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

4. **File #8; ApIn #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

Discussion
 Do I have a motion?

There is no draft motion

A motion is made, is there a second?
All in favor? All Opposed? Any Abstentions?
Motion passes / fails

OLD BUSINESS:

None

NEW BUSINESS:

1. **File #543**; 169 and 177 Robin Drive; Assessor's Map 7; Parcels 4580169 & 4580177; Zone R3; Lot Line Revision; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner

This application was approved on July 16, 2014, with conditions. The mylar was not filed within the required statutory time frame. The applicant has resubmitted to start a new statutory clock and also has updated the plans partially to comply with the 2014 conditions of approval.

The Commission should review the September 11, 2014 memo from the FVHD regarding sewage disposal capabilities at 169 Robin Drive and determine if it is sufficient to meet Conditions #2c and #2d of the July 16, 2014 approval.

Discussion
 Do I have a motion?

The Canton Planning and Zoning Commission does hereby **APPROVE** File #543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Modification of Lot Lines; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner.

This approval is granted in accordance with the July 16, 2014 approval, inclusive of all documents, exhibits, findings and conditions as stated on the July 22, 2014 approval letter.

This approval is also granted based on the following submitted with plan(s) entitled:

1. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date August 28, 2014 and such revisions to said plans as may be required by this approval;

In addition to the above-referenced plans, this approval is granted in accordance with the following documentation submitted by the applicant, or otherwise submitted to the Commission:

1. Town of Canton – Zoning Development Application for File #543; 169 and 177 Robin Drive; Assessor's Map 7; Parcels 4580169 & 4580177; Zone R3; Lot Line Revision; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner
2. Copy of payment; check #21172
3. Copy of the approval letter for Referral #400; regarding the request to release an easement for a temporary cul-de-sac located on Robin Drive; dated 6/30/14
4. Copy of the approval letter for File #543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Resubdivision/Modification of Lot Lines/Release of easement for a temporary cul-de-sac; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner; dated 7/22/14
5. Memo from the FVHD to Neil Pade regarding sewage disposal capabilities at 169 Robin Drive; dated 9/11/14

This approval is effective March 8, 2016 and upon the recording of the final Mylar's as required below with the town clerk.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on Mylar, **bear all the conditions of all land use commissions**, and stamped "APPROVED" and signed by the Planning and Zoning Commission (PZC) on a Town approved signature block. Said plans shall be filed by the applicant with the Town Planner and Town Clerk by **June 6, 2016**, which

is within 90 days of the effective date (anticipated expiration of the appeal period); The applicant/ developer must provide one (1) fixed line Mylar, and two (2) paper copies of each approved plan for signature by the Chairman and /or Secretary. Maps to be filed on the land records of the Town Clerk must meet the following standards:

Must be produced by 1) wash-off photographic polyester film, 2) fixed line photographic polyester film, 3) original ink drawing on polyester film or linen; the process used must be certified by a stamp in red indelible ink, 1" x 2", and include name of producer and process used. Polyester films ("Mylar") must be matte on at least one side. Maps shall be 24" x 36".

2. The conditions of approval of the Commission July 16, 2014 approval are incorporated by reference.
3. This approval shall be binding upon the applicant / developer, heirs, assigns, and grantees.

A motion is made, is there a second?

All in favor? All Opposed? Any Abstentions?

Motion passes / fails

2. **Pre-Application Review;** 50 Old River Road; Assessor's Map 34; Parcel 4060050; Zone MCPF; discussion of redevelopment concepts for the Town Garage; Town of Canton, applicant/owner
The Canton Department of Public Works will provide a 10 minute presentation. This will be an informal (non-binding) review and discussion on proposed modifications of the existing highway garage site. Of particular interest will be the standards of the MCPF District, Flood Plain Management Standards, and interpretation of the POCD as it pertains to redevelopment within the existing site.

OTHER BUSINESS:

1. Review minutes of the January 19, 2016 regular meeting
2. Discussion of Possible Edits to Zoning Regulations
3. Discussion of Design Regulations

Special meeting to continue, starting on Section 4, scheduled for 2/24/16

4. Discussion of Subdivision Regulations Rewrite

A revised draft of the SR was sent by the consultant seeking staff review prior to distribution to the Committee. 2/17/16 has been set aside for staff to review this draft and evaluate the extent submitted comments have been addressed. An update of the Public Improvement Standards has not been received.

5. Discussion of Electronic Message Board Signs

Owner of 41 Bridge Street would like to convert the existing message board sign to an electronic message board sign in order to simplify the changing of message and promotion of venues. A read of Section 7.3.B.3 indicates such a device would not be allowed. In subsequent discussions with the owner, it was decided the Commission would be consulted on an interpretation of this section and the Commission would be approached about the future possibility of such signs in general.

6. Staff Reports:

- a. Town Planner's Report

- File #524; Shallot Meadow Road Acceptance Request – Withdrawn, with concerning details.

- Commission Membership
- TIF Master Plan Initiative

b. ZEO Report

- 136 Dowd – Owner failed to install ADA sidewalk connection and painted cross walk across property. This was missed at the CO inspection, but has been a subsequent enforcement action. The owner wishes to put a request before the Commission to seek a waiver of this requirement to provide access and modify the conditions of the approved plan (that were specifically added to bring the plan into compliance).

ADJOURNMENT:

Exhibit List for:

File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner

List as of February 2, 2016

List of Drawings

1. Sheet 1; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
2. Sheet 2; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
3. Sheet 3; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
4. Sheet 4; Elevations; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
5. Sheet 5; Ground Floor Plan; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
6. Sheet 6; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
7. Sheet 7; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
8. Sheet 8; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
9. Sheet 9; Alternate Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated October 7, 2015

Correspondence:

1. Town of Canton – Zoning Development Application for File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. Copy of Payment; Check #200
3. Assessor's Card for 301 Albany Turnpike; Parcel 1010301
4. List of Abutters within 100 feet
5. Copy of the abutter notice sent to neighboring properties on September 21, 2015 notifying them of the upcoming Public Hearing on October 21, 2015
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 9/21/15
7. Proof of Certified Mailing from the Hartford Courant; dated October 1, 2015
8. Email from David Whitney to Neil Pade regarding soil tests at 301 Albany Turnpike; dated October 13, 2015
9. Email from David Whitney to Renee Narducci regarding revised plans; dated October 14, 2015
10. Email from David Whitney to Renee Narducci regarding a letter with additional information for the proposed Dance Studio; dated October 14, 2015
11. Letter from David Whitney to Neil Pade regarding additional information for the proposed Dance Studio; dated October 12, 2015
12. Application review comments from Police Chief Christopher Arciero; received October 14, 2015
13. Application review comments from Fire Marshal Tim Tharau; received October 15, 2015
14. Certified mail receipts
15. Agenda for the October 21, 2015 Regular Meeting of the Planning and Zoning Commission

16. Email from David Whitney to Neil Pade regarding the postponement for the opening of the public hearing; dated October 19, 2015
17. Letter from David Whitney to Neil Pade formally requesting the postponement for the opening of the public hearing to the next regularly scheduled meeting on November 18, 2015; dated October 19, 2015
18. Notice of hearing postponement for File #379; ApIn #1559; placed at entrance of Room F prior to meeting
19. Email from George Wallace to Neil Pade regarding his preliminary review of this application; dated October 21, 2015
20. October 21, 2015 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
21. Draft minutes from the October 21, 2015 Regular Meeting of the Planning and Zoning Commission
22. Email from David Markowitz to Neil Pade regarding the easement and deed for 301 Albany Turnpike; dated October 23, 2015
23. Warranty Deed for 301 Albany Turnpike; Volume #299, Page #1002; dated October 2, 2003
24. Driveway Easement for 301 Albany Turnpike; Volume #315, Page #265; dated August 4, 2004
25. Letter from David Markowitz to Neil Pade regarding the proposed Dance Studio; received via email; dated November 16, 2015
26. Description of the proposed dance studio, provided to the Commission by Kym Nash prior to the Public Hearing on November 18, 2015
27. Draft minutes from the November 18, 2015 regular meeting of the Planning and Zoning Commission
28. Consent for extension of statutory time (CGS, Chapter 8-7d) signed by Kym Nash; received by the Land Use Office on December 1, 2015
29. Agenda for the 12/16/15 Regular Meeting of the Planning and Zoning Commission
30. Draft minutes from the 12/16/15 Regular Meeting of the Planning and Zoning Commission
31. Draft minutes from the 1/19/16 Regular Meeting of the Planning and Zoning Commission
32. Consent for extension of statutory time (CGS, Chapter 8-7d) signed by Kym Nash; received by the Land Use Office on January 19, 2016

#32

JAN 19 2016

TOWN OF CANTON DATE OF RECEIPT IN OFFICE

4 Market Street
PO Box 168
Canton, CT 06019

Land Use Department
(860) 693-7856
(860) 693-7884 (fax)



CONSENT FOR EXTENSION OF STATUTORY TIME
CGS, CHAPTER 8-7d

Name of Application: Special Permit (4.1.C.1.a) + Site Plan (9.1) for a proposed dance studio

Application # 1559; File # 379

Applicant: Ms. Kym Nash

Extension requested for (check one):

- Deadline for commencement of public hearing _____
- Deadline for closure of public hearing X _____
- Deadline for action _____
- General extension _____

Number of days granted _____ OR, date to which extension granted: 2/17/16

Date of authorization: 1/19/16

Authorizing agent signature: [Signature]

Authorizing agent name (Printed) Kym Nash

Introduction
Definitions
Residential (R) Districts
Business Districts
Design Districts
Other Districts
Basic Standards
Special Regulations
Procedures/Appendix



DRAFT MINUTES
Regular Meeting
Canton Planning and Zoning Commission
Tuesday, January 19, 2016 at 7:30 pm
Community Center, Room E
40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on January 19, 2016 was called to order at 7:37 p.m.

PRESENT: David Bondanza, David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry
ABSENT: John Huyghebaert, William Sarmuk and Keith August
ALSO PRESENT: Town Planner Neil Pade and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

Mr. Freeman is hereby seated for Mr. August.

MODIFICATION OF AGENDA: None

PUBLIC HEARINGS

READING OF THE LEGAL NOTICE: Read by Mr. Pane

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – Ms. Nash, the applicant's representative, filed a consent for extension of statutory time (CGS, Chapter 8-7d), requesting that the continuation of this public hearing be postponed until the February 17, 2016 Regular Meeting of the Planning and Zoning Commission.**

MOTION: Mr. Freeman moved to continue the public hearing for File #379; ApIn #1559 to the next Regular Meeting on February 17, 2016 at 7:30 p.m. in Room F of the Community Center. Mr. Thiesse seconded the motion, which passed unanimously.

Mr. Bondanza recused himself at 7:41 p.m. and Mr. Thiesse took over as acting Chairman.

2. **File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner**

Commissioners Seated: David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry

Mr. Jeff O'Neil, Chair of the Board of Directors for the North Canton Volunteer Fire Association (NCVFA), was present in order to discuss the application and answer questions the Commission had. Mr. O'Neil provided supplemental information in the form of a handout, which was received by all members of the

Commission at the beginning of the public hearing and read aloud. The document provided background information on the property, its history as a Fire Station, the proposed establishment of an emergency phone for public use, reasoning behind the requested sign, and NCVFA's recently approved Zoning Board of Appeals application. Mr. Thiesse asked if the NCVFA had considered modifying the existing sign, which is a standalone sign perpendicular to Route 179. Mr. Evens expressed a concern regarding the visibility of the proposed sign and questioned how it would aide in terms of awareness/safety. He stated that a standalone sign that is perpendicular to the road would be more visible to traffic coming from the North and South. Mr. O'Neil showed the Commission pictures of various signs throughout the town, which was used as an aide in their decision to request a 75 square foot sign. According to Mr. O'Neil, the NCVFA would like to install a wall-mounted sign due to the high cost of installing a secondary free-standing sign or modifying the current message board. Mr. Pane expressed a concern regarding the requested size of the sign, and noted that 75 square feet is excessive. Both Mr. Pane and Mr. Pade discussed the nature of the sign regulations and how they were developed with the assistance of the Canton Chamber of Commerce. Mr. Thiesse restated that the issue here is not the need or intent behind the sign, but the size requested in relation to what is allowed within the Zoning Regulations. The notion of reducing the size of the sign was questioned; however, Mr. O'Neil stated that the NCVFA would like to stick with 75 square feet.

Mr. Arnold Goldman of 89 High Valley Drive, who is a current member of the NCVFA, and Mr. Scott Goeben of 1 Huckleberry Hill Road, who is Captain of the North Canton Volunteer Fire Department, spoke in favor of the application.

Ms. Patricia Goodwin of 552 Cherry Brook Road submitted a letter to the Land Use Department on January 12, 2016, stating her opposition to the proposed sign, which was read aloud by Mr. Pade during the public hearing.

MOTION: Mr. Perry moved to close the public hearing for File #194; Apln #1567. Mr. Evens seconded the motion, which passed unanimously.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; Apln #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – No action was taken.**
2. **File #194; Apln #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner – Mr. Pade explained the creation of the MCPF district and the need for careful review of this application, as well as future applications. Mr. Perry stated that he feels the proposed sign is in harmony with the character of the area and is esthetically suitable. He also noted that the sign appears to fit the Special Permit criteria regarding appropriateness. Both Mr. Freeman and Mr. Evens agreed with Mr. Perry's discussion; however, Mr. Evens stated that an identification sign would be better suited perpendicular to the road. Mr. Thiesse also felt the proposed sign is appropriate but explained the Commission's role in striving for consistency with the Zoning Regulations. Mr. Pane stated that he does not like the idea of approving a sign of this size, as it is excessive in nature and far beyond what is permitted in the regulations.**

MOTION: Mr. Thiesse made a motion to **APPROVE File #194; Apln #1567;** 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner.

This approval is granted in part on the application submitted on December 3, 2015, testimony received at a public hearing commenced on January 19, 2016 and closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

Correspondence:

1. Town of Canton Planning/Zoning Development Application – File #194; Apln #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner
2. Special Permit application checklist
3. List of abutters
4. Abutters map
5. Copy of the abutter notice sent to abutting property owners; dated 12/14/15
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations
7. Memo from Assistant Town Planner Emily Anyzeski to the ZBA regarding ZBA Application File #2015-7; dated 11/5/15
8. Sketch of the sign approved by the ZBA; dated 11/9/15
9. Copy of the approval letter for ZBA Application File #2015-7; dated 11/20/15
10. Copy of the follow-up letter sent to Mr. Harold Freytag from Neil Pade, regarding necessary action prior to the installation of the sign; dated 11/24/15
11. Certified mailing receipts
12. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on October 19, 2015
13. Email from Karen McCoubrey to Renee Narducci regarding a preliminary drawing for the proposed sign at 540 Cherry Brook Road; dated October 9, 2015
14. Draft minutes from the 11/9/15 ZBA regular meeting
15. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on 1/12/16
16. January 13, 2016 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
17. Letter from Jeff O'Neil to the Planning and Zoning Commission regarding the proposed application; received by the Commission during the Public Hearing on 1/19/16

This approval with conditions and modifications is granted because the Commission finds that the application, as conditioned and modified by and inclusive of the stipulations of this approval, would comply with the following:

1. Section 9.2.E – Special Permit Criteria
2. Section 6.4.A – MCPF Purpose
3. Section 6.4.D.5.a – Signs in accordance with Section 7.3
4. Section 7.3.C – Standards – Signs in Residence Districts
5. As modified in terms of those standards and regulations by the variance approved by the Zoning Board of Appeals, with respect to the uniqueness of the property and that the approval was tied to the building's use as a Fire Station.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. This approval is effective **February 8th, 2016** (20 days from approval date) and **upon the recording of the approval letter/certificate of action with the Town Clerk.**
2. The sign shall be designed and located on the building in accordance with the information provided in the application and presented before the Commission.
3. The Commission hereby waives the required application fees in accordance with Chapter 248-6 of the Canton Town Code.
4. This approval is binding upon the applicant/developer, heirs, assigns, and grantees. This approval constitutes a contractual agreement between the Town of Canton and the applicant, heirs, assigns and grantees.
5. In evaluating this application the Town of Canton has relied on information provided by the Applicant or his agent.

Mr. Evens seconded the motion, which passed 3-1-1.

VOTE: Evens – Yes; Freeman – Yes; Pane – Abstained; Thiesse – No; Perry – Yes

Mr. Bondanza returned to the meeting at 9:00 p.m. and re-assumed his role as Chairman.

OLD BUSINESS: None

NEW BUSINESS:

1. **File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner – Mr. Pade provided a brief overview of the application and a staff report was provided to the Commission prior to the start of the meeting.**

MOTION: Mr. Evens moved to receive the application as presented and schedule a public hearing for February 17, 2016. Mr. Perry seconded the motion, which passed unanimously.

OTHER BUSINESS:

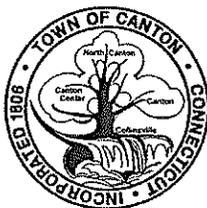
1. **Review minutes of the December 16, 2015 Regular Meeting** – The minutes were approved as presented.
2. **Freedom of Information (FOI) Class; February 3, 2016 at 7:00 p.m.** – A class will be held for the benefit of town staff and commissioners in Room F of the Community Center, in which attendance by the Commission is encouraged and appreciated.
3. **CRCOG Representative Recommendation for Regional Planning Commission** – Mr. Bondanza made a resolution to nominate Mr. Perry as the CRCOG Representative for the Regional Planning Commission, with Mr. Evens as an alternate.
4. **POCD Implementation Review** – Mr. Pade informed the Commission that he would like to arrange a meeting by March 2016 in order to run through the POCD to determine progress, areas in need of improvement and next steps. It was requested that the Commission review the materials provided in the meeting packet for a discussion at the next Regular Meeting. Mr. Thiesse expressed the need for a member of the Commission to be involved in the Plan Implementation Committee working group, which is currently staffed by Mr. Pade and members of the Board of Selectmen. After some

discussion, it was decided that this recommendation will be brought before the Board of Selectmen at the Super-Board meeting on January 28, 2016.

5. **Discussion of Super-Board Meeting on January 28, 2016** – The Commission discussed the overall intent of the meeting and who would be in attendance. The meeting will take place in Room F of the Community Center at 7:00 p.m. on Thursday, January 28, 2016.
6. **Discussion of Possible Edits to Zoning Regulations** – Mr. Pade provided overview on where things stand with the current list of suggested edits. As of right now, the proposed changes regarding as-builts have been completed, Mr. Pade has been in contact with the Collinsville Historic District Commission to discuss Open Signs, and draft language around archeological regulations have been provided by the Town Historian. Edits pertaining to accessory buildings and structures in the MR District, shipping containers, and equipment and vehicles are currently in progress.
7. **Discussion of Design Regulations** – A Special Meeting will be scheduled for Wednesday, February 10, 2016 in order to discuss Sections 1-4 of the draft Form-Based Code Regulations.
8. **Discussion of Subdivision Regulations Rewrite** – Mr. Pade informed the Commission that he is waiting for a complete draft of the Subdivision Regulations and Public Improvement Standards rewrite, which should be delivered by the end of the month.
9. **Discussion of Citation Process within Standard Zoning Enforcement Procedures** – Mr. Pade provided some insight regarding the questions that were proposed during the joint meeting of the Zoning Board of Appeals and the Planning and Zoning Commission on December 2, 2015, and feedback from the Town Attorney was provided in the meeting packets prior to the meeting. The Commission discussed the citation process and whether or not changes were necessary at this time, and as a result, no changes were recommended.
10. **Staff Reports:**
 - a. **Town Planner's Report**
 - i. **File #524; Shallot Meadow Road Acceptance Request** – As reported last month, the developer has requested a recommendation from the Commission that Shallot Meadow Road be accepted by the Board of Selectmen. On December 24, 2015, the applicant received a checklist notifying him of the missing information that would be necessary in order for the Commission to issue a positive recommendation. To date, no additional information has been submitted to the Land Use Department and the Town's on-call consultant does not have all the necessary information to complete his review. In the meantime, an interim report has been requested.
 - ii. **Annual Town Meeting January 20, 2016** – The annual Town Meeting will be held at 7:00 p.m. in the Town Hall Auditorium, located at 4 Market Street, Collinsville, CT. The meeting will include a presentation on the TIF Master Plan for the Collins Company and the Town's Marketing and Branding Project.
 - b. **ZEO Report** – The ZEO Report was distributed to the Commission electronically prior to the meeting. Mr. Pade requested guidance from the Commission regarding a recently submitted application for 280 Albany Turnpike, along with an anonymous complaint that was received pertaining to 550 Cherry Brook Road. After some deliberation, it was determined that the Zoning Enforcement Officer shall move forward with a Notice of Violation for 550 Cherry Brook Road. The Commission also requested that the Town Attorney provide insight regarding the regulations around the expansion of non-conforming uses/structures, as it pertains to the application for 280 Albany Turnpike.

ADJOURNMENT:

MOTION: Mr. Evens moved to adjourn the meeting at 9:58 p.m. Mr. Freeman seconded the motion, which passed unanimously.



#30

DRAFT MINUTES

Regular Meeting
Canton Planning and Zoning Commission
Wednesday, December 16, 2015 at 7:30 p.m.
Library Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on December 16, 2015 was called to order at 7:32 p.m.

PRESENT: Jonathan Thiesse, David Evens, Phil Pane and Lansford Perry

ABSENT: David Bondanza, John Huyghebaert, David Freeman, William Sarmuk and Keith August

ALSO PRESENT: Assistant Town Planner Emily Anyzeski and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

MODIFICATION OF AGENDA:

MOTION: Mr. Pane moved to modify the agenda to receive under NEW BUSINESS ITEM #1, File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner. Mr. Evens seconded the motion, which passed unanimously.

PUBLIC HEARINGS

READING OF THE LEGAL NOTICE: Read by Mr. Pane

- 1. File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – Ms. Nash, the applicant's representative, filed a consent for extension of statutory time (CGS, Chapter 8-7d), requesting that the continuation of this public hearing be postponed until the January 19, 2016 Regular Meeting of the Planning and Zoning Commission.**

MOTION: Mr. Perry moved to continue the public hearing for File #379; ApIn #1559 to the next Regular Meeting on January 19, 2016 at 7:30 p.m. in Room F of the Community Center. Mr. Evens seconded the motion, which passed unanimously.

- 2. File #444; ApIn #1566; 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner – Ms. Anyzeski provided the Commission with an overview of the application, and Mr. Treglia was present in order to answer any questions and provide insight on the property. He stated that the structure he is requesting to be used as an accessory dwelling has been on the property for nearly 17 years and in order to comply with current zoning regulations, he will be**

removing the stove that currently exists in the detached garage so there is no confusion of a third dwelling. Mr. Evans, the real estate agent for this property, provided insight on the garage, which is currently being used as a gym. Mr. Thiesse reviewed the zoning regulations to make ensure that nothing was overlooked and all conditions were met.

Jay Kaplan, Co-President of the Canton Land Conservation Trust, had questions regarding plans for any future work on the property and why the application was submitted.

Ann Smith of 70 Indian Hill Road, had questions regarding plans for any future work on the property and why the application was submitted.

Christian Winkler of 47 Indian Hill Road, had questions regarding plans for any future work on the property and why the application was submitted.

MOTION: Mr. Evens moved to close the public hearing for File #444; ApIn #1566. Mr. Thiesse seconded the motion, which passed unanimously.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – No action was taken.**
2. **File #444; ApIn #1566; 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner – The Commission briefly discussed the application, as well as it's relation in character/harmony to the Plan of Conservation and Development.**

MOTION: Mr. Thiesse moved to approve File #444; ApIn #1566; 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner.

This approval is granted in part on the application submitted on November 30, 2015, testimony received at a public hearing commenced on December 16, 2015 and closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

List of Drawings - Submitted December 9, 2015

1. Sheet 1; Feasibility Site Plan; 44 Indian Hill Road; Prepared by David F. Whitney Consulting Engineers; Prepared for Louis Treglia; Dated August 19, 1988; Revised November 30, 2015

Correspondence:

1. Town of Canton Planning/Zoning – Development Application for File #444; ApIn #1566; 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner
2. Special Permit application checklist
3. Assessors card for 44 Indian Hill Road

4. Copy of payment; check #2641
5. CROCG GIS image of parcel
6. Report from Tunxis Laboratories, LLC to Louis Treglia, regarding the laboratory examination of drinking water onsite at 44 Indian Hill Road; dated October 30, 2015
7. Letter to Neil Pade from Dianne Harding at the FVHD, regarding the well and septic system onsite at 44 Indian Hill Road; dated November 25, 2015
8. Copy of the abutter notice sent to neighboring properties on November 30, 2015
9. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations
10. Abutters list
11. Town of Canton Legal Notice for the December 16, 2015 Public Hearing
12. Proof of legal notice from the Hartford Courant
13. Certified mailing receipts

This approval with conditions and modifications is granted because the Commission finds that the application, as conditioned and modified by and inclusive of the stipulations of this approval, would comply with the following:

1. Section 9.2.E – Special Permit Criteria
2. Section 3.3.D.1.b – Major Home Based Business Criteria
3. Section 8.2 – Performance Standards
4. Table 7.2.C – Parking Requirements for Home Based Business
5. Section 9.2.E – Special Permit Criteria

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on Mylar, bear all conditions placed upon the proposed by all Town land use commissions (copy of approval letter/certification of action), and stamped "**APPROVED**" and signed by the Commission on a Town approved signature block. Said plans shall be filed by the Applicant with the Town Planner and Town Clerk within 12 months of the date of this approval or **December 16, 2015**; The Applicant/developer must provide one (1) fixed line Mylar, and two (2) paper copies of each approved plan for signature by the Chairman and/or Secretary. Maps to be filed on the land records of the Town Clerk must meet the following standards:
Must be produced by 1) wash-off photographic polyester film, 2) fixed line photographic polyester film, 3) original ink drawing on polyester film or linen; the process used must be certified by a stamp in red indelible ink, 1" x 2", and include name of producer and process used. Polyester films ("Mylar") must be matte on at least one side. Maps shall be 24" x 36"; Per **Section 9.1.F.2** this approval shall not be valid until such recording Mylars and Certificate of Action have been filed in the Town of Canton Land Records;
2. This approval is effective **January 5th, 2016** (20 days from approval date) and **upon the recording of the approval letter/certificate of action with the Town Clerk.**
3. The submitted plan shall be modified prior to recording of the Mylars to incorporate the following changes:
 - a. The location of the well and septic system for the accessory dwelling must be reflected on the submitted plan
4. All necessary approvals and permits must be obtained from the Farmington Valley Health District demonstrating full capability of supporting potable water and septic demands;
5. This approval is binding upon the applicant/developer, heirs, assigns, and grantees. This approval constitutes a contractual agreement between the Town of Canton and the applicant, heirs, assigns and grantees.
6. In evaluating this application the Town of Canton has relied on information provided by the Applicant or his agent.

Mr. Evens seconded the motion, which passed unanimously.

OLD BUSINESS:

1. **File #193; ApIn #1561; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Section 9.1.A.1, Site Plan Modification; change in building material of the proposed greenhouse and associated site improvements (previously submitted as File #193; ApIn #1477); Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner** – Ms. Anyzeski provided the Commission with an update regarding the light changes that occurred onsite, and distributed a handout depicting photographs of the re-configured lights. The Commission reviewed the modified site plan that was provided by Mr. Mathes at the meeting, and confirmed that all requirements have been met.

MOTION: Mr. Thiesse moved to approve File #193; ApIn #1561; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Section 9.1.A.1, Site Plan Modification; change in building material of the proposed greenhouse and associated site improvements (previously submitted as File #193; ApIn #1477); Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner. Mr. Pane seconded the motion, which passed unanimously.

NEW BUSINESS:

1. **File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner.**

MOTION: Mr. Perry moved to receive the application as presented and schedule a Public Hearing for January 19, 2016. Mr. Evens seconded the motion, which passed unanimously.

OTHER BUSINESS:

1. **Review minutes of the November 18, 2015 Regular Meeting, December 2, 2015 Joint Meeting, and December 2, 2015 Special Meeting** – The minutes were approved as presented.
2. **Freedom of Information (FOI) Class; February 3, 2016 at 7:00 p.m.** – A class will be held for the benefit of town staff and commissioners, in which attendance by the Commission is encouraged and appreciated.
3. **Discussion of Possible Edits to Zoning Regulations** – This agenda item was TABLED.
 - a. **Text Amendments**
 - i. **Assisted Living Facilities**
 - ii. **Variance Decision Considerations Based on the Verillo Decision**
4. **Discussion of Design Regulations** – A Special Meeting will need to be scheduled in order to discuss Sections 1-4 of the draft Form-Based Code Regulations.
5. **Discussion of Subdivision Regulations Rewrite** – No update was provided.
6. **Discussion of Design Review Ordinance** – The Commission discussed the recent decision of a Town Meeting to rescind the Design Review Ordinance, and next steps in terms of amending the Zoning Regulations.
7. **Discussion of Standard Zoning Enforcement Procedures** – Ms. Anyzeski provided the Commission with a handout from the Town Attorney regarding Zoning Enforcement and Citations, which will be reviewed and discussed at the next regular meeting.

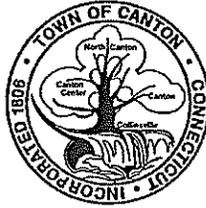
8. Staff Reports:

- a. Town Planner's Report** – Ms. Anyzeski informed the Commission that a request has been submitted regarding the acceptance of Shallot Meadow as a public road; however, was not placed on the agenda since the request was received less than 10 days before the meeting. Mr. Thiesse provided an overview of the POCD Implementation Award that was received by the Town on Friday, December 11, 2015, and the 2015 Planning and Zoning Implementation Report will be provided and discussed at the next regular meeting.

- b. ZEO Report** – A paper copy of the ZEO Report was distributed to the Commission prior to the meeting.

ADJOURNMENT:

MOTION: Mr. Pane moved to adjourn the meeting at 8:35 p.m. Mr. Thiesse seconded the motion, which passed unanimously.



#29

AGENDA
Regular Meeting
Canton Planning and Zoning Commission
Wednesday, December 16, 2015 at 7:30 p.m.
Library Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER:
ROLL CALL:
READING OF THE LEGAL NOTICE:

PUBLIC HEARINGS

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. **File #444; ApIn #1566;** 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559;** 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. **File #444; ApIn #1566;** 44 Indian Hill Road; Assessor's Map 21; Parcel 3320044; Zone R3; Special Permit; Section 3.3.D.1.B., Detached accessory dwelling; request to formally establish the use of a detached accessory dwelling in an existing 26'x40' structure; Louis Treglia, applicant/owner

OLD BUSINESS:

1. **File #193; ApIn #1561;** 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Section 9.1.A.1, Site Plan Modification; change in building material of the proposed greenhouse and associated site improvements (previously submitted as File #193; ApIn #1477); Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

NEW BUSINESS:

OTHER BUSINESS:

1. Review minutes of the November 18, 2015 Regular Meeting, December 2, 2015 Joint Meeting, and December 2, 2015 Special Meeting

2. Freedom of Information (FOI) Class; February 3, 2016 at 7:00 p.m.
3. Discussion of Possible Edits to Zoning Regulations
 - a. Text Amendments
 - i. Assisted Living Facilities
 - ii. Variance Decision Considerations Based on the Verillo Decision
4. Discussion of Design Regulations
5. Discussion of Subdivision Regulations Rewrite
6. Discussion of Design Review Ordinance
7. Discussion of Standard Zoning Enforcement Procedures
8. Staff Reports:
 - b. Town Planner's Report
 - c. ZEO Report

ADJOURNMENT:

#28



TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

Land Use Department

(860) 693-7856
(860) 693-7884 (fax)

CONSENT FOR EXTENSION OF STATUTORY TIME CGS, CHAPTER 8-7d

Name of Application: Special Permit (4.1.c.1.a) & Site Plan (9.1) for a proposed dance studio

Application # 379; Appln# 1559

Applicant: Ms. Kym Nash

Extension requested for (check one):

- Deadline for commencement of public hearing _____
- Deadline for closure of public hearing X
- Deadline for action _____
- General extension _____

Number of days granted _____ OR, date to which extension granted: 1/19/16

Date of authorization: 12.1.2015

Authorizing agent signature: [Signature]

Authorizing agent name (Printed) Kym Nash

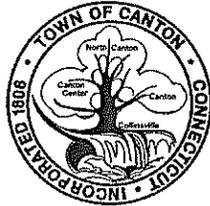


CANTON TOWN HALL
LAND USE OFFICE

DEC 01 2015

DATE OF RECEIPT IN OFFICE

#21



DRAFT MINUTES

Regular Meeting
Canton Planning and Zoning Commission
Wednesday, November 18, 2015 at 7:30 p.m.
Library Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on November 18, 2015 was called to order at 7:32 p.m.

PRESENT: David Bondanza, Jonathan Thiesse, John Huyghebaert, David Evens, Phil Pane, David Freeman and Lansford Perry

ABSENT: William Sarmuk and Keith August

ALSO PRESENT: Town Planner Neil Pade and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

Mr. Freeman is hereby seated for Mr. August.

MODIFICATION OF AGENDA – None

PUBLIC HEARINGS

READING OF THE LEGAL NOTICE: Read by Mr. Pane

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner –** Mr. Whitney of David F. Whitney Consulting Engineers, LLC was present in order to discuss the proposed application, as well as current site conditions. This property is roughly .84 acres in size and consists of a single-family home that is currently connected to town sewer, but has a private well onsite. There is an existing driveway on a 50 foot easement that is owned by 295 Albany Turnpike, and extends north of Route 44 by 175 feet. The land itself consists of no wetlands, has well-drained sandy loam soil and rises up to the North roughly at a 3% grade. The 17 proposed parking spaces were established based on the parking requirements associated with similar type uses, such as a daycare facility. There are currently four to five alternative concepts for the entrance and exit to the property, some of which consist of two-way traffic while others propose one-way traffic. At this time, Mr. Whitney suggests finalizing a driveway plan before submitting any outstanding items that are directly associated with the driveway. No application has been submitted to the WPCA for a change of use/capacity review, and Mr. Whitney is currently working on the storm water management plan. The DOT has been contacted, along with Chief Arciero regarding the proposed plans, and Ms. Nash is currently in contact with a landscape architect. Ms. Nash spoke on behalf of the applicant as his representative and informed the Commission of plans to construct a 3,440 square foot dance studio, which would consist of a large, barn-style dance studio, an entranceway, and a hallway that connects the new structure to the pre-existing house.

Judy and John Hinman of 63 North Mountain Road, Canton, CT, expressed concerns regarding the proposed parking, the use of the driveway, hours of operation, size of classes and whether or not someone will reside in the home.

Taylor Libby of 295 Albany Turnpike, Canton, CT, expressed concerns regarding the proposed parking and use of the driveway.

Edith Kelly of 305 Albany Turnpike, Canton, CT, expressed a desire to review the architectural drawings and proposed layout of the dance studio.

Linda Pane of 5 Olson Road, Canton, CT, expressed her full support of this project and spoke in favor of Ms. Nash's character and success as a business owner.

The Commission addressed the concerns stated by those during the public speaking portion of the public hearing and Mr. Donald Tarinelli, the architect hired for the project, summarized the overall design, layout and appearance of added structures.

MOTION: Mr. Thiesse moved to continue the public hearing for File #379; ApIn #1559 to the next Regular Meeting on December 16, 2015 at 7:30 p.m. in Room F of the Community Center. Mr. Huyghebaert seconded the motion, which passed unanimously 7-0-0.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner** – This public hearing has been continued to the next regular meeting of the Planning and Zoning Commission on December 16, 2015 at 7:30 p.m. in Room F of the Community Center.

OLD BUSINESS: None

NEW BUSINESS:

1. **File #193; ApIn #1561; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Section 9.1.A.1, Site Plan Modification; change in building material of the proposed greenhouse and associated site improvements (previously submitted as File #193; ApIn #1477); Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner** – Mr. Mathes was present in order to discuss the application and answer any questions the Commission had. Mr. Pade provided an overview of what documentation was submitted as part of the new application, and informed the Commission of the Building Official's inspection that occurred on Friday, November 13, 2015. At this time, there is no electricity to the structure, architectural drawings have been submitted and reviewed, there is a drain hole in the center of the concrete slab, and the building appears to comply with the building code. The Commission informed Mr. Mathes that a new site plan needs to be submitted, which includes the following edits:
 1. The existing concrete loading dock shall be re-labeled as "proposed barn";
 2. On the western side of the building, a hash box shall be drawn to indicate outdoor storage;
 3. The title of the drawing shall be re-labeled as "site plan";
 4. The zoning designation on the map shall be change to Business (B);
 5. The setback lines shall be changed to reflect the new Zoning Regulations that were adopted May of 2014 by the Planning and Zoning Commission;
 6. The approximate location of underground facilities shall be depicted;
 7. The light pole that exists north of the green shed shall be incorporated;

8. Information regarding the light poles shall be incorporated; i.e., pole height; and
9. The size of the greenhouse shall be modified to accurately reflect its current dimensions versus the original proposed dimensions.

The Commission informed Mr. Mathes that the angling of the lights onsite need to be corrected and a complete site plan will need to be provided to the Land Use Office for review, preferably before the next regular meeting on December 16, 2015.

MOTION: Mr. Bondanza moved to continue File #193; Apln #1561 to the next Regular Meeting on December 16, 2015 at 7:30 p.m. in Room F of the Community Center, with the authorization to continue winterizing the structure, and authorizing the Building Official and Zoning Enforcement Officer to sign the Certificate of Occupancy.

OTHER BUSINESS:

1. **Review minutes of the October 21, 2015 Regular Meeting and October 28, 2015 Special Meeting** – The minutes were approved as presented.
2. **Discussion of Possible Edits to Zoning Regulations**
 - a. **Text Amendments**
 - i. **Accessory Buildings and Structures** – Mr. Pade informed the Commission that the text amendments pertaining to accessory buildings and structures in the MR District have not yet been drafted. Mr. Pade is also working on changes specific to archeological review and shipping container regulations, and as built edits are complete but have yet to be released for review.
3. **Discussion of Design Regulations** – Mr. Pade informed the Commission that a Special Meeting is being scheduled for Wednesday, December 2, 2015 at 7:30 p.m. in order to review sections 1-4 of the draft Form-Based Code.
4. **Discussion of Subdivision Regulations Rewrite** – Mr. Pade informed the Commission that a Subcommittee meeting with the consultant was held on Friday, November 6, 2015, and that the consultant will be meeting with the Department of Public Works later this week. As of right now, there are a considerable amount of edits that need to be made and the consultant was provided a copy of said edits.
5. **Discussion of Design Review Ordinance** – Mr. Pade informed the Commission that a Town Meeting has been scheduled for Wednesday, December 9, 2015 at 7:00 p.m. in order to discuss the removal of the Design Review Ordinance. Deleting the ordinance only removes the Design Review Team, not the Section 8.6 of the zoning regulations. After some discussion, it was decided that Section 8.6 of the zoning regulations will be amended to replace references to the Design Review Team with references to the Zoning Commission.
6. **Discussion of Standard Zoning Enforcement Procedures** – This agenda item was discussed as part of OTHER BUSINESS Item #7.
7. **Discussion of ZBA Application, File #2015-7** – The Commission discussed their overall concern with the Zoning Board of Appeal's misconception of the Planning and Zoning Commission, and the process in which ZBA applications are being handled. The approved variance for the sign at 540 Cherry Brook Road was discussed, which is well over the maximum sign size allowed within a Business District. After review of the zoning regulations, it was determined that the applicant for 540 Cherry Brook Road will need to apply for a Special Permit in order to move forward with the proposed sign. This is necessary since the proposed sign is for a Fire Station located with a Municipal, Community and Public Facilities District, which is a use that requires a Special Permit, and any enlargement of a said permit requires a new application for a Special Permit. The Standard Zoning Enforcement Procedures were also discussed, with a focus on the citation process. It was determined

that a joint meeting between the ZBA and Planning and Zoning Commission should occur in order to discuss the said procedures and resolve any misconceptions, confusion, answer questions, etc.

8. 2016 Planning and Zoning Commission Meeting Schedule

MOTION: Mr. Evens moved to approve the 2016 Planning and Zoning Meeting Schedule as presented. Mr. Freeman seconded the motion, which passed 7-0-0.

9. Staff Reports:

a. **Town Planner's Report** – Mr. Pade informed the Commission that the town is being recognized by the Connecticut Chapter of the American Planning Association for an Implementation Award of the POCD on December 11, 2015 in Middletown, CT. As of right now, Mr. Pade and Mr. Thiesse will be attending and additional tickets can be purchased for \$35. The Commission will be receiving a road acceptance request for Shallot Meadow within the next few weeks, and the town's on-call engineers will be visiting the site. On November 17, 2015, the town submitted a grant to the CT Main Street Program for a Tax Increment Financing Master Plan for the Collins Company and surrounding area. Ms. Anyzeski is currently reviewing the light situation at the MDC property and an update was provided on both 175 Albany Turnpike and 35 Lovely Street.

b. **ZEO Report** – The ZEO Report was distributed to the Commission electronically prior to the meeting.

ADJOURNMENT:

MOTION: Mr. Evens moved to adjourn the meeting at 10:40 p.m. Mr. Huyghebaert seconded the motion, which passed unanimously 7-0-0.

#26

FARMINGTON DANCE & Center for the ARTS

Is not a typical dance studio.

We are a training ground for students planning a career in the arts, but consider what we offer to be more of a training ground for life skills. Our kids are out making a statement long before the college search begins.

Additionally we have our program for Students with Special Needs. We have been able to elevate their confidence where they can perform in front of a large crowd.

Beyond our dance, theatrical & vocal training, our outreach programs take our instructors, together with our trained student teachers, to facilities such as American School for the Deaf, CREC Schools as well as fundraising events: Make A Wish Foundation, Broadway Cares, Dancer's Responding to AIDS and CT AIDS Alliance.

In the Canton Community, we are giving to all asking organizations as well as offering community performances via Sam Collins Day, Collinsville Halloween & Christmas in Collinsville.

Beyond our local performances, our kids have performed in Times Square, The Schomberg Center NYC, SUNY (State University of NY), The Joyce Theatre (premier dance theatre NYC), Disney World, for RADIO DISNEY, Better CONNECTICUT as well as Saddler Wells Theatre, London, UK (equivalent to our Broadway) and opening for the Radio City Rockettes..

Our kids work weekly, rubbing elbows with instructors who have long performing careers, both on stage as well as the production side. We have an international faculty year round. Our guest faculty includes dancers from New York City Ballet, American Ballet Theatre both renowned New York Ballet Companies. Broadway performers & choreographers and Radio City Rockettes. We compete with high end competitions both nationally & internationally.

The purpose of the new facility is to accommodate a larger program. Canton has a remarkable media and musical arts environment. We fill the gap with the visual arts. My mission is to make it bigger and better, bring more of the professional dance world to our community. Students come in weekly from Enfield, New Haven, Colebrook to train with the best.

November 16, 2015

Sent Via Email

Neil S. Pade, AICP Director of Planning and Community Development
Canton Town Hall
4 Market Street
Collinsville, CT 06022
NPade@TownofCantonCT.org

Re: **Holden Nardini, Applicant – File # 379, Application # 1559**

Dear Neil:

As you know, I represent the applicant and Kym Nash in connection with the above referenced matter. Unfortunately, I will not be in town on November 18th and therefore not be able to attend the meeting. I do, however, want to relate one item to you which should be a part of the file. On October 14, 2015, I had a phone conversation with Ben Hinman, the owner of Shez Hinman, LLC, which owns 295 Albany Turnpike, the large parcel in the rear. That large parcel has a 50 foot flag section on which a driveway is currently located. 301 Albany Turnpike has a deeded right of way to use the first 175 feet of that 50 foot section and 299 Albany Turnpike, a residential property to the north of 301, also has the right to use that driveway for access.

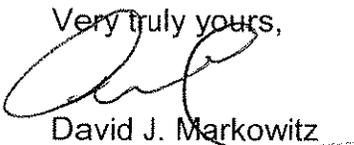
When Ben Hinman and I spoke, he asked when the dance studio would be using the driveway. I advised him that during the week classes start at 4:00 p.m. or later and he stated that it would not be an issue for him because his truck traffic ceases before 4:00 p.m. I also advised him that there would likely be classes on Saturday. That also was not an issue for him, as his operation does not conduct business on the weekend.

I have read George Wallace's report and his comments regarding the driveway. I have also been privy to emails between you and Dave Whitney, and George Wallace and Dave Whitney. We believe the plan which will be presented on the 18th is a workable one and should be approved. Dave Whitney met with the Traffic Authority, Chief Arciero, and to my knowledge, he had no issue with the plan as drawn.

Should you have any questions, please feel free to contact me. Dave Whitney and I will speak regarding the application prior to the 18th.

As always, thank you for your attention and consideration.

Very truly yours,



David J. Markowitz

DJM/sez

Cc: David Whitney via email to dfwengineers@sbcglobal.net

#24

EASEMENT
VOL. 315 PAGE 265

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT HINMAN'S PLANT FARM, LLC, a Connecticut Limited Liability Company, of the Town of Canton, County of Hartford and State of Connecticut (Grantor), for the consideration of TEN DOLLARS (\$10.00) and other valuable consideration, received to its full satisfaction of ARTHUR R. LOWELL and BETTIE R. LOWELL, both of the Town of Canton, County of Hartford and State of Connecticut (Grantees), do give, grant, bargain, sell and confirm unto the said Grantees an easement for all driveway purposes over a 50' wide strip of land fronting on Albany Turnpike and immediately east of land now owned by the grantees in the Town of Canton, County of Hartford, State of Connecticut more particularly bounded and described as follows:

NORTHERLY by other land of the Grantor, 50 feet;

EASTERLY by land now or formerly of Brian J. Crockett, 175 feet

SOUTHERLY by Albany Turnpike (Rt. 44), 50 feet;

WESTERLY by other land of the Grantees, 175 feet.

This easement shall inure to the benefit of the Grantees and their successors and assigns. This easement is not exclusive and is in common with others as of record appear.

Signed this 3rd day of August, 2004.

Witnessed by:

HINMAN'S PLANT FARM, LLC

Mark E. Lowell
Mark E. Lowell
Lina N. Erickson
LINA N. ERICKSON

By John S. Hinman
John S. Hinman, Its sole member

STATE OF CONNECTICUT)

COUNTY OF HARTFORD)

) ss: Canton

August 3, 2004

RECEIVED FOR RECORD AT CANTON, CT
ON 8-4-04 AT 11:05 AM
ATTEST: LINDA SMITH, TOWN CLERK

Personally appeared John S. Hinman, sole member of Hinman's Plant Farm, LLC signer of the foregoing instrument, and acknowledged the same to be his free act and deed, and an authorized act of the Limited Liability Company, before me.

Mark E. Lowell
Mark E. Lowell
Commissioner of the Superior Court

\$ State Conveyance Tax Rec'd

\$ Conveyance Tax Received

Michelle P. Cannon
Town Clerk of Canton

SCHEDULE A

all that certain piece

or parcel of land, with the buildings and improvements thereon, situated in the Town of Canton, County of Hartford and State of Connecticut, located on the northerly side of the Albany Turnpike and being more particularly bounded and described as follows:

Beginning at an iron pin on the northerly highway line of Albany Turnpike at the southwest corner of land now or formerly of Joseph Sobieski and at the southeast corner of the herein described land; thence N. $67^{\circ} 13'$ W. a distance of fifty-four and two tenths (54.2) feet to a C.H.D. monument; thence running in a westerly direction along said highway line, it being a curve having a radius of 1472.69 feet, a distance of eighty-five and eight tenths (85.8) feet to an iron pin; thence N. $25^{\circ} 16'$ E. a distance of two hundred sixty-four and nine tenths (264.9) feet to an iron pin; thence S. $68^{\circ} 28'$ E. a distance of one hundred twenty and five tenths (120.5) feet to an iron pin; thence S. $18^{\circ} 06' 30''$ W. a distance of ninety-five and eight tenths (95.8) feet to an angle point; thence S. $19^{\circ} 44'$ W. a distance of one hundred and two tenths (100.2) feet to a point; thence S. $26^{\circ} 52' 30''$ W. a distance of eighty-two and six tenths (82.6) feet to the place of beginning, and being bounded:

NORTHERLY on land now or formerly of Joseph Sobieski;
 EASTERLY by land now or formerly of Joseph Sobieski;
 SOUTHERLY by the Albany Turnpike; and
 WESTERLY by land now or formerly of Norma E. Kimmerle.

And being more particularly shown on a map entitled: "Map of Land Owned by Vanda Wilma Kimmerle Albany Turnpike, Canton Connecticut March 1950 Scale 1"=40'" and certified substantially correct by Merton Hodge, Surveyor, a copy of which is on file in the office of the Town Clerk in said Town of Canton.

RECEIVED FOR RECORD AT CANTON, CT.

ON 10-01-03 AT 4:12 PM

ATTEST: SHIRLEY C. KROMPEGAL, TOWN CLERK

#22

Narducci, Renee

From: Pade, Neil
Sent: Friday, October 23, 2015 2:00 PM
To: Narducci, Renee
Subject: Fwd: 301 Albany
Attachments: SKMBT_36315102313491.pdf; SKMBT_36315102313490.pdf

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

----- Original message -----

From: David <david@m-and-mlaw.com>
Date: 10/23/2015 1:55 PM (GMT-05:00)
To: "Pade, Neil" <NPade@TownofCantonCT.org>, "DAVID F. WHITNEY" <dfwengineers@sbcglobal.net>
Subject: RE: 301 Albany

Neil,
In your staff review you noted that you had not received the Deed for 301 and the easement to use the driveway for 295. I have attached both for your records.
Have a good weekend.

David J. Markowitz, Esq.
34 Jerome Avenue
Suite 108
Bloomfield, CT 06002

Phone: (860)882-1442 x202
Fax: (860)882-1441
Email: david@m-and-mlaw.com

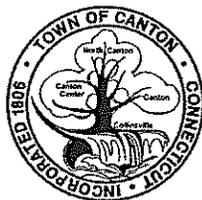
From: Pade, Neil [<mailto:NPade@TownofCantonCT.org>]
Sent: Wednesday, October 21, 2015 4:46 PM
To: DAVID F. WHITNEY <dfwengineers@sbcglobal.net>
Cc: David J. Markowitz <david@m-and-mlaw.com>
Subject: 301 Albany

Hi David – staff review comments of the project attached. I'm am happy to discuss any of the comments with you at your convenience.

Best,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut

#21



DRAFT MINUTES

Regular Meeting
Canton Planning & Zoning Commission
Wednesday, October 21, 2015 at 7:30 p.m.
Library Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on October 21, 2015 was called to order at 7:31 p.m.

PRESENT: David Bondanza, Jonathan Thiesse, John Huyghebaert, David Evens, Phil Pane, David Freeman and Lansford Perry

ABSENT: William Sarmuk and Keith August

ALSO PRESENT: Town Planner Neil Pade and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

Mr. Freeman is hereby seated for Mr. August.

MODIFICATION OF AGENDA – None

PUBLIC HEARINGS

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – A written request to postpone the opening of this public hearing was received by the Land Use Office on October 19, 2015 from Mr. David Whitney on October.**

MOTION: Mr. Freeman moved to postpone the opening of the public hearing for File #379; ApIn #1559 to the Regular Meeting on November 18, 2015 at 7:30 p.m. in Room F of the Community Center. Mr. Thiesse seconded the motion, which passed unanimously 7-0-0.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – No action was taken.**

OLD BUSINESS: None

NEW BUSINESS:

- 1. File #524; Shallot Meadow; Assessor's Map 27; Zone R-3; Modification to Subdivision Approval, request to eliminate the pavement stub within Town Right of Way; Family Home Builders, LLC, owner/applicant** – Mr. Whitney of David F. Whitney Consulting Engineers, LLC and Mr. Jouvin of Family Home Builders, LLC, were present in order to discuss the application. Mr. Whitney informed the Commission that the applicant is requesting that the Commission waive the requirement for a pavement stub within the Town Right of Way, which was a condition of approval from November 7, 2005. As part of the original approval, a 50 foot easement was to be established as a Town Right of Way, which would be deeded to the town once Shallot Meadow was accepted as a town road. The November 7, 2005 approval was based upon the condition that when appropriate, the entrance to the right of way from Shallot Meadow would be paved in order to provide a visual indication of a potential future road. Mr. Jouvin stated that he has informed all buyers of the potential for a future road, which has yet to deter anyone from purchasing a home. Mr. Whitney also posed a question regarding the placement of monuments within the right of way, and whether or not all six needed to be installed. It was requested that only two of the six monuments be installed due to future road construction and associated site improvements. There was a consensus among the Commission that the pavement stub was necessary and as a condition of approval, informs current and future homeowners of the potential for a future road.

MOTION: Mr. Bondanza moved to deny the request to modify the condition of the November 7, 2005 approval of the Commission to remove the requirement to provide a "20 foot deep by 26 foot wide pavement stub" on the 50 foot right of way between Lots 9 and 10, as shown on the map entitled: Feasibility Site Plan; Shallot Meadow; Proposed 12-Lot Open-Space Re-subdivision; Lot #105-B; Bahre Corner Road; Canton Connecticut; Prepared by David F. Whitney Consulting Engineers, LLC; Scale: 1"=40; Dated: May 31, 2005, revised through 9/24/13, and to allow four of the concrete monuments to be placed at a future date. Mr. Huyghebaert seconded the motion, which passed unanimously 7-0-0.

- 2. File #546; 111 and 127 Morgan Road; Assessor's Map 27; Parcels 3770111 and 3770127; Zone R-3; Lot Line Revision; Bradley E. Parlman III, Trustee, applicant/owner** – Mr. Parlman was present in order to discuss his application, as well as answer any questions the Commission had. Mr. Parlman is requesting a lot line revision that would merge 111 and 127 Morgan Road into a single lot. Mr. Thiesse discussed some line revisions that should be made to the map, as well as the need for a consolidated deed to be put on the land record.

MOTION: Mr. Thiesse moved that File #546, a lot line revision to merge 111 and 127 Morgan Road as shown on the plan entitled "Lot Line Revision Map; Prepared for Bradley E. Parlman III, Trustee; 111 & 127 Morgan Road; Canton Connecticut; Prepared by GM2 Associates, Inc.; Dated: September 2015; Scale: 1"=60', is hereby APPROVED subject to the following conditions:

1. The above referenced plan shall be placed on Mylar, stamped "APPROVED" and signed by the Chairman or Secretary on a Town approved signature block. Said plans shall be filed by the applicant with the Town Clerk by January 19, 2016 which is within 90 days of approval per Section 8-25 of the Connecticut General Statutes; The applicant/developer must provide one (1) fixed line Mylar, and two (2) paper copies of each approved plan for signature by the Chairman and/or Secretary. Maps to be filed on the Land Records of the town of Canton must meet the following standards: Must be produced by 1) wash-off photographic polyester film. 2) fixed line photographic polyester film, 3) original ink drawing on polyester film or linen; the process used must be certified by a stamp in red indelible ink, 1" x 2", and include the name of the producer and the process used. Polyester film (Mylar) must be matte on at least one side. Maps shall be 24" x 36".
2. Corresponding deeds shall be filed on the land records for both properties referencing this approval and the corresponding filed Mylar.
3. A consolidated deed shall be placed on the land records and the map shall reflect the line revisions discussed, reflecting that the consolidation has already occurred.

Mr. Perry seconded the motion, which passed unanimously 7-0-0.

OTHER BUSINESS:

1. **Review minutes of the September 16, 2015 Regular Meeting and September 23, 2015 Special Meeting** – The minutes were approved as presented.
2. **File #498; Rustle Meadow; Request to release the remaining Erosion and Sediment Control Bond in the amount of \$24,376.73**

MOTION: Mr. Bondanza moved that the Commission hereby releases the remaining erosion and sediment control bond in the amount of \$24,376.73 being held for File #498, Rustle Meadow Subdivision, per the September 21, 2015 recommendation of the Commission's engineer. Mr. Evens seconded the motion, which passed unanimously 7-0-0.

3. **File #536; Livingston Road; Request to release the remaining Third Party Engineering Bond in the amount of \$115.70**

MOTION: Mr. Thiesse moved that the Commission hereby releases the remaining third party engineering bond in the amount of \$115.73 being held for File #536, Lawton Road Subdivision, per the October 15, 2015 recommendation of the Commission's engineer. Mr. Evens seconded the motion, which passed unanimously 7-0-0.

4. **Preparation of Site Plans by Licensed Landscape Architects** – A letter from the Connecticut Board of Landscape Architects, dated September 21, 2015, was distributed to the Commission electronically. At this time, staff is reviewing the 2014 regulations in order to identify inconsistencies.

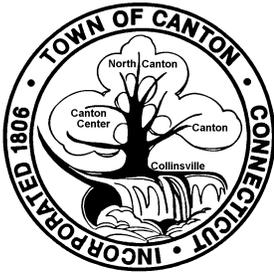
5. **Discussion of Possible Edits to Zoning Regulations**

- a. **Text Amendments** – Mr. Pade informed the Commission that he has been speaking with the Town Historian regarding the process of selecting names for town roads. It has been suggested that the naming of future roads reflect the town's history, and perhaps this practice could be included within the Subdivision Regulations re-write.
 - i. **Accessory Buildings and Structures** – Mr. Pade informed the Commission that specific text amendments are being prepared for this topic and that the ZBA has determined the term "Accessory Uses" to not include "Buildings" or "Structures". The 2014 rewrite attempts to reference both "accessory uses and structures" synonymously whenever one is discussed; however, the ZBA is suggesting that the regulations be amended in order to provide clarification. Mr. Thiesse stated that the section pertaining to Mixed Residential in the zoning regulations should be amended to incorporate accessory structures.
 - ii. **Mobile Vendor Permits** – Mr. Pade stated that mobile vendors have expressed interest in being located on developed lots during the holiday shopping season. Section 7.11.C.5 of the regulations restricts mobile vendors to no more than 14 days in duration. The Commission discussed the reasoning behind this timeframe, and concluded that no changes should be made to the regulations.
 - iii. **Temporary Car Ports** – Mr. Pade informed the Commission that the Land Use Office has received numerous complaints regarding temporary carports. It is not clear whether or not these structures are in fact a zoning violation, and feedback from the Commission was requested. The Commission expressed their opinion and noted that the definition of temporary storage might need to be refined. At this time, no zoning amendments or further action has been determined.
- b. **Zoning Map Amendments** – Mr. Pade informed the Commission that the consultant has yet to deliver an updated map reflecting the approved zoning map amendments from August 19, 2015, thus holding back pending actions on properties presently zoned R-4.

- c. **Possible Zoning Map Amendments pertaining to the Municipal Community Public Facilities District** – Mr. Pade informed the Commission that the Town Attorney provided feedback on the matter via email on September 1, 2015. Based on his response, the Commission is not inclined to pursue additional changes to the MCPF Zoning Map Amendments pertaining to churches and cemeteries, with the possible exception of where there are MCPF properties in the area that would be added to. Based on the Commission's discussion, no further action will be taken.
6. **Discussion of Design Regulations** – Mr. Pade stated that a Special Meeting of the Commission was held on September 23, 2015 with low public attendance, and a public meeting was held on October 7, 2015, which received good press coverage but low public attendance as well. A Special Meeting of the Commission is scheduled for October 28, 2015 at 7:30 p.m. in Room C of the Canton Community Center in order to further review and discuss the Form-Based Code. Mr. Pade will be available at the same location starting at 6:00 p.m. in order to meet with the public and answer questions.
7. **Discussion of Subdivision Regulations Rewrite** – Mr. Pade stated that submission of review comments for the draft Public Improvement Standards was extended to October 13, 2015; however, no comments have been received. A draft of the Subdivision Regulations was received on October 19, 2015 and been distributed to the subcommittee for review. The draft regulations draw from Canton's existing regulations, recommendations of the POCD, and regulations from other towns. The consultant is beginning to work on the design and conservation process, and is looking for input to balance the Town's expectations for subdivision design against actual open space requirements, lot yield, minimum lot size, density bonuses, etc.
8. **2016 Planning and Zoning Commission Meeting Schedule** – The Commission reviewed the schedule and suggested that staff verify that the proposed meeting dates do not coincide with any Jewish holidays. The schedule will be reviewed and acted upon at the next Regular Meeting on November 18, 2015.
9. **Staff Reports:**
 - a. **Town Planner's Report** – Mr. Pade informed the Commission of the re-organization of the Land Use Department, which went into effect on October 1, 2015. On October 5, 2015 a written request for a Citation Hearing by Dana Mathes was received by the Land Use Office, and the hearing has been scheduled for Monday, October 26, 2015 at 11:00 a.m. At this time, a partial application has been submitted, but was not listed on the agenda in accordance with Section 9.9.A.6. Mr. Pade stated that no electrical permits were pulled for the lighting changes and additional complaints have been received. Other complaints have recently been received regarding 550 Cherry Brook Road, which had previously been in violation from 2010 to 2013. The property owners brought the site into compliance in 2013, and the Cease and Correct order was lifted by the Commission following a July 2013 recommendation from the ZEO. The ZEO will be conducting an inspection and issuing a Notice of Violation, if applicable, within the next week or so. Mr. Pade informed the Commission that the ZBA is interested in the ZEO having more efficient and expedient ability to address violations with citations. There has also been an influx in outdoor dining requests, along with outdoor sales of alcoholic beverages. The Commission suggested that the Land Use Office post an announcement regarding Land Use Applications and Special Permits within the town's quarterly newsletter, and perhaps reach out to Chamber of Commerce as well.
 - b. **ZEO Report** – The ZEO Report was distributed to the Commission electronically prior to the meeting.

ADJOURNMENT:

MOTION: Mr. Evens moved to adjourn the meeting at 9:22 p.m. Mr. Thiesse seconded the motion, which passed unanimously 7-0-0.



PLANNING & ZONING COMMISSION
Canton, Connecticut Inc. 1806
4 Market Street, Collinsville, Connecticut 06022

TO: Planning and Zoning Commission

FROM: Neil S. Pade, AICP, Director, Planning & Community Development

CC: Holden Nardini, Applicant
File #379, Apln. #1559

SUBJECT: Staff Report - Request for Special Permit and Site Development Plan at 301 Albany Turnpike

DATE: October 21, 2015

Proposal

The applicant is proposing the conversion of 301 Albany Turnpike (presently a single family home located on a business zoned property) from a primary residential dwelling to a place of business. This proposal seeks Site Development Plan approval per Section 9.1, and a special permit use under Section 4.1.C.1.a (retail, service businesses and personal service businesses greater than 2,500 sf). (note – applicant should update form to specify “4.1.C.1.a” so it is clear this is the use being applied for and evaluated.)

The applicant proposes to construct a new 3,440 square foot (sf) building that would be attached to the existing single family house through an interior walkway. According to the application this space is intended to be used as a “Dance Hall”.

The applicant intends to repurpose the existing single family house for business use. It is not clear if this building would be part of the “Dance” business operation or as an independent place of business.

Despite the narrative the Commission must evaluate this proposal against all possible business activities that would be allowed under Section 4.1.C.1.a if approved.

Background

Land Use Office has no records on this property other than those customary with a single family residence with the exception of a home occupation sign permit issued in 2004.

CGS 8-7d Timing Requirements

This application was submitted to the land use office on September 11, 2015. It was formally received by the Commission on September 19, 2015 (per Section 9.9.B) however was not listed on the agenda for consideration in accordance with Section 9.9.A.6.

A public hearing is required and was scheduled by the Land Use Office for October 21st, 2015. It has been requested by the applicant that the opening of the hearing be postponed to the November 18, 2015 meeting. The hearing must open within 65 days of receipt (November 23rd, 2015). Once opened the

hearing must be closed within 35 days (December 28, 2015). The Commission will have 65 days from the close of the hearing to deliberate. The applicant may grant an additional 65 days of “extension time” for any portion of time required under this section.

Notices

The following notices have been provided:

1. Legal Notices (2) of the Public Hearing were published on October 6th and 13th, 2015.
2. Per Section 9.9.F a Public Hearing Sign was posted on the property by the applicant on September 21, 2015 for 15 continuous and an affidavit has been filed to that affect.
3. Per Section 9.9.G, and CGS 8-7d(a) the applicant has notified owners of lots indicated within one hundred (100) feet of the subject lot. Copies of certified mailings were submitted on October 20, 2015.

Analysis

Staff visited the site and performed a review of the site plans in the file (A list of the plans on file is included in **Appendix A**). The improvements shown on the plan include:

The addition of:

- Site grading
- Areas of existing pavement to be removed
- Entrance and circulation drives, inclusive of drop off area
- Proposed bituminous parking area inclusive of 17 spaces
- A 5’ concrete sidewalk from the rear parking lot to the east side of the building (question on point of handicap access?)
- Signage;
- Lighting;
- Stormwater management controls;
- Proposed building addition (2,700 sf plus the “connector”);
- Changes in site landscaping

Applicable Regulations and Completeness

The following regulations are applicable to the review of this application:

Section 4 – Business District – Service businesses are presently allowed in the business districts as a Special Permit under Section 4.1.C.1.a when such business exceeds the 2,500 sf limitation of Section 4.1.B.1.b. (The Commission should specify, if approving the application, whether they are approving both retail and service businesses over this threshold or just service businesses.)

Section 7 - Basic Standards

Section 8.2 - Performance Standards

Section 8.6 - Design Review

Section 9.1 – Site Plan (the Applicant may request certain submission requirements to be waived under Section 9.1.A.12).

Section 9.2 – Special Permit

Section 9.9 – Procedural Requirements

The required application review checklist has not been submitted, however was reviewed as indicated in the October 12, 2015 letter from Mr. Whitney. A review of the application checklist provides questions regarding the following for the Commission's and Applicant's consideration:

- Landscaping 7.1
- Parking 7.2
- Signage 7.3
- Outdoor Lighting, 7.4
- Fences and walls, 7.7
- Traffic and Visibility 7.8
- Bicycle and Pedestrian Accommodations 7.9
- Copies of Deeds and Easements
- Water, Sewer, Utility Information
- Storm water 7.13
- NDDDB Reporting
- Refuse removal/ disposal
- Soils and depth to bedrock for site development activities
- Building construction details, HVAC, Interior renovations/ code compliance.
- Construction Details.

Site Plan

There is no record of Site Development Plan approval for this site. The Commission must evaluate the provisions of: Section 9.1 Site Development Plan Requirements; Section 4.1.D Area and Dimensional Requirements for Business Districts, and standards of Section 7. Staff has provided a review the Site Plan regulations attached as **Appendix B**

Special Permit

This application seeks approval of Special Permit Section 4.1.C.1.a., which requires an evaluation of the Special Permit Criteria of Section 9.2.E.

Special Permit Considerations:

In considering any application for a Special Permit, the Commission shall, in addition to other standards in the Regulations, evaluate the merits of the application with respect to the following factors:

1. **Plan of Conservation and Development** – Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended;
2. **Purposes of Regulations** – The proposed use or activity is consistent with the purposes of the Regulations;
3. **Environmental Protection and Conservation** – Appropriate consideration shall be given to the protection, preservation, and/or enrichment of natural, scenic, historic, and unique and environmental resources and features which enhance the character of the community;
4. **Suitable Location for Use** – with respect to:
 - a. The size of the lot;

- b. The nature and intensity of the activities involved in or conducted in connection with the use;
- c. The streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the neighborhood in which it is located; and,
- d. The impact on neighboring properties and residences or the development of the district.

5. Appropriate Improvements

- a. The design elements shall be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future character of the neighborhood;
- b. The location, nature and height of buildings, walls, and fences, planned uses and the nature and extent of landscaping on the lot shall not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof;
- c. The proposed use shall have no material adverse impact upon the neighborhood;

6. Suitable Transportation Conditions

- a. The design, location, and specific details of the proposed use or activity shall not:
 - i. adversely affect safety in the streets;
 - ii. unreasonably increase traffic congestion in the area;
 - iii. interfere with the pattern of vehicular circulation in such a manner as to create or increase unsafe traffic conditions.
- b. Parking area or areas shall:
 - i. be of adequate size for the particular use;
 - ii. be suitably screened from adjoining residential uses; and
 - iii. have entrance and exit drives laid out so as to prevent traffic hazards and nuisances.
- c. Streets and other rights-of-way shall be of such size, condition capacity, width, grade, alignment and visibility to adequately accommodate the additional traffic to be generated by the particular proposed use.

7. Adequate Public Utilities and Services

- a. The provisions for water supply, sewage disposal, and storm water drainage shall:
 - i. conform to accepted engineering practices;
 - ii. comply with all standards of the appropriate regulatory authority; and
 - iii. not unduly burden the capacity of such facilities.
- b. The proposed use or activity shall:
 - i. provide ready accessibility for fire apparatus and police protection, and
 - ii. be laid out and equipped to further the provision of emergency services.

8. Nuisance Avoidance

- a. The use shall be appropriate for the area shall not create a nuisance, and shall not hinder the public health, safety, convenience, and property values.

9. Long Term Viability - Adequate provision shall be made for the sustained maintenance of the proposed development including structures, streets, and other improvements.

Staff has provided observations below that the Commission may wish to consider in their review of the proposal against this criteria.

Compatibility with Uses External to the Site

The following uses were identified as neighboring or in close proximity to this site:

To the north – a single family house located in the R1 district (299 Albany Turnpike), which however separates this lot from another business zoned lot farther to the north, 295 Albany Turnpike, which contains a substantial greenhouse complex and is presently used for wood processing activities (see Figure 3 below).

To the west – a single family home on a business zoned lot (305 Albany Turnpike) which also separates this property from additional retail service businesses on additional properties to the west (309 and 315 Albany Turnpike).

To the east – a shared access way for 301, 299 and 295 Albany Turnpike. Developed commercial properties including retail, service and office uses at 291 and 285 Albany Turnpike.

To the south – Opposite the state highway, a mix of uses on business zoned lots including a gas station, recreational facility, high density residential, automobile repair, office, service businesses, and single family homes.

Parking and Traffic Access/Circulations:

See Section 23 and 26 of Appendix B.

Landscaping and Buffering

There appears to be substantial existing vegetation, existing separation, and proposed landscaping that would adequately buffer activities from this property to surrounding areas and uses.

Use and Location Considerations

The proposed special permit use specific to the service business floor area represents a relatively small business operation. The total development potential of the lot is rather limited due to its size, orientation, and access. Its ability to provide adequate parking for larger uses is somewhat limited with the exception of future possible expansions to the north. To date the Land Use Office has not received any complaints or negative inquiries from adjacent property owners or other interested citizens. The size and scale of this business as presented in the application is appropriate for the lot and anticipated development of this area.

Additional Staff Comments

Comments from additional town staff including the Traffic Authority & Fire Marshal are included in the file. The Traffic Authority may have additional review comments on subsequent revisions. The applicant is encouraged to consult with the Building Official and Fire Marshal sooner than later to discuss change of use requirements that would need to be met under the Building and Fire Code should a building permit be sought in the future.

Comments from the Project Administrator are provided in a October 21, 2015 e-mail communication.

Recommendations

It is staff's opinion that the proposed business uses are not likely to result in conditions that are hazardous, inconvenient, or detrimental to the character of the neighborhood, and generally comply with the Special Permit and Site Plan criteria of the regulations except where specifically noted in this report.

The Commission should make its own determination based on a review the compatibility of the proposed uses with the uses surrounding this property, and should also determine that parking, access management and future internal traffic circulation is adequate.

The Commission should clearly state any conditions necessary to protect the public health, safety, convenience and property values.

The Commission should consider imposing a condition requiring a modified site plan that reflects conditions of any approval to be submitted to staff for review prior to recording on the land records.

Appendix A – Submitted Maps/ Plans/ Exhibits

Exhibit List for:

File #379; Apln #1559; 301 Albany Turnpike; Assessor’s Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner

List as of October 15, 2015

List of Drawings

1. Sheet 1; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
2. Sheet 2; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
3. Sheet 3; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated September 2, 2015
4. Sheet 4; Elevations; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
5. Sheet 5; Ground Floor Plan; 301 Albany Turnpike; Prepared by D. Tarinelli Architect; Prepared for Kym Nash; Dated August 31, 2015
6. Sheet 6; Map of Existing Conditions; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
7. Sheet 7; Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
8. Sheet 8; Site Grading and Utilities Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Revised October 6, 2015
9. Sheet 9; Alternate Site Layout Plan; 301 Albany Turnpike; Prepared by David F. Whitney, Consulting Engineers, LLC; Prepared for Holden Nardini; Dated October 7, 2015

Correspondence:

1. Town of Canton – Zoning Development Application for File #379; Apln #1559; 301 Albany Turnpike; Assessor’s Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner
2. Copy of Payment; Check #200
3. Assessor’s Card for 301 Albany Turnpike; Parcel 1010301
4. List of Abutters within 100 feet
5. Copy of the abutter notice sent to neighboring properties on September 21, 2015 notifying them of the upcoming Public Hearing on October 21, 2015
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 9/21/15
7. Proof of Certified Mailing from the Hartford Courant; dated October 1, 2015
8. Email from David Whitney to Neil Pade regarding soil tests at 301 Albany Turnpike; dated October 13, 2015

9. Email from David Whitney to Renee Narducci regarding revised plans; dated October 14, 2015
10. Email from David Whitney to Renee Narducci regarding a letter with additional information for the proposed Dance Studio; dated October 14, 2015
11. Letter from David Whitney to Neil Pade regarding additional information for the proposed Dance Studio; dated October 12, 2015
12. Application review comments from Police Chief Christopher Arciero; received October 14, 2015
13. Application review comments from Fire Marshal Tim Tharau; received October 15, 2015

Appendix B Site Plan

Application Checklist Review:

1.3 Site Plan Application:

1. Copies – Ok
2. Application Form – Ok
3. Application Fee – Ok
4. Narrative –
 - a. Although provided, additional narrative information is anticipated by the applicant.
 - b. Additional information is necessary to determine proper provisions for water supply, sewage disposal and drainage.
 - c. An estimate of occupancy and traffic is provided in the October 12, 2015 letter from Mr. Whitney however it is anticipated the applicant will provide additional information relating to the operation of the business and associated traffic and parking. Onsite traffic circulation is anticipated to change and proposed parking possibly expanded as the result of revisions presently in progress.
5. Copies of Deeds and Easements (both for 301 Albany Turnpike, and the right of way for 295 Albany Turnpike) have not been provided.
6. Notice (Sign and Abutters) – Addressed in staff report.
7. Notice (Parties holding restrictions) – N/A?
8. Notice (Adjoining municipalities) – N/A
9. Notice (Water Co.) – N/A
10. Wetlands – N/A
11. Wetlands – N/A
12. Wetlands – N/A
13. Aquifer – N/A
14. Flood – N/A
15. Well/ Septic – Information not yet submitted to demonstrate provision of water.
16. Public Water – N/A
17. Sewer – Information not yet submitted to demonstrate connection to public sewer.
18. State Traffic Administration/ LTA – Comments from LTA submitted on October 14, 2015. STA = N/A.
19. Other Conditions – Presently N/A
20. Bonds - N/A unless required by Commission
21. Historic District – N/A
22. Stormwater – Additional information necessary to demonstrate compliance with Section 7.13 of the regulations (See Storm water Management Study for disturbances over 10,000 sf, 7.13.B.)
23. Traffic –
 - a. The proposal appears to be under the threshold that would require a traffic impact analysis unless a finding is made by the Commission under 7.8.B.1.b.
 - b. Visibility and driveway obstruction requirements of 7.8.C.2 should be reviewed.
 - c. Possible turning movements into both the driveways of 299 and 301 Albany Turnpike should be reviewed and coordinated to the extent practical (of specific concern are periods of class turn over). It is preferable for such access points to be consolidated and shared to reduce conflicts.
24. Erosion Control – Erosion control plan and notes submitted per Section 7.6.8.1. Additional silt fence may be needed along the west side of the site during certain portions of site construction.
25. Design Review – to be conducted by the PZC.
26. Site Plan

- a. Preparation – prepared, signed and sealed by a Professional Engineer. Survey information references professional survey however survey not provided.
- b. Size/ Scale/ Copies – Ok.
- c. Plan Information –
- d. Key Map – Ok
- e. Title Block – Ok
- f. Arrow, Scale – Ok
- g. Zoning Schedule – Total Distributed Area and Cut's and Fill's not provided.
- h. Boundaries – reference A-2 survey, survey not provided/ available.
- i. Abutters – Ok
- j. Limits – Ok
- k. Easements – Easements or rights of access to 295 Albany Turnpike to be provided.
- l. Grading – Ok
- m. Soils – Not provided
- n. Water Supply Areas – N/A
- o. Refuse Disposal – Dumpsters not provided. The Commission should review potential waste disposal options with the applicant (and consider future occupancies that may be covered under the proposed use) and determine adequacy of refuse disposal proposed, or the need for additional inclusions on the site development plan.
- p. Roads/ Driveway/ Obstructions – When final ingress and egress is designed, sight lines and obstructions should be closely review to ensure there are not conflicts/ hazards. Special consideration should be given to existing street trees and vegetation along the state right of way.
- q. Setbacks – provided
- r. Utilities –
 - i. Electric, telephone, cable – Incomplete
 - ii. Gas/ Propane – Not shown (Oil fill shown)
 - iii. Water – Incomplete
 - iv. Sewer – Incomplete
 - v. Well – shown
 - vi. Septic/ Leaching – N/A
 - vii. Other
- s. Environment –
 - i. Wetlands and Watercourses – N/A
 - ii. NDDB areas – NDDB areas cover the property and surrounding area. A NDDB reporting form should be submitted and recommendations incorporated into construction practices if applicable.
 - iii. Rock Outcrops - Shown
 - iv. Tree Canopy – Shown
 - v. PWS/ Aquifer – N/A
 - vi. Stormwater – Shown
 - vii. Soils Test Pits – Conducted on 10/14/15, information/ results to be submitted.
 - viii. Groundwater –
 - ix. Other –
- t. Buildings – HVAC – Not shown
- u. Details – Provided – Additional detail information on construction of retaining wall, stormwater infiltration, manholes, sidewalk (must be Portland cement concrete), site lighting and landscaping. Pavement detail differs from approved standard (Diagram 7.2.D.2) but is technically superior (the Commission should consider upgrading their

- detail). It is questionable if full depth of construction can be achieved in this area. Proposed curbing shown in the detail is not consistent with Section 7.1.E.6 and 7.2.D.13.
- v. Cost Estimates – not provided
 - w. Section 6.1 – 6.4 - N/A
 - x. Section 7.1 Landscaping -
 - i. Not submitted by a professional LA.
 - ii. Additional information should be provided on the species and size of proposed plantings demonstrating compliance with Section 7.1.F.
 - iii. The site design appears to rely on the use of existing vegetation to meet many of the requirements of Section 7.1. The Commission should consider this under Sections 7.1.D.1.a, 7.1.D.2.b, 7.1.H.
 - iv. 7.1.E.8 – landscaping buffer (15’ inclusive of sidewalk) is not met. Additional plantings within this area are required.
 - v. 7.1.E – parking lot landscaping is provided at greater than the requires 10%. The Commission may determine an existing shade tree is necessary, however the additional residential buffer and exiting trees to remain (if protected) should suffice.
 - vi. Proposed curbing shown in the detail is not consistent with Section 7.1.E.6
 - vii. Existing trees to remain are to be protected in accordance with 7.1.G.7.
 - viii. A note should be added to the plans indicating site landscaping may be modified by the ZEO in consultation with the LA who prepared the design.
 - y. Section 7.2 - Parking and Loading
 - i. The Commission could review this as a Service Use or Other, or Place of Assembly – the applicant is presently providing 18 parking spaces which is not inconsistent with the standard of 6 per 1000 sf of gfa. With the anticipation of 12 students per class and separation between classes, the parking provided should be adequate. However the Commission should discuss with the applicant the anticipation of this business being very successful and possibly increasing class sizes. In addition the management of parking for recitals or other events should be discussed. As noted above, it is believed that the parking and circulation plan is being modified.
 - ii. The current proposal intends to reuse existing driveways. Section 7.2.D.4 requires driveways for Business District properties to be a minimum of 24’ wide. Although the existing driveway widths are existing non-conforming there is a special permit use being added to the property. The Commission may also refer to Section 7.2.D.5 regarding Access Management. If additional changes occur, CTDOT District 4 should be consulted.
 - iii. Snow storage areas should be included on the plan in accordance with 7.2.D.8.
 - iv. Curbing as shown is not consistent with Section 7.2.D.13.
 - z. Section 7.3 - Signage - Signage location provided for a ground sign but no other information provided.
 - aa. Section 7.4 – Outdoor Lighting – The location of 3 potential light poles (limited to the rear of the building) was identified on the plans. Remaining lighting information required by this section not provided. Detailed information on light fixtures, height of poles, construction and orientation, photometric for business hour and non-business hour operation of the site is required. With classes anticipated to go as late as 9 PM this will need to be addressed.
 - bb. Section 7.5 – Earthwork and Grading – Up to 1,999 cy is allowed via Zoning Permit
 - cc. Section 7.6 – Erosion and Sediment Control – Discussed above (24)

- dd. Section 7.7- Fences and walls – Additional information on the construction of the proposed retaining wall requested above.
 - ee. Section 7.8 – Traffic and Visibility – Addressed above in 23, 26.p., and 26.y.
 - ff. Section 7.9 – Bicycle, Pedestrian and Emergency Accommodations –
 - i. Pedestrian access to the building from the street and along frontage not provided.
 - ii. Sidewalk along perpendicular parking needs to be 6’ in width, or a minimum of 4’ if concrete wheel stops are used.
 - iii. The Commission may consider possible findings under Section 7.9.C.6.c
 - iv. Bicycle parking is required under Section 7.9.D.1.b but identified on the plans.
 - gg. Section 7.10 – Outdoor Display – N/A
 - hh. Section 7.11 – Mobile Vendors – N/A
 - ii. Section 7.12 – Hours of Operation – Ok on hours of operation. Per 7.12.C and Section 7.4 a lighting plan should be submitted that correlates to hours of operation.
 - jj. Section 7.13 – Additional Stormwater Management information per Section 7.13.B is requested (22).
 - kk. Section 8.2 – Performance Standards – Noise and Glare to be evaluated. It is not clear where HVAC mechanicals will be stored/ mounted.
 - ll. Section 8.6 – Design Review – To be conducted by the PZC.
27. Architectural plans –
- a. The north elevation is scaled, it is believed all other elevations presented are of the same scale.
 - b. Engineered steel building, metal roof and siding. Additional information on the construction would be helpful, material samples, details, insulation? (Concerns have been raised about noise on prior applications using engineered steel buildings with no insulation)
 - c. Aesthetics – proposed building addition will not be very visible from the exterior of the site.
 - d. Floor plan – proposed remodel of existing house to commercial space should be reviewed by building official and fire marshal to ensure no issues with new codes when building permit is sought.

Appendix C – Figures



Figure 1 - 301 Albany Turnpike



Figure 2 - 301 Albany Turnpike, Surrounding Area



Figure 3 - 301 Albany Turnpike, Street View



Figure 4 - Zoning Map, Properties Near and Around 301 Albany Turnpike

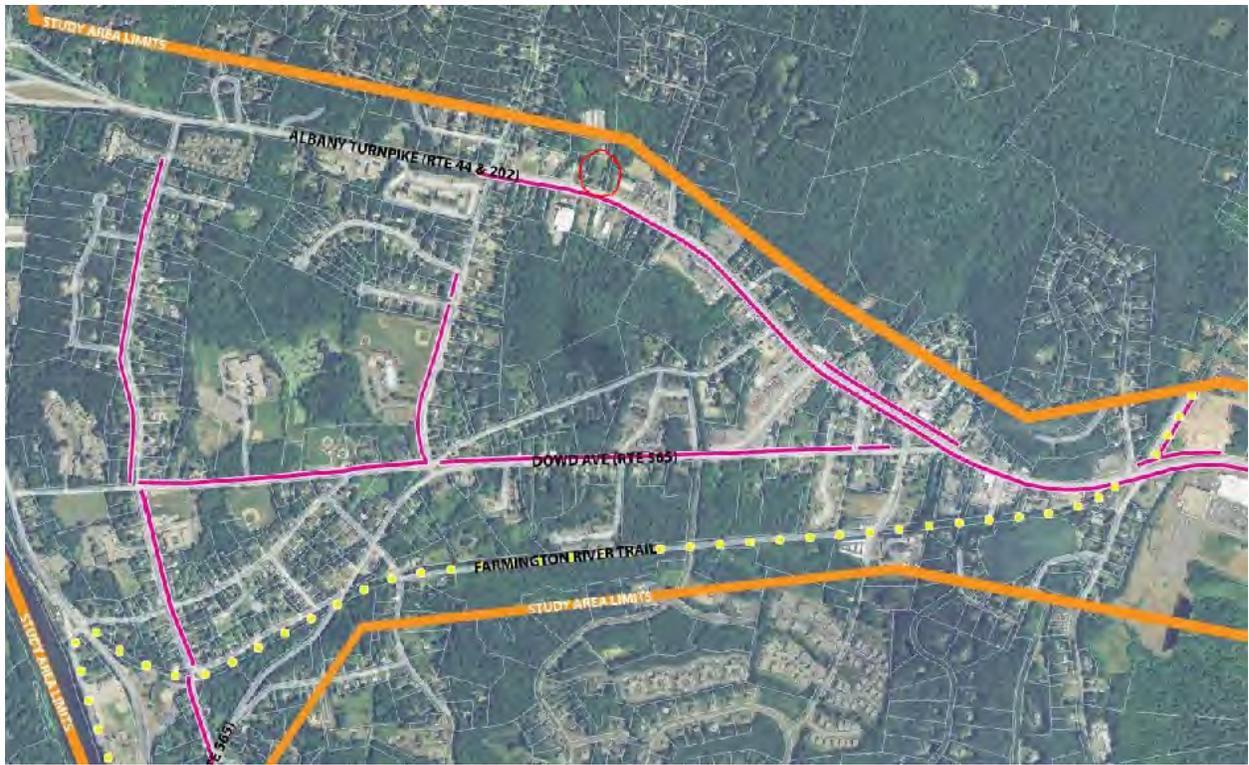


Figure 5 - Existing Pedestrian Network Limits

Narducci, Renee

From: Wallace, George
Sent: Wednesday, October 21, 2015 8:50 AM
To: Pade, Neil
Cc: Martin, Robert; Skinner, Robert; Anyzeski, Emily; Narducci, Renee; Rich, William; Boyko, Harriet
Subject: RE: #301 Albany Turnpike - review

Neil,

I have completed a preliminary review of the plans entitled "Mr. Holden Nardini; Parcel #1010301; 301 Albany Turnpike; Canton, Connecticut"; dated September 2, 2015 [revised through October 6, 2015] and October 7, 2015 as prepared by David F. Whitney; Consulting Engineer, LLC and have the following preliminary comments:

1. There were no drainage or storm water management calculations submitted [appropriate calculations should be submitted];
2. The "Site Layout Plan" sheet and the "Alternate Site Layout Plan" sheet propose to use the existing site driveway as a "one-way" entrance to the site; however, for vehicles exiting the development site, the plans propose to use the access driveway that serves #299 Albany Turnpike and #295 Albany Turnpike. The existing access driveway that serves #299 Albany Turnpike and #295 Albany Turnpike and which is less than ten (10') in width is proposed to remain as a two-way access driveway for those properties but also handle exiting traffic generated by the proposed development at #301 Albany Turnpike. While #299 Albany Turnpike is a residential property, #295 Albany Turnpike is a relatively large parcel that is presently serving as a tree/wood processing site that receives large logging trucks delivering tree trunks while other tree trucks, dump trucks, etc. are used to remove cut wood from the site. Using the narrow driveway that serves two-way traffic for #299 Albany Turnpike and #295 Albany Turnpike as an exit driveway for the proposed development traffic could create a hazardous condition for #299 Albany Turnpike and #295 Albany Turnpike traffic trying to enter their respective properties; i.e. should an east bound vehicle try to turn left into the access driveway for #299 Albany Turnpike and #295 Albany Turnpike it could get caught straddling the two (2) west bound lanes of Albany Turnpike should a vehicle exiting any of the three (3) properties [#301, #299, or #295] suddenly block the access driveway while trying to exit onto Albany Turnpike. West bound vehicles trying to turn right into the access driveway for #299 Albany Turnpike and #295 Albany Turnpike could get caught blocking other west bound Albany Turnpike traffic should again a vehicle exiting any of the three (3) properties [#301, #299, or #295] suddenly block the access driveway while trying to exit onto Albany Turnpike. The proposed plans show a "By-Pass Area" however it's proposed location appears to be too far from the edge of Albany Turnpike to prevent the previous scenarios from occurring. It is recommended that the proposed traffic flow pattern not be permitted unless either of the following modifications is included:
 - a. The existing access driveway that serves #299 Albany Turnpike, #295 Albany Turnpike, and proposed exiting traffic from #301 Albany Turnpike [proposed development] be made a dedicated "Exit Only" access drive and signed accordingly with "Do Not Enter" signs posted [this however would require that vehicles wishing to enter #299 & #295 Albany Turnpike parcels would need to use the "One-Way" entrance driveway that will serve #301 Albany Turnpike]; or
 - b. The existing access driveway that serves #299 Albany Turnpike, #295 Albany Turnpike, and proposed exiting traffic from #301 Albany Turnpike [proposed development] should be widened to handle both simultaneous "entering" and "exiting" traffic and widened for a sufficient distance to allow for adequate

stacking of vehicles exiting #301, #299, & #295 Albany Turnpike parcels [may need a traffic analysis to determine the stacking distance]; or

- c. The "One-Way" entrance driveway that is proposed to serve #301 Albany Turnpike and the "Two-Way" driveway that provides access for #299 Albany Turnpike, #295 Albany Turnpike, and proposed exiting traffic from #301 Albany Turnpike [proposed development], both be eliminated and replaced by a "Two-Way" common driveway of sufficient width that straddles the eastern property line of #301 Albany Turnpike [removes two (2) curb cuts and replaces them with one (1) curb cut]; or
 - d. The "One-Way" entrance driveway that is proposed to serve #301 Albany Turnpike should be widened sufficiently to handle "Two-Way" generated traffic flow entering and exiting #301 Albany Turnpike.
3. The proposed development may require Connecticut DOT approval because the access for the modified use of the property is to and from State Route 44; also the proposed discharge for the site drainage system will be tying into an existing catch basin located within the right-of-way for Albany Turnpike [State Route 44].

Note that the review of any updated subsequent materials for this application may warrant further comments.

Please contact me if you have any questions on any of the above.

Sincerely,

George M. Wallace, P.E.
Project Administrator
Town of Canton

(860)693-7855

Narducci, Renee

From: DAVID F. WHITNEY <dfwengineers@sbcglobal.net>
Sent: Monday, October 19, 2015 2:48 PM
To: Pade, Neil
Cc: Farmington DANCE; David J. Markowitz; Narducci, Renee; Donald Tarinelli
Subject: Request Postponment to Open Public Hearing for #301 Albany Turnpike
Attachments: Letter To Neil Pade 10-19-15.pdf

Neil: Hello,

Attached is my letter requesting a postponement for the opening of the public hearing for #301 Albany Turnpike. Please call or email if you have any questions or need additional information.

Thank you,

--Dave W. w 860-673-8412

**DAVID F. WHITNEY
CONSULTING ENGINEERS, LLC**

21 Arch Road
P. O. Box 1605
Avon, Connecticut 06001

**David F. Whitney, P.E.
Conn. Reg. No. 14949**

Telephone: (860) 673-8412
Facsimile: (860) 673-8413
Email: dfwengineers@sbcglobal.net

October 19, 2015

Mr. Neil S. Pade, AICP
Director of Planning and Community Development
Canton Town Hall – Land Use Office
4 Market Street – PO Box 168
Canton, CT 06022

Re: “Farmington Dance Studio and Center for the Arts”
Zoning-Development Application (Site Plan and Special Exception)
#301 Albany Turnpike, Canton, CT
Mr. Holden Nardini, Applicant
Ms. Kym Nash, Applicant’s Representative
Mr. and Mrs. Arthur R. Lowell, Owners

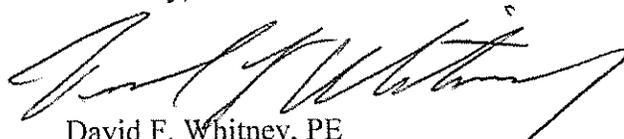
Dear Mr. Pade:

As we discussed in our telephone conversation this morning, I am writing to request that the opening of the public hearing for the above-referenced application be postponed from Wednesday, October 21st, 2015 to the next regularly-scheduled meeting of the Canton Planning and Zoning Commission on Wednesday, November 18th, 2015.

The reason for this request is to provide time in which to make certain modifications to the site plans submitted with the application.

Please do not hesitate to contact me with any questions, and thank you for your consideration in this matter.

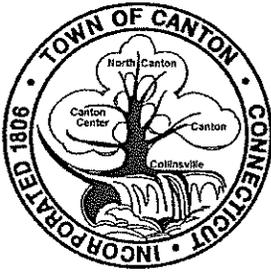
Sincerely,



David F. Whitney, PE
Agent for Holden Nardini, Applicant

cc: Kym Nash
Atty. David J. Markowitz
Donald Tarinelli
File #15-28

#13



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

APPLICATION REVIEW

To: George Wallace, Project Administrator
Christopher Arciero, Police Chief
Roger Ignazio, WPCA Superintendent
Robert Martin, DPW Director
William Rich, Building Inspector
Tim Tharau, Fire Marshal

From: Renee Narducci, Land Use Coordinator (860) 693-7856

Re: **Proposed Dance Studio at 301 Albany Turnpike**

Date: October 14, 2015

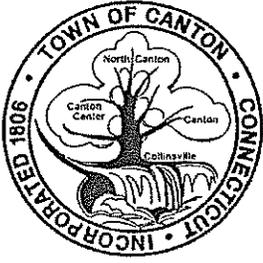
The above captioned application is scheduled to be received at the Planning & Zoning Commission meeting scheduled for October 21, 2015. Please review the attached plans and return them with your comments at your earliest convenience. Use a separate sheet if necessary. Thank you in advance for your time and review.

COMMENTS

Thank you for the opportunity to review this site plan for Proposed Dance Studio at 301 Albany Turnpike. The Fire Marshal office would recommend approval of this application. The Fire Marshal looks forward to working with you during the construction phase of the project. Please note that the Building and Fire codes review for construction will take place after full set of construction documents are submitted for review. Also note that the renovation of the existing building will be a change of use and subject to the requirement of the new Building and fire codes requirements.

Timothy J. Tharau
Fire Marshal
Town of Canton

#12



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

APPLICATION REVIEW

To: George Wallace, Project Administrator
Christopher Arciero, Police Chief
Roger Ignazio, WPCA Superintendent
Robert Martin, DPW Director
William Rich, Building Inspector
Tim Tharau, Fire Marshal

From: Renee Narducci, Land Use Coordinator (860) 693-7856

Re: **Proposed Dance Studio at 301 Albany Turnpike**

Date: October 14, 2015

The above captioned application is scheduled to be received at the Planning & Zoning Commission meeting scheduled for October 21, 2015. Please review the attached plans and return them with your comments at your earliest convenience. Use a separate sheet if necessary. Thank you in advance for your time and review.

COMMENTS

Based on the documents provided and as the local traffic authority, I have no issues with the proposed application.

Chris Christopher Arciero
10/15/15

#11

**DAVID F. WHITNEY
CONSULTING ENGINEERS, LLC**

21 Arch Road
P. O. Box 1605
Avon, Connecticut 06001

David F. Whitney, P.E.
Conn. Reg. No. 14949

Telephone: (860) 673-8412
Facsimile: (860) 673-8413
Email: dfwengineers@sbcglobal.net

October 12, 2015

Mr. Neil S. Pade, AICP
Director of Planning and Community Development
Canton Town Hall – Land Use Office
4 Market Street – PO Box 168
Canton, CT 06022

Re: "Farmington Dance Studio and Center for the Arts"
Zoning-Development Application (Site Plan and Special Exception)
#301 Albany Turnpike, Canton, CT
Mr. Holden Nardini, Applicant
Ms. Kym Nash, Applicant's Representative
Mr. and Mrs. Arthur R. Lowell, Owners

Dear Mr. Pade:

The following information is submitted as an addendum to the above-referenced application, with item numbers taken from the Site Plan Application Check List:

- 4-1. A detailed narrative description of the nature and extent of the proposed use and occupancy of the proposed Dance Studio will be forthcoming from the applicant.

- 4-2. Sanitary sewer disposal for the existing building and proposed addition will be by means of public sanitary sewer. Water supply will be by means of an existing on-site well. Existing overhead telephone and electric lines will remain. Solid waste will be collected in containers inside the building, and no outside dumpster is proposed. Stormwater runoff will be collected by a storm drainage system (catch basins and pipes), and will be directed to a subsurface detention/infiltration system, with an overflow to ConnDOT's existing storm drainage system in Route 44.

- 4-3. The estimated number of staff employees (dance teachers) will be two per day. Dance classes typically consist of approximately 12 students per class, with most classes one hour in length (some classes are longer, about one and one-half hours). A maximum of two classes are held at the same time, and hours of operation are generally from 4:30 pm to 9:00 pm, with staggered start times for the two classes. Approximately half of the students take more than one class, and most parents “drop and run”, although occasionally some parents will stay.

On the busiest days, there will be eight classes, with a total maximum attendance of approximately 72 students maximum plus two instructors, for a total of 74 people. However, it is anticipated that on most days the attendance will actually be less than this figure.

- 4-4. As stated above, hours of operation will generally be from 4:30 pm to 9:00 pm Monday through Friday, and from 9:30 am to 4:30 pm on Saturday. It is estimated over the course of the average day approximately 50 to 60 vehicle trips will be generated (Please note many students carpool).

Seventeen parking spaces are proposed (including one handicap space). The minimum required parking (based on “Day Care” parking requirements of one space per four children, and assuming two concurrent classes of 12 students each for 24 total), is six parking spaces for the students, plus two spaces for the instructors, for a total of eight spaces. With seventeen spaces provided, a 100% safety factor has been provided.

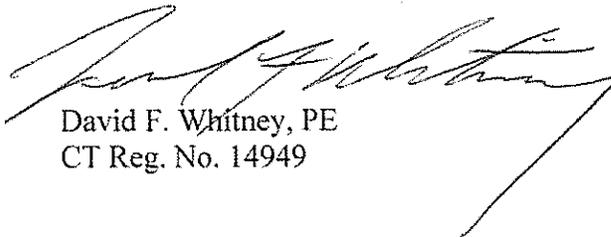
I met with Police Chief Arciero (Canton Traffic Authority), and a memorandum from him should be forthcoming.

10. No inland wetland soils are located on this site.
14. No portion of the subject site is located within the FEMA 100-Year Flood Zone.
15. The existing on-site well will be considered a “Transient Non-Community Water System” (TNC), and must meet the requirements of the State of Connecticut Department of Public Health (including an inspection of the existing well, water quality sampling and a quarterly monitoring schedule by a certified operator). I have discussed this matter with Mrs. Dianne Harding, Senior Sanitarian at the Farmington Valley Health District.
16. As previously stated, sanitary sewage disposal will be by means of public sanitary sewer (Currently there is an existing connection from the house to the public sewer). The existing house has three bedrooms, which would generate a maximum estimated daily sewage flow of 450 gallons per day (as per the CT Public Health Code). By comparison, the estimated maximum daily sewage flow from the Dance Studio might be as follows: $74 \text{ people} \times 5 \text{ gppd} = 370$ gallons per day. (This is assuming every single person used the bathroom once during the busiest

day, which is a conservative assumption). Therefore, the estimated sewage flows from the Dance Studio should be less than a three-bedroom residential house. (Please note no showers are proposed for the Dance Studio). I have discussed this application with Mr. Roger Ignazzio at the Canton WPCF, and an application to the Canton WPCA will be required for the proposed addition and change of use.

I hope this information is helpful. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David F. Whitney". The signature is fluid and cursive, with a long horizontal stroke at the end that extends to the right.

David F. Whitney, PE
CT Reg. No. 14949

cc: Holden Nardini, Applicant
Kym Nash, Applicant's Representative
Atty. David Markowitz
File #15-28

#10

Narducci, Renee

From: DAVID F. WHITNEY <dfwengineers@sbcglobal.net>
Sent: Wednesday, October 14, 2015 12:12 PM
To: Narducci, Renee
Cc: Pade, Neil; Kym Nash; David J. Markowitz
Subject: Letter Re: Proposed Dance studio at #301 Albany Turnpike
Attachments: Letter 10-12-15 to Neil Pade Re #301 Albany Turnpike.pdf

Renee:L Hello again,

Attached please find a letter to Neil Pade with some additional information regarding Kym Nash's proposed Dance Studio at #301 Albany Turnpike. It might be helpful to the P&Z Commissioners, if you wanted to include it with the other information you are sending out.

Kym indicated she would have a written narrative about her proposed business for you soon, hopefully tomorrow.

Please call or email with any questions.

Thanks!

--Dave W. w 860-673-8412

#9

Narducci, Renee

From: DAVID F. WHITNEY <dfwengineers@sbcglobal.net>
Sent: Wednesday, October 14, 2015 11:42 AM
To: Narducci, Renee
Cc: Pade, Neil; Kym Nash; David J. Markowitz
Subject: Proposed Dance Studio at #301 Albany Turnpike (Kym Nash)
Attachments: Sheet #1 Map of Existing Conditions 10-6-15.pdf; Sheet #2 Site Layout Plan 10-6-15.pdf; Sheet #3 Site Grading and Utilities Plan 10-6-15.pdf; Sheet #1 of 1 Alternative Site Layout Plan 10-7-15.pdf

Renee: Hello,

Thank you for taking time to meet with me this morning. As requested, I have attached the following plans (as pdf's) for Kym Nash's proposed Dance Studio at #301 Albany Turnpike:

1. Sheet #1: Map of Existing Conditions
2. Sheet #2: Site Layout Plan
3. Sheet #3: Site Grading and Utilities Plan
4. Sheet #1 of 1: Alternate Site Layout Plan

The latest revision date of the first three plans is October 6, 2015. The date of the Alternate Site Layout Plan is October 7, 2015

As discussed, this morning I meet with Police Chief Arciero (Canton Traffic Authority), who indicated, after a brief review, that he did not seem to have any issues with the proposal. However, he is awaiting official correspondence from you before he puts his comments in writing.

Also as discussed, I met with Roger Ignazzio at the Canton WPCF. He also does not appear to have any concerns, but indicated we will need to file a "Change of Use" application with the WPCA.

In another email a few minutes from now, I will send you a copy of a letter I wrote with some additional information regarding this application.

Thanks again,

--Dave W. w 860-673-8412

Narducci, Renee

From: DAVID F. WHITNEY <dfwengineers@sbcglobal.net>
Sent: Tuesday, October 13, 2015 12:28 PM
To: Pade, Neil; Narducci, Renee; Wallace, George
Cc: Kym Nash; David J. Markowitz; Donald Tarinelli
Subject: Soil Tests Tomorrow (Wed 10/14) at #301 Albany Turnpike in Canton

Neil and all: Hello,

Tomorrow morning (Wednesday 10/14/15) at 8:00 am we will be digging test pits at #301 Albany Turnpike in Canton. I expect it will take us about an hour.

The purpose of these soil tests (deep observation pits) are two-fold:

1. In the front yard to determine soil suitability for the subsurface detention/infiltration system
2. In the back yard to determine the depth to ledge rock (assuming there is ledge, which based on all of the surface rock present, is a good possibility), and this will determine if blasting will be required.

The FVHD is not required to be present to observe these soil tests, as the building is on public sewer and no septic system is proposed. However, I did not know if any of you folks would like to join us, and if so, please consider yourself invited.

The contractor (Ralph Butch) called for the CBYD utility markout last week.

Please call or email with any questions or comments.

Thanks!

--Dave W. w 860-673-8412



Order ID: 3638691

Page 2 of 2

GROSS PRICE * : \$136.94

* Agency Commission not included

PACKAGE NAME: Legal Notice
7 road Daily

Legal Notice
Town of Canton
Canton Planning & Zoning Commission

The Canton Planning and Zoning Commission will hold a public hearing at a regular meeting on Wednesday, October 21, 2015 at 7:30 p.m. in Room F of the Canton Community Center, 40 Dyer Avenue, Canton, CT for the following application:

File #379; Aplan #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1. for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner

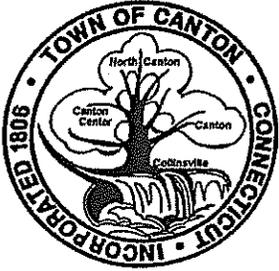
This application is on file and available for public inspection in the Land Use Office, Canton Town Hall, 4 Market Street, Collinsville CT, telephone 860-693-7856.

Dated at Canton, Connecticut, this 1st day of October 2015.

David Bondanza, Chairman
Philip Pane, Secretary

#7

#6



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

CERTIFICATION OF NOTICE

Planning & Zoning Commission: File Number: 379

Application Number: 1559

Zoning Board of Appeals: File Number: _____

I certify that as per Section 9.9.F, Notice of Public Hearing Signs, of the Canton Zoning Regulations, I have posted at: 301 Albany Turnpike, Canton, CT a sign reading:

"ZONING APPLICATION PENDING ON THIS PROPERTY. FOR INFORMATION CONTRACT THE ZONING ENFORCEMENT OFFICER, TOWN HALL CANTON."

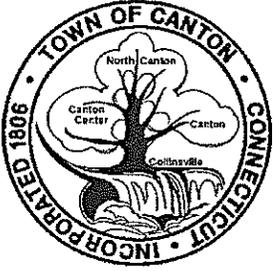
For fifteen (15) continuous days beginning on Tuesday, 9/22/15 and ending on Wednesday, 10/7/15 prior to a public hearing scheduled for Wednesday, 10/21/15

Name of Applicant: Holden C. Nardini

Signature of Applicant: Holden C. Nardini

Date: 9.21.2015

#5



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

USPS CERTIFIED MAIL/RETURN RECEIPT

File #379; Apln #1559

Dear Neighboring Property Owner:

An application to the Canton Planning & Zoning Commission (PZC) for a Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; has been filed with the Canton Land Use Office for the following property:

Location: 301 Albany Turnpike, Canton, CT 06019

Applicant: Holden Nardini

Property Owner: Arthur and Bette Lowell

A Public Hearing for this application is scheduled for Wednesday, October 21, 2015.

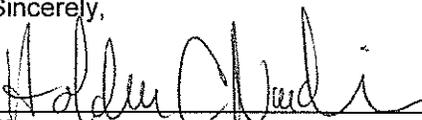
The meeting will be held at the Canton Community Center located at 40 Dyer Avenue, Canton, and is scheduled to begin at 7:30 p.m.

At this hearing public testimony will be accepted. If you are unable to attend this meeting but wish to express your thoughts and concerns, please direct them by email to: Renee Narducci, Land Use Coordinator at rnarducci@townofcantonct.org or by mail to the following address:

Town of Canton
Land Use Office
4 Market Street, P.O. Box 168
Collinsville, CT 06022

Please be sure to reference the above application in the subject line.

Sincerely,



Signature

9.22.2015
Date

#4

GMAE REALTY LLC
P.O. BOX 458
CANTON CT
06019

ALLIANCE ENERGY LLC
36 EAST INDUSTRIAL ROAD
BRANFORD CT
06405

WATSUL ASSOCIATES LLC
P.O. BOX 912
CANTON CT
06019

HARKEMA INC
P O BOX 382
CANTON CT
06019

BONENFANT GLORIA J
299 ALBANY TURNPIKE
CANTON CT
06019

LOWELL ARTHUR R &
P.O. BOX 276
COLLINSVILLE CT
06022

HINMAN'S PLANT FARM LLC
P.O. BOX 167
CANTON CT
06019

CROCKETT BRIAN J
BOX 542
CANTON CT
06019

CANTON COMMERCIAL PROPERTIES LLC
P.O. BOX 1175
AVON CT
06001

The Assessor's office is responsible for the maintenance of records on the ownership of properties.

Assessments are computed at 70% of the estimated market value of real property at the time of the last revaluation which was 2013.



TOWN OF CANTON CT

Information on the Property Records for the Municipality of Canton was last updated on 8/18/2015.

#3

Property Summary Information

Parcel Data And Values Building Sales Google Map

Parcel Information

Location:	301 ALBANY TURNPIKE	Property Use:	Residential	Primary Use:	Residential
Unique ID:	1010301	Map Block Lot:	31/101/0301	Acres:	0.83
490 Acres:	0.00	Zone:	SB B	Volume / Page:	299 /1002
Developers Map / Lot:		Census:			

Value Information

Owner's Information

	Appraised Value	70% Assessed Value
Land	95,000	66,500
Buildings	125,860	88,100
Detached Outbuildings	0	0

Owner's Data
LOWELL ARTHUR R & LOWELL BETTE R P.O. BOX 276 COLLINSVILLE, CT 06022

MIA ALESSANDRA NARDINI
616 LOVELY ST
AVON, CT 06001-2983

200
30-7426/3140

9.10.2015

Date

\$ 550.00

Security
Deposit on
Back

Dollars

God Bless America

Pay to the Order of Town of Canton
Five hundred fifty

USAA FEDERAL SAVINGS BANK
10751 MODERITT Pkwy
SAN ANTONIO, TEXAS 78288-0544
(710) 455-8000 1-800-532-3724

For Mia A Nardini
30 Albany

⑆ 314074269⑆ ⑆ 19777509⑆ 0200

TRANSIT ROUTING NUMBER ACCOUNT NUMBER

Handed Over

#2

TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

SEP 11 2015



Land Use Department DATE OF RECEIPT IN OFFICE
(860) 693-7856
(860) 693-7884 (fax)

OFFICE USE ONLY	
APPLICATION # <u>1559</u>	FILE # <u>379</u> FEE AMOUNT: <u>550.⁰⁰</u>
DATE SUBMITTED: <u>9/11/15</u>	PAID <input checked="" type="radio"/> Y <input type="radio"/> N check # <u>200</u>
APPROVED Y / N	
Zoning Official _____	Date: _____
Comments _____	

ZONING – DEVELOPMENT APPLICATION

Address: 301 Albany Turnpike, Canton, CT 06019

Assessor's Identification: Map#: 31 Lot #: 0301

Zoning District: B

Lot Size: 0.844 acres

Land Record Reference to Deed Description: Volume: 299 Page: 1002

PROPERTY OWNER: Arthur R + Bette R. Lowell PHONE: _____

APPLICANT / AGENT: Holden Nardini, applicant PHONE: 860-830-4324

MAILING ADDRESS: Kym Nash, agent
616 Lovely Street, Avon, CT 06001

EMAIL ADDRESS: Info@Farmingtandance.com

Present Use

Briefly describe the present use of the site

Existing single-family house, business use (accountant's office)

Proposal

Briefly describe the proposal

"Dance studio and center for the arts"
Proposed 3,440 sf addition to existing building, with new driveway and parking lot.

Introduction
Definitions
Residential (R) Districts
Business Districts
Design Districts
Other Districts
Basic Standards
Special Regulations
Procedures/Appendix

Introduction
 Definitions
 Residential (R)
 Districts
 Business
 Districts
 Design
 Districts
 Other
 Districts
 Basic
 Standards
 Special
 Regulations

Type of Application and Required Fee		Amount Included
<input checked="" type="checkbox"/> Special Exceptions	\$200 for first and \$75 for each additional special permit/exception	<u>200.00</u>
<input checked="" type="checkbox"/> Detailed Site Plan Non-residential (new construction or expansion)	\$200 up to 2,000 sq. ft and \$30 for each additional 1,000 sq. ft. of floor area.	<u>290.00</u>
<input type="checkbox"/> Detailed Site Plan Residential (new construction or expansion)	\$200 up to four (4) dwellings; \$30 each additional dwelling over four units.	_____
<input type="checkbox"/> Any application to modify plans previously approved and not considered to be new construction or expansion of a residential or nonresidential use/area	Fee equal to 50% of the original filing fee.	_____
<input type="checkbox"/> Excavation and Grading Permit	\$200 plus \$75 per acre of disturbed area or portion thereof	_____
<input type="checkbox"/> Soil and Erosion Control Plan Certification	All applications requiring a soil and erosion control plan certification may require an additional fee required by and paid to the North Central Soil Conservation District.	_____
<input checked="" type="checkbox"/> All applications require an additional \$60 State Fee		\$60.00
<input type="checkbox"/> Additional Fees	The Commission may require additional fees in accordance with Town Ordinance Chapter #248	_____

TOTAL FEE \$ 550.00

Cite the Section(s) and written description of the Zoning Regulations under which you are applying (only those items specifically identified on this application will be included in the public notice and application proceedings):

Section # 4.1.C. Regulatory Language: Business greater than 2,500 sf.
 Section # 9.1 Regulatory Language: Site Plan
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____

Is any portion of the site within 500 feet of an adjoining town? (See Town of Canton Zoning Map available at Town of Canton

Land Use Office)

- Avon
- Barkhamsted
- Burlington
- Granby
- New Hartford
- Simsbury

No.



The required "CHECKLIST" has been completed by the applicant and attached? (Zoning Regulations Appendix) *Checklist to be submitted prior to meeting*
 No (Failure to submit the required checklist shall render the zoning application incomplete)
 Yes

This application will be considered incomplete if any required information is not submitted.

If a development application involves a Zoning Regulation or Map Amendment the applicant shall submit a Town of Canton Zone Change Application. The applicant shall file a copy of any proposed regulation amendment or zone change with the Town Clerk ten (10) days prior to the hearing per Sections 8-3(a) of the Connecticut General Statutes. Certification by the Town Clerk of the filing under these sections must be presented by the Applicant at the public hearing. (See certification form attached)

By submitting this application, I hereby verify that all materials contained herein are true and grant permission to Town employees and Commission members to enter and view the subject site.

As the applicant/ owner, I hereby give Town employees and Commission members permission to enter and walk the property, which is the subject of this application, during daylight hours during the pendency of this application.

BEFORE SIGNING, OWNERS AND APPLICANTS PLEASE NOTE:

By signing this application, the signer represents as to the owner or applicant, whichever applies, either:

- (i) if an individual, that the signer is that individual; or
- (ii) if an entity (e.g. corporation, LLC, partnership, trust, association) that he or she is legally authorized to sign on behalf of that entity.

Owner Name (please print)

Arthur R. Lowell

Owner Signature

Arthur R. Lowell

Date: _____

Applicant Name (please print)

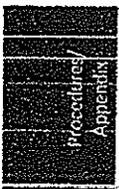
~~Arthur R.~~ Hadden Nardin

Applicant Signature

Hadden C. Nardin

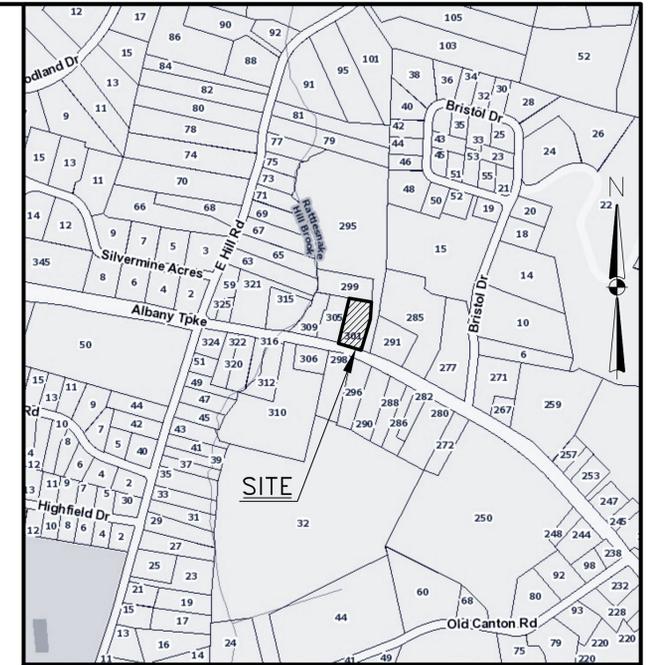
Date: 9.10.2015

Introduction
Definitions
Residential (R) Districts
Business Districts
Design Districts
Other Districts
Basic Standards
Special Regulations
Procedures/Appendix



"FARMINGTON DANCE STUDIO AND CENTER FOR THE ARTS"

#301 ALBANY TURNPIKE, CANTON, CONNECTICUT
 ARTHUR R. AND BETTE B. LOWELL, OWNERS
 HOLDEN NARDINI, APPLICANT



KEY MAP
 SCALE: 1"=500'

INDEX OF SHEETS

- SHEET #1 MAP OF EXISTING CONDITIONS
- SHEET #2 SITE LAYOUT PLAN
- SHEET #3 SITE GRADING AND UTILITIES PLAN

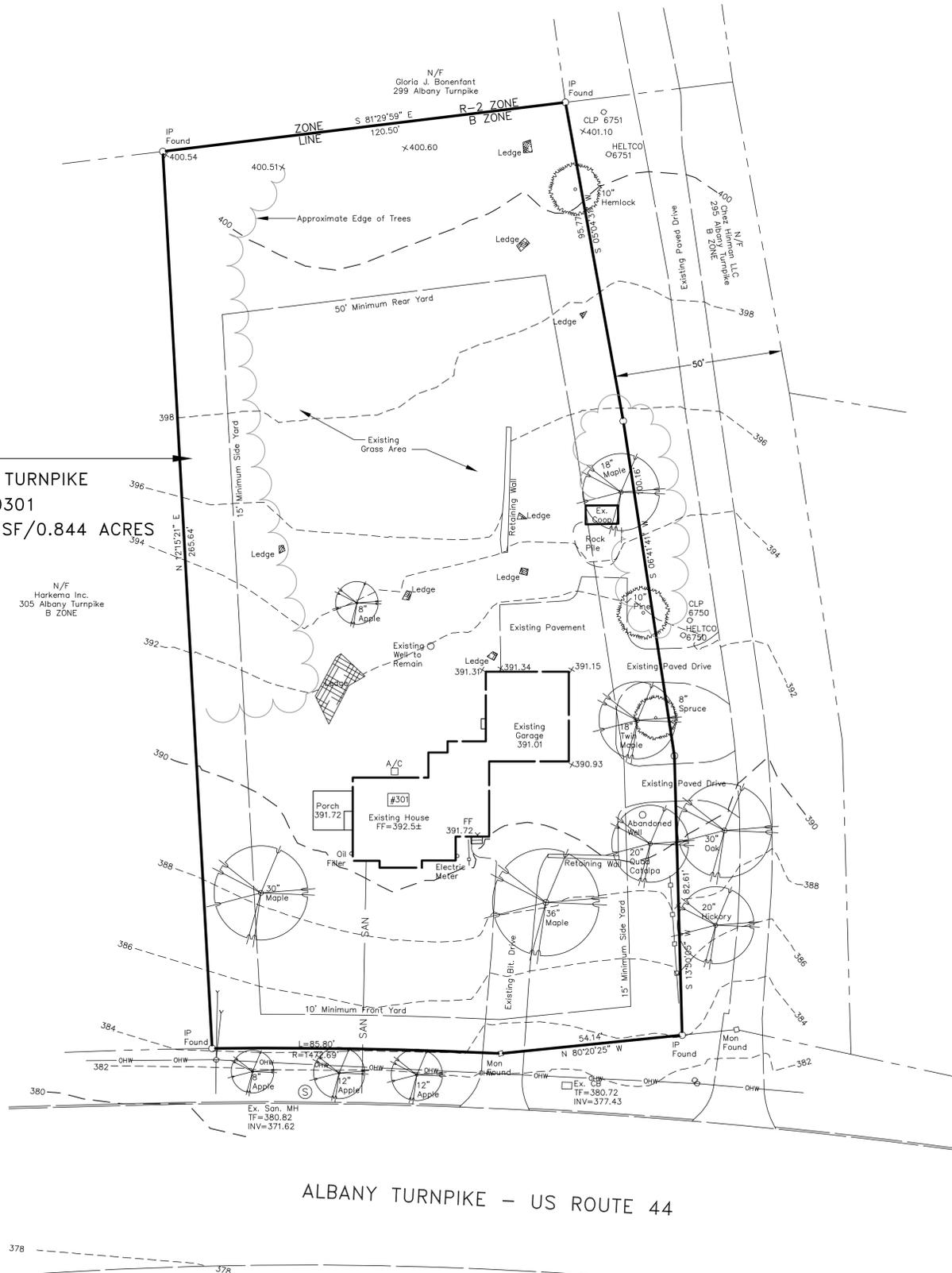
NOTES

1. Property lines, dimensions, existing building, existing driveways, topography, existing trees, existing utilities and miscellaneous information taken from field survey in August, 2015 and Class A-2 survey map prepared by Neriani Surveying, Avon, CT.
2. Site is located in "B" Business Zone.
3. Total area of site = 36,786 square feet/0.844 acres.
4. No inland wetlands soils located on site.
5. Water supply by individual on-site well.
6. Sanitary sewage disposal by public sanitary sewer.
7. All construction methods and materials shall conform to the regulations and requirements of the Town of Canton.

REVISIONS				
1. OCTOBER 6, 2015: REVISE PROPOSED BUILDING, ADD SIGNS AND LIGHTING, MISC. REVISIONS				
MAP OF EXISTING CONDITIONS FOR: MR. HOLDEN NARDINI PARCEL #1010301 301 ALBANY TURNPIKE CANTON, CONNECTICUT DAVID F. WHITNEY, CONSULTING ENGINEERS, LLC 21 ARCH ROAD P.O. BOX 1605 AVON, CONNECTICUT 06001 (860) 673-8412				
DATE: SEPT. 2, 2015	SCALE: 1"=20'	DRAWN BY: GRA	CHECKED BY: DFW	SHEET NO. 1 OF PROJECT NO. 15-28

SITE

#301 ALBANY TURNPIKE
 PARCEL #1010301
 AREA=36,786 SF/0.844 ACRES
 B ZONE



ALBANY TURNPIKE - US ROUTE 44

Approved by the Planning and Zoning Commission of the Town of Canton at its meeting on _____ and signed by _____
 Chairman _____ Date _____

ZONING TABLE			
	REQUIRED	EXISTING	PROPOSED
ZONE	B	B	B
MIN. LOT SIZE (SF)	30,000	36,786	36,786
MIN. LOT FRONTAGE (FT)	100	139.94	139.94
MIN. FRONT YARD (FT)	10	53.6±	53.6±
MIN. SIDE YARD (FT)	15	27.2±	27.2±
MIN. REAR YARD (FT)	50*	164.2±	92.4±
BUILDING AREA (SF)	N/A	1,962	5,226
MAX. BUILDING COVERAGE (%)	25	5.3	14.2
MAX. BUILDING HEIGHT (STORIES/FT)	2.5/35	2/25±	20'±
IMPERVIOUS AREA (SF)	N/A	5,598	15,902
MAX. IMPERVIOUS AREA (%)	50	15.2	43.2
PARKING SPACES	N/A	N/A	18
PARKING LOT LANDSCAPING (%)	10	N/A	11.1

* Abutting Residential District

Existing Impervious Area Calculations:
 Building = 1,962 sf
 Pavement = 3,636 sf

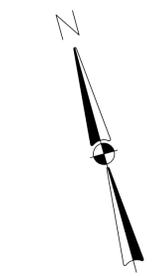
Proposed Impervious Area Calculations:
 Existing Building = 1,909 sf
 Proposed Building = 3,452 sf
 Sidewalks = 840 sf
 Parking & Driveway = 9,701 sf

Parking Lot Landscaping Calculations:
 Gross Parking Area = 5,489 sf
 Landscaped Area = 608 sf

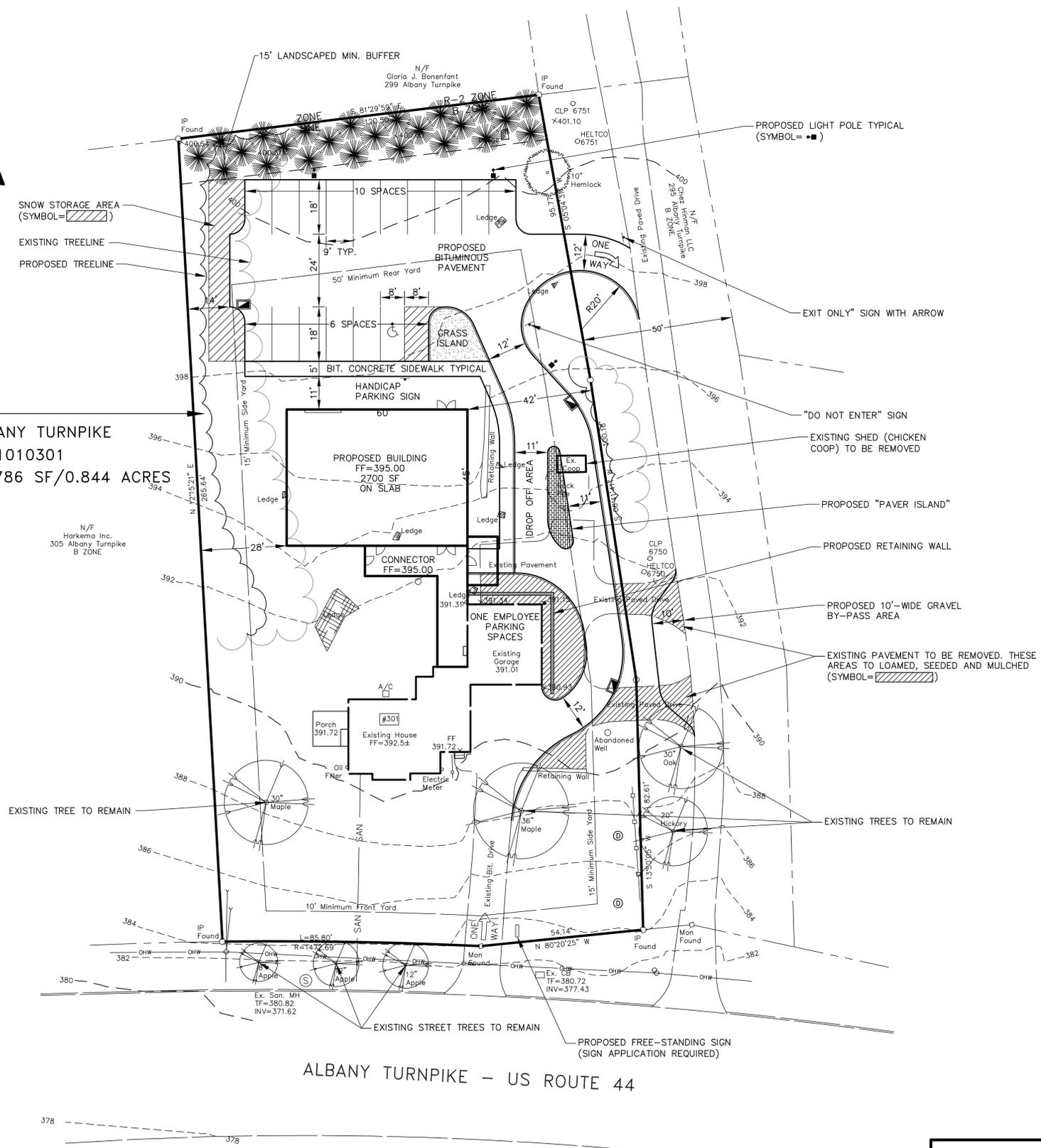
NOTES

- Property lines, dimensions, existing building, existing driveways, topography, existing trees, existing utilities and miscellaneous information taken from field survey in August, 2015 and Class A-2 survey map prepared by Neriani Surveying, Avon, CT.
- Site is located in "B" Business Zone.
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- Water supply by individual on-site well.
- Sanitary sewage disposal by public sanitary sewer.
- All construction methods and materials shall conform to the regulations and requirements of the Town of Canton.

REVISIONS					
1. OCTOBER 6, 2015: REVISE PROPOSED BUILDING, ADD SIGNS AND LIGHTING, MISC. REVISIONS					
SITE LAYOUT PLAN FOR: MR. HOLDEN NARDINI PARCEL #1010301 301 ALBANY TURNPIKE CANTON, CONNECTICUT DAVID F. WHITNEY, CONSULTING ENGINEERS, LLC 21 ARCH ROAD P.O. BOX 1605 AVON, CONNECTICUT 06001 (860) 673-8412					
DATE:	SCALE:	DRAWN BY:	CHECKED BY:	SHEET NO.	PROJECT NO.
SEPT. 2, 2015	1"=20'	GRA	DFW	2 OF	15-28

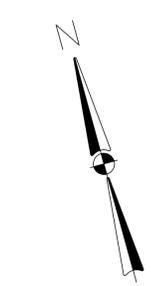


SITE
 #301 ALBANY TURNPIKE
 PARCEL #1010301
 AREA=36,786 SF/0.844 ACRES
 B ZONE



Approved by the Planning and Zoning Commission of the Town of Canton at its meeting on _____ and signed by _____
 Chairman _____ Date _____

Ex. San. MH
 TF=379.55



SITE

#301 ALBANY TURNPIKE
 PARCEL #1010301
 AREA=36,786 SF/0.844 ACRES
 B ZONE

N/F
 Harkema Inc.
 305 Albany Turnpike
 B ZONE

INSTALL SILT FENCE ON SITE DURING CONSTRUCTION. SEE DETAIL (SYMBOL=)

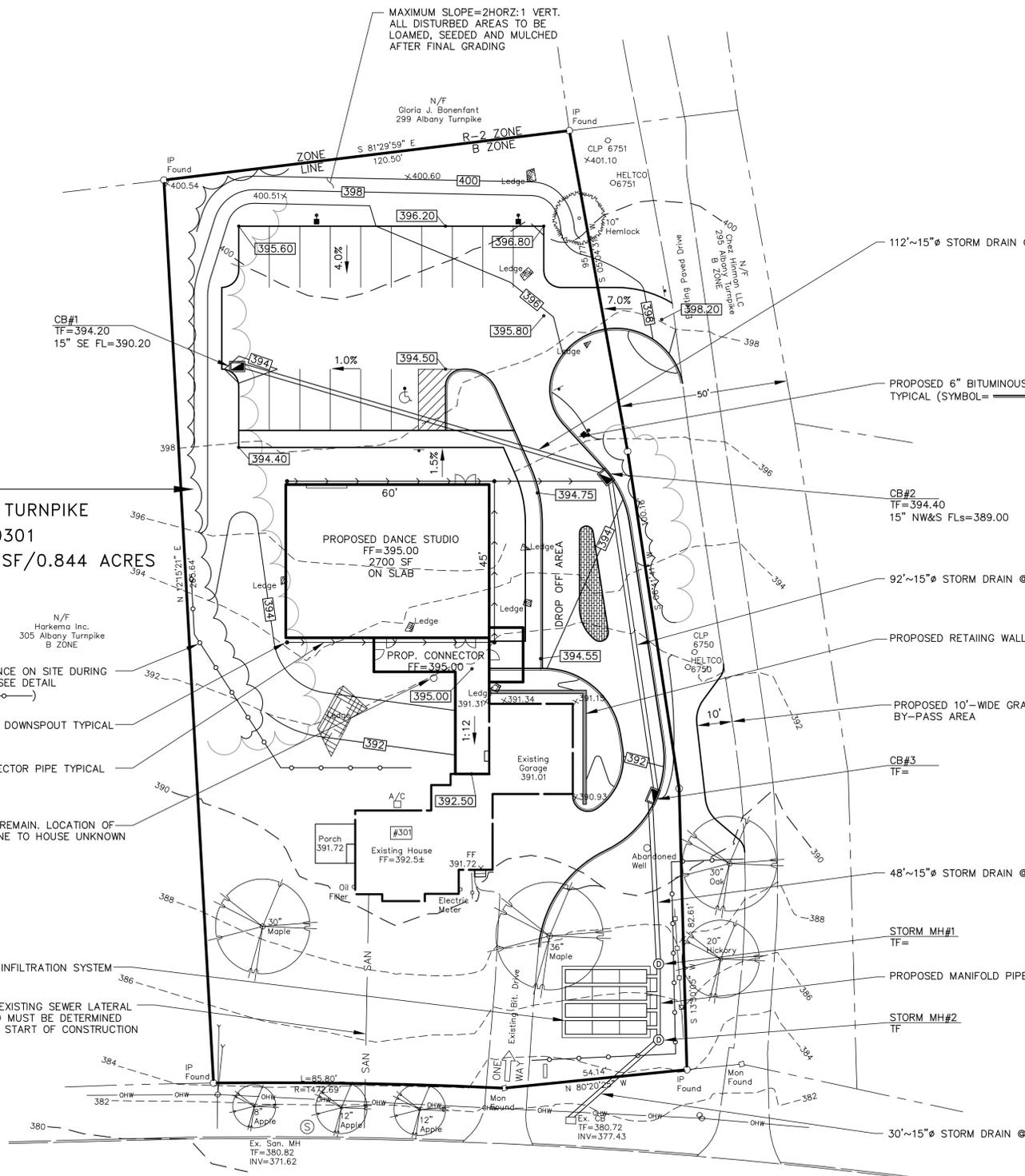
PROPOSED ROOF DOWNSPOUT TYPICAL

PROPOSED COLLECTOR PIPE TYPICAL

EXISTING WELL TO REMAIN. LOCATION OF EXISTING WATER LINE TO HOUSE UNKNOWN

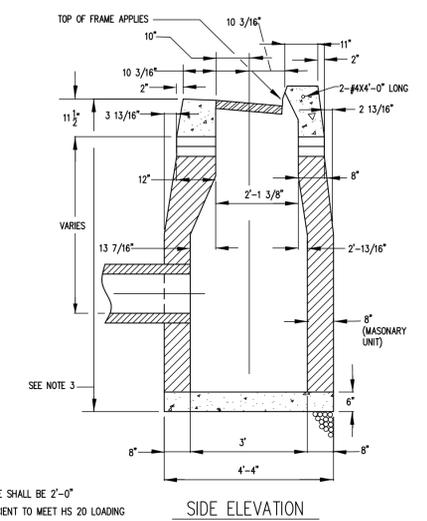
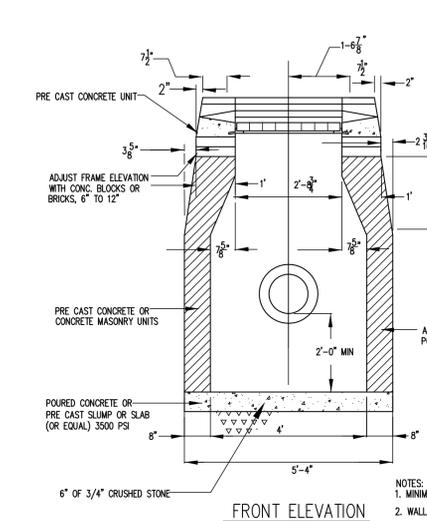
PROPOSED STORMWATER INFILTRATION SYSTEM

LOCATION OF EXISTING SEWER LATERAL UNKNOWN AND MUST BE DETERMINED PRIOR TO THE START OF CONSTRUCTION



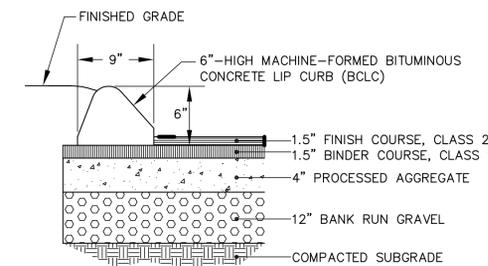
MAXIMUM SLOPE=2HORIZ:1 VERT.
 ALL DISTURBED AREAS TO BE LOAMED, SEEDED AND MULCHED AFTER FINAL GRADING

ALBANY TURNPIKE - US ROUTE 44



- NOTES:
- MINIMUM COVER OVER TOP OF PIPE SHALL BE 2'-0"
 - WALL THICKNESS SHALL BE SUFFICIENT TO MEET HS 20 LOADING
 - WALL THICKNESS FOR STRUCTURES OVER 10' HIGH IS 12" FOR CONCRETE BLOCK UNITS. INSIDE DIMENSIONS REMAIN THE SAME.
 - ALL PIPES SHALL BE CUT FLUSH WITH INSIDE WALLS
 - ALL BRICKS SHALL BE CONCRETE

CATCH BASIN
 NOT TO SCALE



BITUMINOUS CONCRETE PAVEMENT & CURB
 NOT TO SCALE

GENERAL EROSION / SEDIMENTATION CONTROL NOTES

- Install hay bale check dams and/or fabric silt fence as necessary on site prior to the start of construction to control erosion and sedimentation. Proper installation of hay bales/silt fence is critical to ensure proper functioning.
- All erosion and sedimentation control measures shall be inspected daily and immediately after periods of rainfall. Repair and/or replacement of erosion and sedimentation control measures shall be made as soon as the need is known. The contractor(s) working on the site will be responsible for the implementation and maintenance of erosion and sedimentation control measures on the site.
- It is intended that all erosion and sedimentation control measures shall conform to the publication entitled "Connecticut Guidelines for Soil Erosion and Sediment Control" as prepared by the Connecticut Council of Soil and Water Conservation, DEP Bulletin 34, May 2002 and published by the Connecticut Department of Environmental Protection.
- All limits of disturbance are to be delineated in the field prior to the start of construction. Disturbance limits of 20 feet maximum beyond physical dimensions of the building and pavement areas are recommended.
- Disturb only the areas needed for construction and preserve all trees and shrubs wherever possible. Mulch and temporarily stabilize all disturbed areas as soon as possible. Stockpile all topsoil and excess material within the areas of disturbance and ring each stockpile with hay bales or silt fence. Fine-grade and permanently stabilize all disturbed areas as soon as possible after completion of construction. Install anti-tracking pads at construction entrances and direct all vehicular movement to established parking areas.

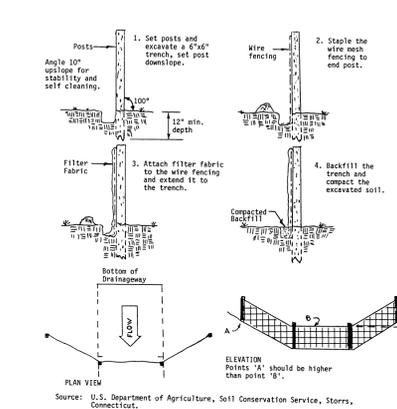
NOTES RE: EXISTING UTILITIES

The indications on plans or in other contract or bidding documents of pipes, ducts, soils, water and other underground utilities, objects and conditions are supposed to be approximately correct, so far as the knowledge of the Engineer preparing such plans, etc., extend. However, the Engineer and other agents do not warrant nor represent the plan to be either approximately correct or complete; and it is expressly understood that no contractor shall have any claim or right of action against the Owner or Engineer acting for or with it, in the event that the conditions are not found to be even approximately correct or complete. The Contractor must make such investigations as he, they or it deem necessary and form his, their or its own opinion of the materials and obstacles involved.

Utility locations shown on these sheets are approximate and should be verified by the Contractor in the field. The Contractor shall utilize the Call Before You Dig Number, 1-800-922-4455.

The Contractor shall be responsible for the temporary and permanent support of all existing utility services in and adjacent to the construction area and shall comply with all the requirements and special details for the support of utilities required by each utility agency.

Placement and Construction of a Synthetic Filter Barrier



REVISIONS

1. OCTOBER 6, 2015: REVISE PROPOSED BUILDING, ADD SIGNS AND LIGHTING, MISC. REVISIONS

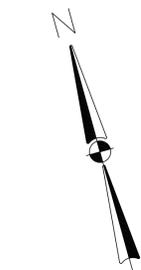
SITE GRADING AND UTILITIES PLAN
 FOR:
MR. HOLDEN NARDINI
PARCEL #1010301
 301 ALBANY TURNPIKE
 CANTON, CONNECTICUT

DAVID F. WHITNEY,
CONSULTING ENGINEERS, LLC
 21 ARCH ROAD
 P.O. BOX 1605
 AVON, CONNECTICUT 06001
 (860) 673-8412

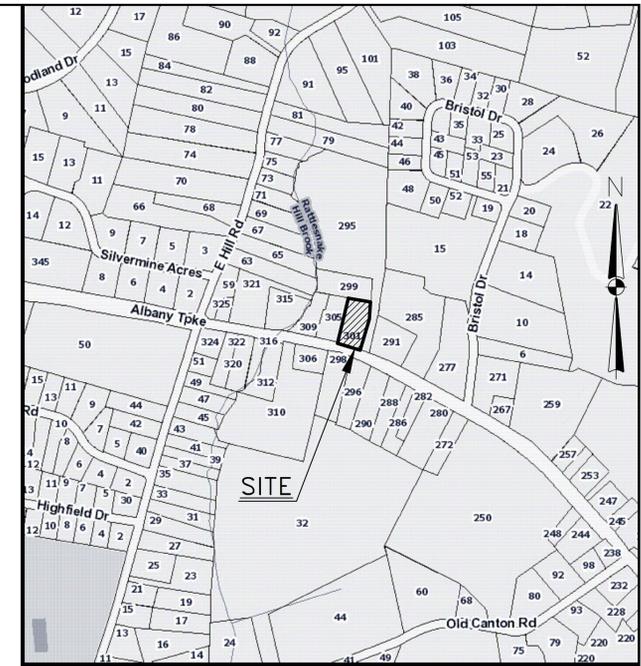
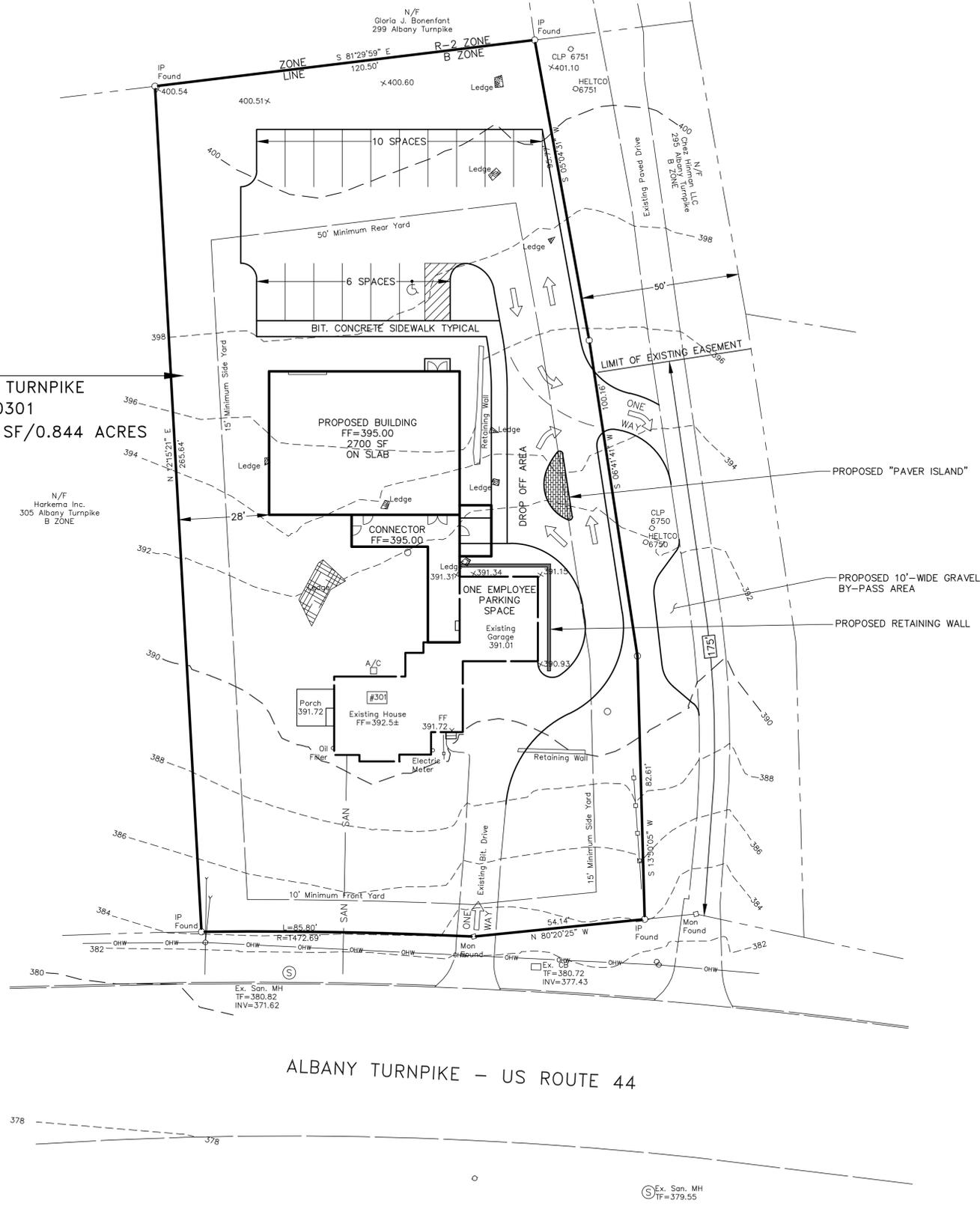
DATE:	SCALE:	DRAWN BY:	CHECKED BY:	SHEET NO.	PROJECT NO.
SEPT. 2, 2015	1"=20'	GRA	DFW	3 OF	15-28

Approved by the Planning and Zoning Commission of the Town of Canton at its meeting on _____ and signed by _____
 Chairman _____ Date _____

Ex. San. MH
 TF=379.55



SITE
#301 ALBANY TURNPIKE
PARCEL #1010301
AREA=36,786 SF/0.844 ACRES
B ZONE



KEY MAP
SCALE: 1"=500'

NOTES

1. Property lines, dimensions, existing building, existing driveways, topography, existing trees, existing utilities and miscellaneous information taken from field survey in August, 2015 and Class A-2 survey map prepared by Neriani Surveying, Avon, CT.
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PRELIMINARY

REVISIONS					
ALTERNATIVE SITE LAYOUT PLAN FOR: MR. HOLDEN NARDINI PARCEL #1010301 301 ALBANY TURNPIKE CANTON, CONNECTICUT					
DAVID F. WHITNEY, CONSULTING ENGINEERS, LLC 21 ARCH ROAD P.O. BOX 1605 AVON, CONNECTICUT 06001 (860) 673-8412					
DATE:	SCALE:	DRAWN BY:	CHECKED BY:	SHEET NO.	PROJECT NO.
OCT. 7, 2015	1"=20'	GRA	DFW	1 OF 1	15-28

Exhibit List for:

File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

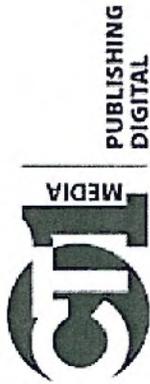
List as of February 2, 2016

Drawings:

1. Sheet 1; Modified Plot Plan; 465 Albany Turnpike; Prepared by David F. Whitney Consulting Engineers, LLC; Prepared for 465 Albany Turnpike, LLC; Dated December 16, 2015

Correspondence:

1. Town of Canton Planning/Zoning – Development Application for File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner
2. Special Permit application checklist
3. Copy of payment; check # 3618
4. Copy of abutter notice; received by the Land Use Office on 12/30/15
5. Abutter list
6. January 13, 2016 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
7. Draft minutes from the 1/19/16 regular meeting of the Planning and Zoning Commission
8. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 1/20/16
9. Public hearing sign affidavit; dated 1/20/16
10. Certified Mail receipts
11. Town of Canton legal notice
12. Proof of legal notice from the Hartford Courant; dated 2/2/16



Order ID: 3941501

* Agency Commission not included

GROSS PRICE * : \$225.08

PACKAGE NAME: Legal Notice Zoned Daily

Product(s): Hartford Courant, Affidavits, MyPublicNotices.com

AdSize(s): 1 Column, , 300 x 250 Pixels

Run Date(s): Thursday, February 04, 2016, Thursday, February 11, 2016

Color Spec. B/W

Preview

**Legal Notice
Town of Canton
Planning & Zoning Commission**

The Canton Planning and Zoning Commission will hold a public hearing at a regular meeting on Wednesday, February 17, 2016 at 7:30 p.m. in Room F of the Canton Community Center, 40 Dyer Avenue, Canton, CT for the following applications:

File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (-/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

File #140; ApIn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

#12

#11

Legal Notice
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File #140; ApIn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

File #8; ApIn #1575; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

This application is on file and available for public inspection in the Land Use Office, Canton Town Hall, 4 Market Street, Collinsville, CT, telephone 860-693-7856.

Dated at Canton, Connecticut, this 2nd day of February 2016.

David Bondanza, Chairman
Philip Pane, Secretary

To be published twice in the Hartford Courant on Thursday, February 4, 2016 and Thursday, February 11, 2016.

Town of Canton Account Number: CU00254181

#9

NOTICE TO APPLICANTS

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIREING A PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION.

NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.

THIS FORM (SIGNED AND NOTARIZED) MUST BE PRESENTED AT THE PUBLIC HEARING.

AFFIDAVIT

STATE OF CONNECTICUT

Ss: Canton

COUNTY OF HARTFORD

I, DAN MATHES of Canton CT
(Applicant) (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Canton Planning & Zoning Regulations, stating that a Planning & Zoning Commission application is pending for the following property:

465 ALBANY Tpce
(Location of Property)

DATE: 1-20-16

[Signature]
(Signature of Applicant)
DAN MATHES
(Type or Print Name of Applicant)

Subscribed and sworn to before me this 20th day of January, 2016

[Signature]
(Notary Public)

My Commission Expires on 10/31/2017

#8



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

CERTIFICATION OF NOTICE

Planning & Zoning Commission:

File Number: 193

Application Number: 1571

Zoning Board of Appeals:

File Number: _____

I certify that as per Section 9.9.F, Notice of Public Hearing Signs, of the Canton Zoning Regulations, I have posted at: 465 Albany Turnpike a sign reading:

"ZONING APPLICATION PENDING ON THIS PROPERTY. FOR MORE INFORMATION CONTACT THE LAND USE DEPARTMENT AT TOWN HALL (860) 693-7856."

For fifteen (15) continuous days beginning on 1/20/16 and ending on 2/4/16 prior to a public hearing scheduled for 2/17/16.

Name of Applicant: DADA M. PHOS

Signature of Applicant: _____

Date: 1-20-16



#7

DRAFT MINUTES
Regular Meeting
Canton Planning and Zoning Commission
Tuesday, January 19, 2016 at 7:30 pm
Community Center, Room E
40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on January 19, 2016 was called to order at 7:37 p.m.

PRESENT: David Bondanza, David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry
ABSENT: John Huyghebaert, William Sarmuk and Keith August
ALSO PRESENT: Town Planner Neil Pade and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

Mr. Freeman is hereby seated for Mr. August.

MODIFICATION OF AGENDA: None

PUBLIC HEARINGS

READING OF THE LEGAL NOTICE: Read by Mr. Pane

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – Ms. Nash, the applicant's representative, filed a consent for extension of statutory time (CGS, Chapter 8-7d), requesting that the continuation of this public hearing be postponed until the February 17, 2016 Regular Meeting of the Planning and Zoning Commission.**

MOTION: Mr. Freeman moved to continue the public hearing for File #379; ApIn #1559 to the next Regular Meeting on February 17, 2016 at 7:30 p.m. in Room F of the Community Center. Mr. Thiesse seconded the motion, which passed unanimously.

Mr. Bondanza recused himself at 7:41 p.m. and Mr. Thiesse took over as acting Chairman.

2. **File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner**

Commissioners Seated: David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry

Mr. Jeff O'Neil, Chair of the Board of Directors for the North Canton Volunteer Fire Association (NCVFA), was present in order to discuss the application and answer questions the Commission had. Mr. O'Neil provided supplemental information in the form of a handout, which was received by all members of the

Commission at the beginning of the public hearing and read aloud. The document provided background information on the property, its history as a Fire Station, the proposed establishment of an emergency phone for public use, reasoning behind the requested sign, and NCVFA's recently approved Zoning Board of Appeals application. Mr. Thiesse asked if the NCVFA had considered modifying the existing sign, which is a standalone sign perpendicular to Route 179. Mr. Evens expressed a concern regarding the visibility of the proposed sign and questioned how it would aide in terms of awareness/safety. He stated that a standalone sign that is perpendicular to the road would be more visible to traffic coming from the North and South. Mr. O'Neil showed the Commission pictures of various signs throughout the town, which was used as an aide in their decision to request a 75 square foot sign. According to Mr. O'Neil, the NCVFA would like to install a wall-mounted sign due to the high cost of installing a secondary free-standing sign or modifying the current message board. Mr. Pane expressed a concern regarding the requested size of the sign, and noted that 75 square feet is excessive. Both Mr. Pane and Mr. Pade discussed the nature of the sign regulations and how they were developed with the assistance of the Canton Chamber of Commerce. Mr. Thiesse restated that the issue here is not the need or intent behind the sign, but the size requested in relation to what is allowed within the Zoning Regulations. The notion of reducing the size of the sign was questioned; however, Mr. O'Neil stated that the NCVFA would like to stick with 75 square feet.

Mr. Arnold Goldman of 89 High Valley Drive, who is a current member of the NCVFA, and Mr. Scott Goeben of 1 Huckleberry Hill Road, who is Captain of the North Canton Volunteer Fire Department, spoke in favor of the application.

Ms. Patricia Goodwin of 552 Cherry Brook Road submitted a letter to the Land Use Department on January 12, 2016, stating her opposition to the proposed sign, which was read aloud by Mr. Pade during the public hearing.

MOTION: Mr. Perry moved to close the public hearing for File #194; Apln #1567. Mr. Evens seconded the motion, which passed unanimously.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

1. **File #379; Apln #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – No action was taken.**
2. **File #194; Apln #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner – Mr. Pade explained the creation of the MCPF district and the need for careful review of this application, as well as future applications. Mr. Perry stated that he feels the proposed sign is in harmony with the character of the area and is esthetically suitable. He also noted that the sign appears to fit the Special Permit criteria regarding appropriateness. Both Mr. Freeman and Mr. Evens agreed with Mr. Perry's discussion; however, Mr. Evens stated that an identification sign would be better suited perpendicular to the road. Mr. Thiesse also felt the proposed sign is appropriate but explained the Commission's role in striving for consistency with the Zoning Regulations. Mr. Pane stated that he does not like the idea of approving a sign of this size, as it is excessive in nature and far beyond what is permitted in the regulations.**

MOTION: Mr. Thiesse made a motion to **APPROVE File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner.**

This approval is granted in part on the application submitted on December 3, 2015, testimony received at a public hearing commenced on January 19, 2016 and closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

Correspondence:

1. Town of Canton Planning/Zoning Development Application – File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner
2. Special Permit application checklist
3. List of abutters
4. Abutters map
5. Copy of the abutter notice sent to abutting property owners; dated 12/14/15
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations
7. Memo from Assistant Town Planner Emily Anyzeski to the ZBA regarding ZBA Application File #2015-7; dated 11/5/15
8. Sketch of the sign approved by the ZBA; dated 11/9/15
9. Copy of the approval letter for ZBA Application File #2015-7; dated 11/20/15
10. Copy of the follow-up letter sent to Mr. Harold Freytag from Neil Pade, regarding necessary action prior to the installation of the sign; dated 11/24/15
11. Certified mailing receipts
12. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on October 19, 2015
13. Email from Karen McCoubrey to Renee Narducci regarding a preliminary drawing for the proposed sign at 540 Cherry Brook Road; dated October 9, 2015
14. Draft minutes from the 11/9/15 ZBA regular meeting
15. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on 1/12/16
16. January 13, 2016 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
17. Letter from Jeff O'Neil to the Planning and Zoning Commission regarding the proposed application; received by the Commission during the Public Hearing on 1/19/16

This approval with conditions and modifications is granted because the Commission finds that the application, as conditioned and modified by and inclusive of the stipulations of this approval, would comply with the following:

1. Section 9.2.E – Special Permit Criteria
2. Section 6.4.A – MCPF Purpose
3. Section 6.4.D.5.a – Signs in accordance with Section 7.3
4. Section 7.3.C – Standards – Signs in Residence Districts
5. As modified in terms of those standards and regulations by the variance approved by the Zoning Board of Appeals, with respect to the uniqueness of the property and that the approval was tied to the building's use as a Fire Station.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. This approval is effective **February 8th, 2016** (20 days from approval date) and **upon the recording of the approval letter/certificate of action with the Town Clerk.**
2. The sign shall be designed and located on the building in accordance with the information provided in the application and presented before the Commission.
3. The Commission hereby waives the required application fees in accordance with Chapter 248-6 of the Canton Town Code.
4. This approval is binding upon the applicant/developer, heirs, assigns, and grantees. This approval constitutes a contractual agreement between the Town of Canton and the applicant, heirs, assigns and grantees.
5. In evaluating this application the Town of Canton has relied on information provided by the Applicant or his agent.

Mr. Evens seconded the motion, which passed 3-1-1.

VOTE: Evens – Yes; Freeman – Yes; Pane – Abstained; Thiesse – No; Perry – Yes

Mr. Bondanza returned to the meeting at 9:00 p.m. and re-assumed his role as Chairman.

OLD BUSINESS: None

NEW BUSINESS:

1. **File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner – Mr. Pade provided a brief overview of the application and a staff report was provided to the Commission prior to the start of the meeting.**

MOTION: Mr. Evens moved to receive the application as presented and schedule a public hearing for February 17, 2016. Mr. Perry seconded the motion, which passed unanimously.

OTHER BUSINESS:

1. **Review minutes of the December 16, 2015 Regular Meeting** – The minutes were approved as presented.
2. **Freedom of Information (FOI) Class; February 3, 2016 at 7:00 p.m.** – A class will be held for the benefit of town staff and commissioners in Room F of the Community Center, in which attendance by the Commission is encouraged and appreciated.
3. **CRCOG Representative Recommendation for Regional Planning Commission** – Mr. Bondanza made a resolution to nominate Mr. Perry as the CRCOG Representative for the Regional Planning Commission, with Mr. Evens as an alternate.
4. **POCD Implementation Review** – Mr. Pade informed the Commission that he would like to arrange a meeting by March 2016 in order to run through the POCD to determine progress, areas in need of improvement and next steps. It was requested that the Commission review the materials provided in the meeting packet for a discussion at the next Regular Meeting. Mr. Thiesse expressed the need for a member of the Commission to be involved in the Plan Implementation Committee working group, which is currently staffed by Mr. Pade and members of the Board of Selectmen. After some

discussion, it was decided that this recommendation will be brought before the Board of Selectmen at the Super-Board meeting on January 28, 2016.

5. **Discussion of Super-Board Meeting on January 28, 2016** – The Commission discussed the overall intent of the meeting and who would be in attendance. The meeting will take place in Room F of the Community Center at 7:00 p.m. on Thursday, January 28, 2016.
6. **Discussion of Possible Edits to Zoning Regulations** – Mr. Pade provided overview on where things stand with the current list of suggested edits. As of right now, the proposed changes regarding as-builts have been completed, Mr. Pade has been in contact with the Collinsville Historic District Commission to discuss Open Signs, and draft language around archeological regulations have been provided by the Town Historian. Edits pertaining to accessory buildings and structures in the MR District, shipping containers, and equipment and vehicles are currently in progress.
7. **Discussion of Design Regulations** – A Special Meeting will be scheduled for Wednesday, February 10, 2016 in order to discuss Sections 1-4 of the draft Form-Based Code Regulations.
8. **Discussion of Subdivision Regulations Rewrite** – Mr. Pade informed the Commission that he is waiting for a complete draft of the Subdivision Regulations and Public Improvement Standards re-write, which should be delivered by the end of the month.
9. **Discussion of Citation Process within Standard Zoning Enforcement Procedures** – Mr. Pade provided some insight regarding the questions that were proposed during the joint meeting of the Zoning Board of Appeals and the Planning and Zoning Commission on December 2, 2015, and feedback from the Town Attorney was provided in the meeting packets prior to the meeting. The Commission discussed the citation process and whether or not changes were necessary at this time, and as a result, no changes were recommended.
10. **Staff Reports:**
 - a. **Town Planner's Report**
 - i. **File #524; Shallot Meadow Road Acceptance Request** – As reported last month, the developer has requested a recommendation from the Commission that Shallot Meadow Road be accepted by the Board of Selectmen. On December 24, 2015, the applicant received a checklist notifying him of the missing information that would be necessary in order for the Commission to issue a positive recommendation. To date, no additional information has been submitted to the Land Use Department and the Town's on-call consultant does not have all the necessary information to complete his review. In the meantime, an interim report has been requested.
 - ii. **Annual Town Meeting January 20, 2016** – The annual Town Meeting will be held at 7:00 p.m. in the Town Hall Auditorium, located at 4 Market Street, Collinsville, CT. The meeting will include a presentation on the TIF Master Plan for the Collins Company and the Town's Marketing and Branding Project.
 - b. **ZEO Report** – The ZEO Report was distributed to the Commission electronically prior to the meeting. Mr. Pade requested guidance from the Commission regarding a recently submitted application for 280 Albany Turnpike, along with an anonymous complaint that was received pertaining to 550 Cherry Brook Road. After some deliberation, it was determined that the Zoning Enforcement Officer shall move forward with a Notice of Violation for 550 Cherry Brook Road. The Commission also requested that the Town Attorney provide insight regarding the regulations around the expansion of non-conforming uses/structures, as it pertains to the application for 280 Albany Turnpike.

ADJOURNMENT:

MOTION: Mr. Evens moved to adjourn the meeting at 9:58 p.m. Mr. Freeman seconded the motion, which passed unanimously.

#6



PLANNING AND ZONING COMMISSION
Canton, Connecticut INC. 1806
4 Market Street, Collinsville, Connecticut 06022

TO: Planning and Zoning Commission
FROM: Neil S. Pade, AICP
Director, Planning & Community Development
CC: Mr. Dana Mathes, Applicant
File #193, Apln. #1571
SUBJECT: Application Receipt Review - Request for Special Permit for Outdoor Display Areas, 465 Albany Turnpike (Petals and Paws)
DATE: January 13, 2016

Proposal

The applicant is proposing to establish an additional outdoor display areas for merchandise associated with the retail business known as Petals and Paws at 465 Albany Turnpike.

Background

The applicant has come forward to the Commission seeking permission to establish the outdoor display area. The applicant's intent to utilize an area in front of the recently constructed greenhouse (located in the southeast corner of the site) as a display area was brought to the Town's attention during the recent processing of File #193, Apln# 1549.

Applicable Regulations and Completeness

The following regulations are applicable to the review of this application:

- o Section 4.1.C.1.f – Business District – Outdoor display areas subject to the provisions of Section 7.10.
- o Section 7.10 – Outdoor Display
- o Section 9.1.A – Site plan modifications
- o Section 9.2.E – Special permit criteria
- o Section 8.2 Performance Standards

Notice Requirements

CGS 8-7d Timing Requirements

This application was submitted on December 28, 2015 and will be received on January 19, 2016.

As a special permit application a public hearing is required within 65 days of receipt. It is recommended to schedule the hearing for February 17, 2016.

Notices

The following notices will be required:

1. Legal Notices (2) of the Public Hearing.
2. Per Section 9.9.F a Public Hearing Sign must be posted on the property by the applicant for 15 continuous prior to the hearing and an affidavit is required to be submitted to that affect.
3. Per Section 9.9.G, and CGS 8-7d(a) the applicant must notify owners of lots via certified mail indicated within one hundred (100) feet of the subject lot. Proof of mailings such as a "Certificate of Mailing" by the postmaster must be submitted.

Analysis

A copy of the recently approved site plan has been submitted, modified to indicate the outdoor display area. A site visit indicates this location is prepared for, and could accommodate, a reasonable area for the display of merchandise. The area is located outside of the State drainage and ROW easements.

In the past the Commission has approved outdoor display areas in locations that did not consume required parking, did not consume or replace required landscaping, and did not conflict with any pedestrian ways.

It is the opinion of staff that the proposed changes to the site are minor in nature. The Commission should consider the areas of the site available to the applicant (outside of the parking lot) to conduct outdoor display. The Commission should review the total amount of outdoor retail display presently utilized (previously approved).

Under no circumstances should the Commission grant permission for outdoor display to occur in the State right of way, within areas necessary for parking or pedestrian access, or within required yard setbacks.

A review of the criteria of Section 7.10.B indicates the proposed outdoor display area:

- is accessory to the principal retail operation on the site.
- is adequately separated from motor vehicle routes by a bituminous curb.
- is proposed in an area of the site where it is typical to see retail and pedestrian activity occurring.
- is located outside of the required yard setbacks.
- does not consume established parking areas, nor does it appear to increase the anticipated parking demand due to its limited size.

The Commission should consider the full criteria of Section 7.10.B, 1-11 as well as the Special Permit criteria of Section 9.2.E.



Figure 1 - 465 Albany Turnpike

#5

KWK CANTON LLC
4 BROOKSIDE RIDGE
FARMINGTON, CT 06032

CANTON CENTER CEMETERY
9 HUMPHREY ROAD
CANTON, CT 06019

465 ALBANY TURNPIKE LLC
465 ALBANY TURNPIKE
CANTON, CT 06019

CONNECTICUT STATE OF
2800 BERLIN TURNPIKE
NEWINGTON, CT 06111

KWK CANTON LLC
4 BROOKSIDE RIDGE
FARMINGTON, CT 06032

#4



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

CERTIFIED MAIL/RETURN RECEIPT

File # 193; Apln 1570

Dear Neighboring Property Owner:

An application to the Canton Planning & Zoning Commission (PZC) for a Special Permit (4.1.C.1.f) has been filed with the Canton Land Use Office for the following property: outdoor Display Area

Location: 465 Albany Turnpike

Applicant: Dana Mathes

Property Owner: 465 Albany Turnpike, LLC

A Public Hearing for this application is scheduled for 2/17/16

The meeting will be held at the Canton Community Center located at 40 Dyer Avenue, Canton, and is scheduled to begin at 7:30 p.m.

At this hearing public testimony will be accepted. If you are unable to attend this meeting but wish to express your thoughts and concerns, please direct them by email to: Renee Narducci, Land Use Coordinator at rnarducci@townofcantonct.org or by mail to the following address:

Town of Canton
Land Use Office
4 Market Street, P.O. Box 168
Collinsville, CT 06022

Please be sure to reference the above application in the subject line.

Sincerely,

[Signature]
Signature

12-30-15
Date

3618

51-57119 CT
18686

Bank of America
ACH R/T 011800571

PETALS AND PAWS LLC
465 ALBANY TPKE
CANTON CT 06019-3512

PAY TO THE
ORDER OF

John of [Signature]
Two hundred and sixty [Signature]

\$

12-30-15
200.00

DOLLARS

MEMO

RR

AUTHORIZED SIGNATURE

[Signature]

⑆003618⑆ ⑆011900571⑆ 385015102237⑆

Security Features Included
Details on Page 1

#3

#2

1.5. SPECIAL PERMIT APPLICATION

- 1. **Site Plan**
An approved site plan filed with the Town of Canton Town Clerk, or an application submitted for approval of a site plan in conjunction with the application for a special permit.

- 2. **Copies**
Unless otherwise specified by herein, each application shall be submitted with eleven (11) copies of the following information.

- 3. **Application Form**
A completed application form, as adopted by the Commission, bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent.

- 4. **Application Fee**
The complete application fee, as required by Chapter 248 of the Town Code. This may include additional review fees for technical expertise, engineering, and other reviews if required by the Commission.

 - 1. the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 - 2. the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.

- 5. **Notice**
Notification to parties holding restrictions may be required in accordance with the requirements of Section 9.9.K.

Pursuant to CGS Section 47-42d, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 - 1. the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 - 2. the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.

- 6. **Notice**
Notification to adjoining municipalities may be required in accordance with the requirements of Section 9.9.H.

- 7. **Notice**
Notification to water companies may be required in accordance with the requirements of Section 9.9.J.

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- 8. **Notice**
For every special permit application the Commission shall:
 - 1. hold a public hearing on the special permit application; and
 - 2. publish a legal notice in accordance with the requirements of Section 9.9.E of these regulations.

- 9. **Notice**
The applicant shall give notice by the posting of a sign in accordance with Section 9.9.F.

- 10. **Notice**
The applicant shall give notice to abutting property owners in accordance with Section 9.9.G of these regulations.

- 11. **Uses Proposed**
A statement describing in detail the proposed use or uses.

- 12. **Site Plan**
Copies of detailed maps and plans as required under Checklist "C. Site Plan Application":

- 13. **Traffic**
For any proposed non-residential development containing a gross floor area of ten thousand (10,000) square feet or more, any intersection that would have 100 or more vehicles trips in a peak hour, or for any development which, in the Commission's judgment, could generate high levels of traffic, exacerbate existing traffic conditions, or create a traffic safety issue, the applicant shall provide a traffic impact analysis, in accordance with the Institute Of Transportation Engineers requirements for traffic impact studies. Such analysis shall evaluate traffic generated by a proposed development and its probable impact on existing roads and intersections in the area in accordance with Section 7.8.B and shall include the following:
 - 13.1. existing and projected traffic volumes (average daily traffic, peak A.M. and P.M.) and peak hour traffic generation,
 - 13.2. past and present roadway conditions including location and number of accidents;
 - 13.3. existing roadway capacity; volume & capacity ratios;
 - 13.4. proposed sight lines;
 - 13.5. location of existing and proposed curb cuts, traffic lights and intersections at the development site and within three hundred (300) feet from the development site,
 - 13.6. traffic impact of proposed development, including but not limited to, the effect of the proposed development on traffic conditions on abutting streets and any nearby intersections that would have 100 or more vehicle trips in a peak hour;

- 13.7. the patterns of vehicular circulation in relation to the adjoining street system;
- 13.8. adequacy of:
 - 1. right-of-way and travel way;
 - 2. traffic signalization, traffic channelization, left-turn lanes and roadway widths of adjoining streets;
 - 3. vehicular stacking lanes and/or distances;
 - 4. pedestrian drop-off areas; and
 - 5. other traffic or transportation facilities to accommodate the proposed development.
- 13.9. recommendations for safe pedestrian, bicycle, and vehicular circulation.
- 13.10. where applicable, the applicant shall include the written recommendations of the Connecticut Department of Transportation, the Canton Traffic Authority, and the Commission's engineer.
- 13.11. whether a significant traffic impact will occur as identified under Section 7.8.B.4
- 14. If a multi-family development, fifteen (15) copies of a report of the proposal including:
 - 14.1. Number of units proposed and breakdown of dwelling unit types;
 - 14.2. The density of the proposed development (units per gross acre);
 - 14.3. Acreage in buildings and parking and acreage in open space
 - 14.4. Anticipated number of people and number of school age children per unit
 - 14.5. Projected dwelling unit floor areas
 - 14.6. A draft of proposed covenants and restrictions
- 15. **Traffic**

Comments from the Local Traffic Authority.

Copy of approval of the Office of the State Traffic Administration.
- 16. **Staging**

A statement describing the proposed staging if the development is to be constructed over a period of years.

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- 17. **Fire**
A report from the Canton Fire Marshal commenting and/or recommending on fire protection provisions affecting the development or nearby properties.
- 18. **Topo/ Drainage**
In cases where unusual topographic, drainage or other conditions exist, the Commission may require the submission of additional data pertinent to their review.
- 19. **DRT**
A report from the Design Review Team on the site plan, site illumination, landscaping, and architectural design of all buildings, signs, and other structures.
- 20. **Construction Schedule**
A narrative describing construction stages and manner in which the application complies with the requirements for erosion and sedimentation control prescribed under these Regulations
- 21. **Special Permit Criteria**
A narrative describing compliance with the Special Permit Criteria of Section 9.2.E
- 22. **Additional Information**
Any other information which in the Commission's judgment will assist in evaluating the proposal.



#1

TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

DEC 28 2015

DATE OF RECEIPT IN OFFICE



Land Use Department
(860) 693-7856
(860) 693-7884 (fax)

OFFICE USE ONLY	
APPLICATION # <u>1571</u>	FILE # <u>193</u> FEE AMOUNT: <u>\$260.00</u>
DATE SUBMITTED: <u>12/28/15</u>	PAID Y / N
APPROVED Y / N	
Zoning Official _____	Date: _____
Comments _____	

ZONING - DEVELOPMENT APPLICATION

Address: 465 Albany Tpke Canton

Assessor's Identification: Map#: 6.5 Lot #: 1

Zoning District: B

Lot Size: 3.4 ac

Land Record Reference to Deed Description: Volume: 361 Page: 536

PROPERTY OWNER: 465 Albany Tpke LLC PHONE: 860-693-8260

APPLICANT / AGENT: Dawn Madnes PHONE: 860-693-8260

MAILING ADDRESS: 465 Albany Tpke Canton

EMAIL ADDRESS: Dawn.Madnes@Holmdel.com

Present Use

Briefly describe the present use of the site

P.O. & P.O. # Wild and Green Warehouse

Proposal

Briefly describe the proposal

Outside seasonal display in front of
New Green House

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Type of Application and Required Fee		Amount Included
<input checked="" type="checkbox"/> Special Exceptions	\$200 for first and \$75 for each additional special permit/exception	<u>\$200.00</u>
<input type="checkbox"/> Detailed Site Plan Non-residential (new construction or expansion)	\$200 up to 2,000 sq. ft and \$30 for each additional 1,000 sq. ft. of floor area.	_____
<input type="checkbox"/> Detailed Site Plan Residential (new construction or expansion)	\$200 up to four (4) dwellings; \$30 each additional dwelling over four units.	_____
<input type="checkbox"/> Any application to modify plans previously approved and not considered to be new construction or expansion of a residential or nonresidential use/area	Fee equal to 50% of the original filing fee.	_____
<input type="checkbox"/> Excavation and Grading Permit	\$200 plus \$75 per acre of disturbed area or portion thereof	_____
<input type="checkbox"/> Soil and Erosion Control Plan Certification	All applications requiring a soil and erosion control plan certification may require an additional fee required by and paid to the North Central Soil Conservation District.	_____
<input checked="" type="checkbox"/> All applications require an additional \$60 State Fee		<u>\$60.00</u>
<input type="checkbox"/> Additional Fees	The Commission may require additional fees in accordance with Town Ordinance Chapter #248	_____

TOTAL FEE \$ 260.00

Cite the Section(s) and written description of the Zoning Regulations under which you are applying (only those items specifically identified on this application will be included in the public notice and application proceedings):

Section # 4.1.C.1.f Regulatory Language: outdoor display area
 Section # 9.1.a.1 Regulatory Language: site plan modification
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____

Is any portion of the site within 500 feet of an adjoining town? (See Town of Canton Zoning Map available at Town of Canton

Land Use Office) n/a

- Avon
- Barkhamsted
- Burlington
- Granby
- New Hartford
- Simsbury

The required "CHECKLIST" has been completed by the applicant and attached? (Zoning Regulations Appendix)

No (Failure to submit the required checklist shall render the zoning application incomplete)
 Yes

This application will be considered incomplete if any required information is not submitted.

If a development application involves a Zoning Regulation or Map Amendment the applicant shall submit a Town of Canton Zone Change Application. The applicant shall file a copy of any proposed regulation amendment or zone change with the Town Clerk ten (10) days prior to the hearing per Sections 8-3(a) of the Connecticut General Statutes. Certification by the Town Clerk of the filing under these sections must be presented by the Applicant at the public hearing. (See certification form attached)

By submitting this application, I hereby verify that all materials contained herein are true and grant permission to Town employees and Commission members to enter and view the subject site.

As the applicant/ owner, I hereby give Town employees and Commission members permission to enter and walk the property, which is the subject of this application, during daylight hours during the pendency of this application.

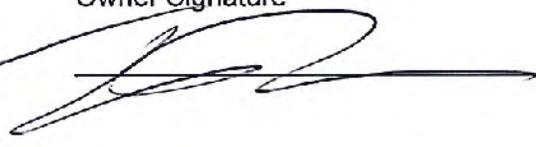
BEFORE SIGNING, OWNERS AND APPLICANTS PLEASE NOTE:

By signing this application, the signer represents as to the owner or applicant, whichever applies, either:

- (i) if an individual, that the signer is that individual; or
- (ii) if an entity (e.g. corporation, LLC, partnership, trust, association) that he or she is legally authorized to sign on behalf of that entity.

Owner Name (please print)

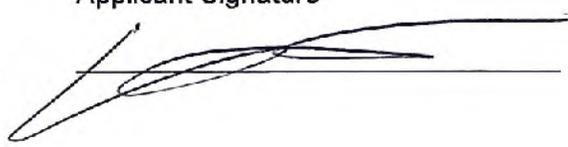
Owner Signature

DAVID MATHES 

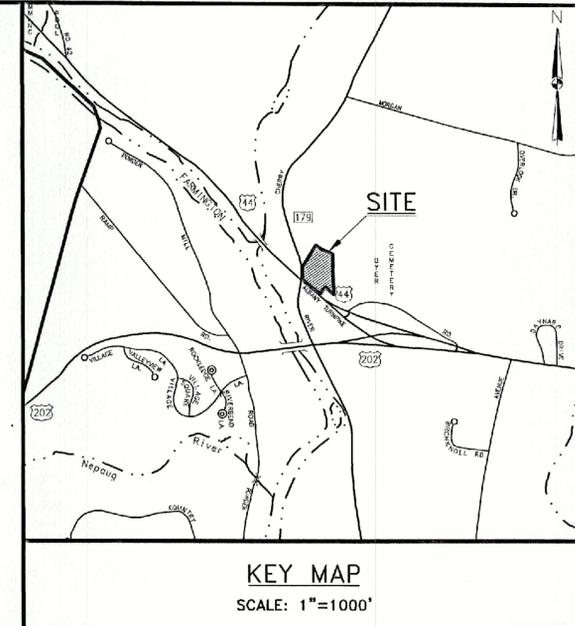
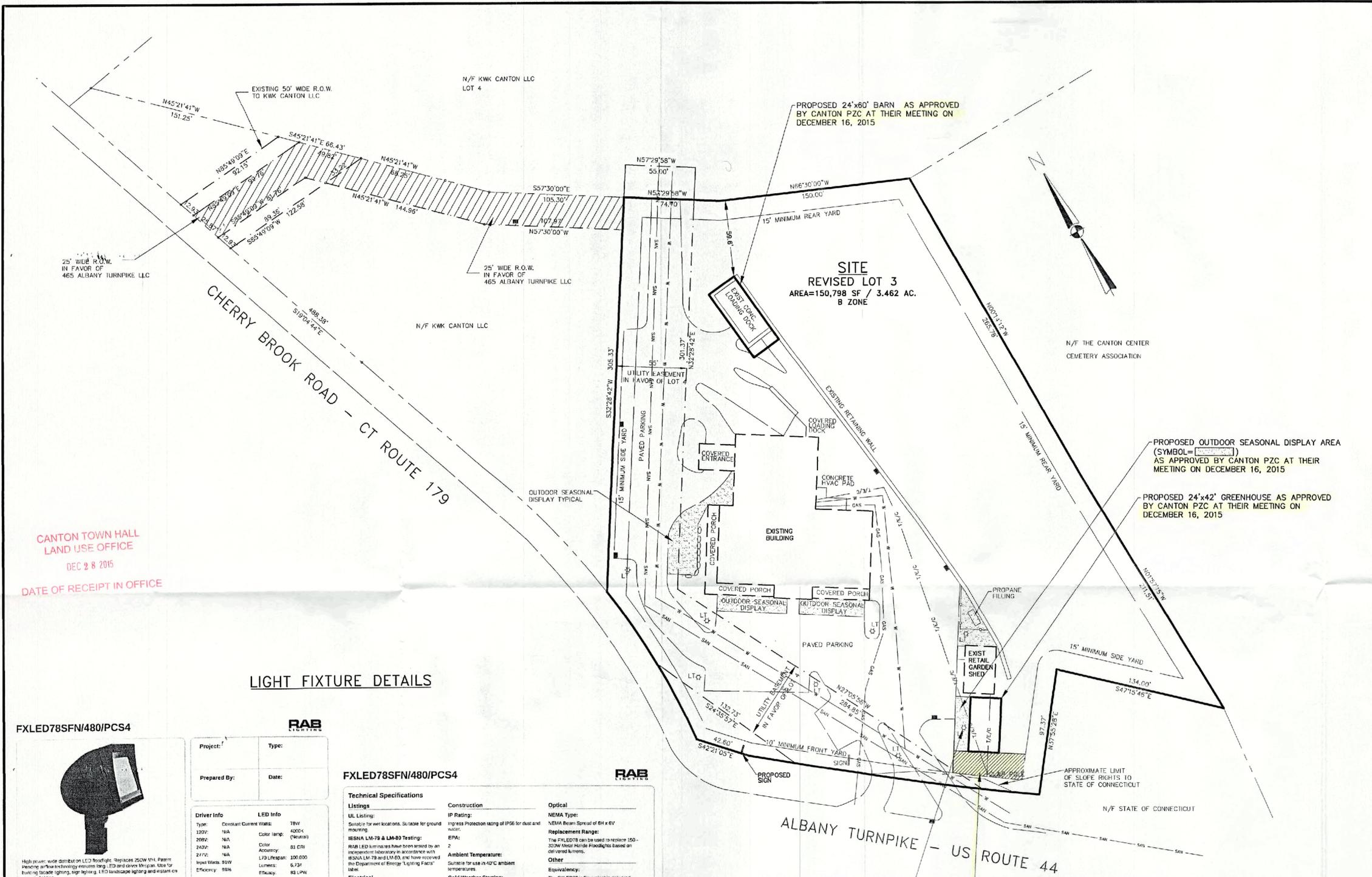
Date: 12-28-15

Applicant Name (please print)

Applicant Signature

DAVID MATHES 

Date: 12-28-15



ZONING TABLE			
	REQUIRED	EXISTING	PROPOSED
ZONE	B	B	B
MIN. LOT SIZE (SF)	30,000	150,798	150,798
MIN. LOT FRONTAGE (FT)	100	406.9	406.9
MIN. FRONT YARD (FT)	10	72.2±	27.7±
MIN. SIDE YARD (FT)	15	45.7±	35.7±
MIN. REAR YARD (FT)	15	181.2±	59.6±
BUILDING AREA (SF)	N/A	13,947	16,395
MAX. BUILDING COVERAGE (%)	25	9.25	10.87
MAX. BUILDING HEIGHT (STORIES/FT)	2.5/35	1/30±	1/30±
IMPERVIOUS AREA (SF)	N/A	62,457	63,673
MAX. IMPERVIOUS AREA (%)	50	41.42	42.22

Existing Impervious Area Calculations:
 Building = 13,947 sf
 Pavement = 48,510 sf

Proposed Impervious Area Calculations:
 Existing Building = 13,947 sf
 Proposed Building = 2,448 sf
 Pavement = 47,278 sf

Approved by the Planning & Zoning Commission of the Town of Canton at its meeting on _____ and signed by _____

Chairman _____ Date _____

And delivered to the applicant on _____

REVISIONS				
1.	DECEMBER 17, 2015:	ADD ADDITIONAL OUTDOOR SEASONAL DISPLAY AREA		

MODIFIED SITE PLAN
FOR:
"PETALS AND PAWS"
OWNER & APPLICANT: 465 ALBANY TURNPIKE LLC
465 ALBANY TURNPIKE
CANTON, CONNECTICUT

DAVID F. WHITNEY,
CONSULTING ENGINEERS, LLC
21 ARCH ROAD
P.O. BOX 1605
AVON, CONNECTICUT 06001
(860) 673-8412

DATE: DEC. 16, 2015	SCALE: 1"=40'	DRAWN BY: GRA	CHECKED BY: DFW	SHEET NO. 1 OF 1	PROJECT NO. 15-38
------------------------	------------------	------------------	--------------------	---------------------	----------------------

CANTON TOWN HALL
LAND USE OFFICE
DEC 8 2015
DATE OF RECEIPT IN OFFICE

LIGHT FIXTURE DETAILS

FXLED78SFN/480/PCS4

Project: _____ Type: _____
Prepared By: _____ Date: _____

Driver Info	LED Info
Type: Constant Current V-Max	78V
120V: NA	Color Temp: 4000K (Neutral)
200V: NA	Color Accuracy: 81 CRI
240V: NA	L70 Life Span: 100,000
Input Watts: 91W	Lumen: 6,731
Efficiency: 93%	Efficacy: 83 LPW

High power, wide distribution LED floodlight. Replaces 250W MH. Beam lensing as low technology requires long LED and driver lifespan. Ideal for parking lot lighting, sign lighting, LED landscape lighting and instant on security lighting.
Color: Bronze Weight: 24.0 lbs

FXLED78SFN/480/PCS4

Technical Specifications

Listings
UL Listing: Suitable for wet locations. Suitable for ground mounting.
IESNA LM-79 & LM-80 Testing: 2
RAB LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have received the Department of Energy "Lighting Facts" label.

Electrical
Photocell: 480V Smart Photocell included. Photocell is only compatible with 480V.
Driver: Constant Current, Class 2, 2000mA, 24V-480V, 50/60Hz, 0.97A, Power Factor 99%
Starting/Operating Amps: 4.00V @ 0.17A
Surge Protection: 4kV
LED Characteristics
Lifespan: 100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.
LEDs: 5x multi-chip, 15Watt high output, long life LEDs.
Color Consistency: 3 step MacAdam Ellipse binning to achieve consistent bin-to-bin color.
Color Stability: LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.
Color Uniformity: RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for (ANSI) Products: ANSI C78.377-2015.

Construction
IP Rating: Ingress Protection rating of IP66 for dust and water.
EPA: 2
Ambient Temperature: Suitable for use in 42°C ambient temperatures.
Cold Weather Starting: The minimum starting temperature is 40°F/4°C.
Thermal Management: Superior heat sinking with external AirFlow fins.
Housing: Die-cast aluminum housing and door frame.
Mounting: Heavy-duty Slip Rib for 2 1/2" O.D. pipe.
Reflector: Superior vacuum-metallized polycarbonate.
Gaskets: High-temperature silicone gaskets.
Finish: Our environmentally friendly polyester powder coating is formulated for high durability and long lasting color, and contains no VOC or toxic heavy metals.
Green Technology: Mercury and UV free.

Optical
NEMA Type: NEMA Beam Spread of 64 x 6V
Replacement Range: The FXLED78 can be used to replace 150-320W Metal Halide Floodlights based on delivered lumens.
Other: Equivalency: The FXLED78 is equivalent in delivered lumens to a 250W Metal Halide California Title 24.
FXLED78SP480PCT4 complies with 2013 California Title 24 lighting and electrical codes as a commercial outdoor job mounted luminaire > 30 Watts mounted at height greater than 24 feet.
Warranty: RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of both in-use, color stability, driver performance and future fresh.
Patents: The FXLED78 design is protected by U.S. Pat. 6,655,200, Canada Pat. 1,431,555, China Pat. ZL201120412122.9, Mexico Pat. 36508 and pending patents in Taiwan.
Country of Origin: Designed by RAB in New Jersey, and assembled in the USA by RAB's OEM Unit 3 workers.
Buy American Act Compliant: This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.
Recovery Act (ARRA) Compliant: This product complies with the 52-225-21 "Required List of American Iron, Steel and Manufactured Goods - Buy American Act - Construction Materials (October 2010).
Trade Agreements Act Compliant: This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.
GSA Schedule: Suitable in accordance with FAR Subpart 25.4.

Ordering Matrix

Family	Watts	Mount	Color Temp	Finish	Dimming	Voltage	Photocell	Bi-Level
FXLED	78	1" = Inversion	4000K = Cool 5000K = Neutral 6000K = Warm	White	No Dimming Dimmable	120V 240V	No Photocell Yes	No Yes

Exhibit List for:

File #140; ApIn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

List as of February 2, 2016

List of Drawings

1. Sheet 1; Unified Site Plan; 163-175 Albany Turnpike; Prepared by Denno Land Surveying & Consulting, LLC; Prepared for G.S.H.P., LLC; Dated January 27, 2016

Correspondence:

1. Town of Canton – Zoning Development Application for File #140; ApIn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner
2. Copy of payment; check #2080
3. Site Plan application checklist
4. Letter from Steven Stang regarding the property; dated 1/28/16
5. Pictures of current signage (2 total)
6. Abutter's map
7. Abutter's list
8. Copy of abutter notice; dated 1/29/16
9. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations; dated 1/29/16
10. Public hearing sign affidavit; dated 1/29/16
11. Town of Canton legal notice
12. Proof of legal notice from the Hartford Courant; dated 2/2/16



PUBLISHING
DIGITAL

Order ID: 3941501

Printed: 2/2/2016 9:59:12 AM

Page 1 of 2

* Agency Commission not included

GROSS PRICE * : \$225.08

PACKAGE NAME: Legal Notice Zoned Daily

Product(s): Hartford Courant, Affidavits, MyPublicNotices.com

AdSize(s): 1 Column, , 300 x 250 Pixels

Run Date(s): Thursday, February 04, 2016, Thursday, February 11, 2016

Color Spec. B/W

Preview

**Legal Notice
Town of Canton
Planning & Zoning Commission**

The Canton Planning and Zoning Commission will hold a public hearing at a regular meeting on Wednesday, February 17, 2016 at 7:30 p.m. in Room F of the Canton Community Center, 40 Dyer Avenue, Canton, CT for the following applications:

File #193; Apn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

File #140; Apn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

#12

#11

Legal Notice
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Planning & Zoning Commission

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File #8; ApIn #1575; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

This application is on file and available for public inspection in the Land Use Office, Canton Town Hall, 4 Market Street, Collinsville, CT, telephone 860-693-7856.

Dated at Canton, Connecticut, this 2nd day of February 2016.

David Bondanza, Chairman
Philip Pane, Secretary

To be published twice in the Hartford Courant on Thursday, February 4, 2016 and Thursday, February 11, 2016.

Town of Canton Account Number: CU00254181

#10

NOTICE TO APPLICANTS

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIRING A PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION.

NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.

THIS FORM (SIGNED AND NOTARIZED) MUST BE PRESENTED AT THE PUBLIC HEARING.

AFFIDAVIT

STATE OF CONNECTICUT

Ss:

COUNTY OF HARTFORD

I, Steven Stang of Canton, CT
(Applicant) (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Canton Planning & Zoning Regulations, stating that a Planning & Zoning Commission application is pending for the following property:

175 Albany Turnpike
(Location of Property)

DATE: 1/29/16

[Signature]
(Signature of Applicant)
Steven Stang
(Type or Print Name of Applicant)

Subscribed and sworn to before me this 29th day of January, 2016
[Signature]
(Notary Public)

My Commission Expires on 10/31/2017

Land Use Office-(860) 693-7856
Facsimile- (860) 693-7884

www.townofcantonct.org

M,T,Th 8:15-4:30
Wed 8:15-6:45
Fri 8:15-Noon

#9



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

CERTIFICATION OF NOTICE

Planning & Zoning Commission:

File Number: 140

Application Number: 1574

Zoning Board of Appeals:

File Number: _____

I certify that as per Section 9.9.F, Notice of Public Hearing Signs, of the Canton Zoning Regulations, I have posted at: 175 Albany Turnpike, Canton, CT a sign reading:

"ZONING APPLICATION PENDING ON THIS PROPERTY. FOR MORE INFORMATION CONTACT THE LAND USE DEPARTMENT AT TOWN HALL (860) 693-7856."

For fifteen (15) continuous days beginning on 1/29/16 and ending on 2/13/16 prior to a public hearing scheduled for 2/17/16.

Name of Applicant: Steve Spas

Signature of Applicant: _____

Date: 1/29/16

#8



**TOWN OF CANTON
LAND USE OFFICE**
4 Market Street, Collinsville, Connecticut 06022

CERTIFIED MAIL/RETURN RECEIPT

File # 140; ApIn # 1574

Dear Neighboring Property Owner:

An application to the Canton Planning & Zoning Commission (PZC) for a Special Permits has been filed with the Canton Land Use Office for the following property: (4.1.C.1.a, 4.1.C.1.f and 7.3.G)

Location: 175 Albany Turnpike

Applicant: Steven Stang

Property Owner: Steven Stang

A copy of the application has been included with this correspondence. A Public Hearing for this application is scheduled for 2/17/16

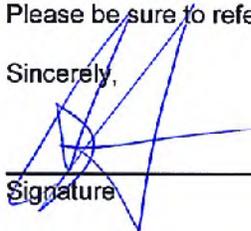
The meeting will be held at the Canton Community Center located at 40 Dyer Avenue, Canton, and is scheduled to begin at 7:30 p.m.

At this hearing public testimony will be accepted. If you are unable to attend this meeting but wish to express your thoughts and concerns, please direct them by email to: Renee Narducci, Land Use Coordinator at rnarducci@townofcantonct.org or by mail to the following address:

Town of Canton
Land Use Office
4 Market Street, P.O. Box 168
Collinsville, CT 06022

Please be sure to reference the above application in the subject line.

Sincerely,



Signature

1/29/16

Date

#6



175 Albany Turnpike - Abutter's Map



1 inch = 656 feet



The Town of Chatham, CT, shall assume no liability for any errors, omissions, or inaccuracies in the information provided in this report or any other information made available to the public. The information is provided as a service to the public and is not intended to be used for any other purpose.

#7

WILOWSKI CATHERINE A
69 TRAILSEND DR
CANTON, CT 06019

HINMAN LOIS C
P O BOX 167
CANTON, CT 06019

CANTON TOWN OF
P.O. BOX 168
COLLINSVILLE, CT 06022

STANG STEVEN S &
CANTON, CT 06019

BIEGA G DAVID &
9 CANTON VALLEY CIR
CANTON, CT 06019

G.S.H.P.,L.L.C.
107 WRIGHT ROAD
CANTON, CT 06019

BROWN CHERYL A &
7 CANTON VALLEY CIRCLE
CANTON, CT 06019

HUGHES WILLIAM W R JR
BOX 267
CANTON, CT 06019

POWE CATHERINE A
5 CANTON VALLEY CIRCLE
CANTON, CT 06019

MULLINS CHRISTOPHER D
3 CANTON VALLEY CIRCLE
CANTON, CT 06019

4 SISTERS CANTON LLC
140 GLOUCESTER COURT
NEWINGTON, CT 06111

185 ALBANY TURNPIKE LLC
7 GREAT OAK LANE
UNIONVILLE, CT 06085

CANTON MERRIFIELD REAL ESTATE LL
314 MAIN STREET
FARMINGTON, CT 06032

HINMAN DANIEL C
P.O. BOX 227
CANTON, CT 06019

GIFTS - COLLECTIBLES - & MORE
 ☆ historic 44 ☆
 marketplace
 EST. 1982
 463-473 ALBANY TURNPIKE

Swank Pearce
 ANTIQUES & DECOR
 ←

BOOKS

SOCCER
 BEYOND
 ← IN BACK

the
 WINE
 DONUT
 SHOP

THE
 BLUE
 HOUSE
 The Old Things





QU
ELECTRIC HOUSE FITTINGS & ART & D

historic 44 marketplace

CHIC FURNITURE

Antiques

SANCTUARY power yoga IN BACK

KJ'S



#4

January 28, 2016

To whom it may concern:

We recently acquired the former Hinman Garden Center at 175 Albany Turnpike. We have owned a parcel at 163-165 Albany Turnpike for almost 40 years. We have preserved the original existing structures and charm while improving the rear of the property so as to develop a low-key, off 44 marketplace.

Recently the two abutting parcels to the west became available to us.. We purchased the immediate abutter, the Lowell property, 171 Albany Turnpike and quickly integrated it with our other parcels. The Lowell property, the yellow house at 171 Albany was formerly the Canton Hotel. We attempted to return it to it's former grandeur by restoring it and performing long overdue maintenance. We feel it came out very well.

Shortly after that, the Hinman property was offered to us by the seller, Collinsville Savings Society. On January 6 we purchased it. Integrating that parcel and creating a unified, pleasant and self-contained environment of historic buildings is going to be very challenging, far more challenging than the Canton Hotel. It will take more than 'cleaning up and maintenance' as there are structural impediments with the site that preclude a simple fix.

Perhaps the most significant issue is access. 175 Albany currently uses a driveway that is in the intersection with Dowd Avenue and Albany Turnpike. This creates an extremely dangerous situation. Numerous proposals and offers have been made that would require the installation of a traffic light. Economics demand that such a costly change be driven by a high use commercial enterprise in a newly constructed and larger building. We are not interested in going in that direction. We desire to integrate the parcel with our others so as to keep and enhance the feel and character of that area.

Our site, currently, is very unique. Although access to the site is from Rt 44, access to all 24 mixed use tenants is from the rear of the site. It is a very pleasant theme and environment and it is what we hope to do with 175 Albany Turnpike.

Doing so requires certain zoning approvals and considerations. To access the property in a safe manner and minimize traffic at the dangerous driveway an approval is required. Uniform signage at all driveways is essential so that drivers realize that all four of the driveways on our unified site go to the same place. This would require us being allowed to coordinate signage thematically for each driveway per section 7.3.G. We would like to coordinate them with our existing signage shown in the accompanying photos. These signs are a series of multi-tenant repetitive signs with unified identification. The unified site plan, submitted with this application, shows existing and proposed new sign location as well as providing other information.

Despite it's use as such for at least 35 years, the site has never had approved as a retail location. The use was considered an extension of agricultural use. This assertion was, at best, a stretch and is clearly not going to be the situation going forward. Approval of the site for retail use under 4.1.C.1.A is necessary.

The site has considerable outdoor space to the rear. We do not intend to build any permanent structures initially. To more fully utilize the site, we would propose using the area designated on the site plan as 'outdoor display' for the display of items such as garden sheds or fencing for sale. The approval required for that is per 4.1.C.1.F.

Additionally, minor changes are proposed as indicated on the attached site plan. The most significant of these is the relocation of the two shed to the rear of the property behind an existing structure. This would serve to 'clean up' the site. Other changes, as noted on the site plan, are less significant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven Stang". The signature is written in a cursive style with some overlapping lines.

Steven Stang

#3

1.3. SITE PLAN APPLICATION

1. **Copies**

Unless otherwise specified by herein, each application shall be submitted with eleven (11) copies of the following information.

2. **Application Form**

A completed application form, as adopted by the Commission, bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent.

3. **Application Fee**

The complete application fee, as required by Chapter 248 of the Town Code. This may include additional review fees for technical expertise, engineering, and other reviews if required by the Commission.

4. **Narrative**

A written statement, signed by the applicant, and by the owner if different from the applicant, describing the following in sufficient detail to determine compliance with these regulations and to establish the nature and extent of the proposal; fourteen (14) copies shall be submitted;

1. a detailed narrative description as to the nature and extent of the proposed use or occupancy;
2. provision to be made for water supply, sewage disposal, solid and liquid waste disposal, drainage and other utilities;
3. the number of persons estimated to occupy or visit the premises on a daily basis, and the basis for determining the parking and loading requirements for the use; provisions for pedestrian and bicycle access within and into the site, where appropriate;
4. an estimate of the type of vehicular traffic and number of vehicle trips to be generated on a daily basis and at peak hours;
5. the equipment or other methods to be established to comply with required performance standards; and
6. disclosure of any toxic or hazardous materials to be used, stored or processed in connection with the proposed use or occupancy as identified in the U.S. Environmental Protection Agency list of priority pollutants, Section 3001 of the Resource Conservation and Recovery Act (40 CFR Part 261) or the State of Connecticut Hazardous Waste Regulations, which disclosure shall include a description of how such materials are to be managed and a report on the status of permits and approvals required from Federal, State and Town agencies having jurisdiction.

5. **Deed & Easements**

Copies of draft deeds or easements for any road widening, access, driveways, drainage, conservation, utilities or other easements, restriction or covenants proposed.

Introduction

Definitions

Residential (R)
Districts

Business
Districts

Design
Districts

Other
Districts

Basic
Standards

Special
Regulations

Procedures/
Appendix

Introduction

Definitions

Residential (R)
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Design
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Other
Districts

Basic
Standards

Special
Regulations

Procedures/
Appendix

- 6. **Notice**
For new construction or other activity considered to be significant in the sole judgment of the Commission, the Commission may hold a public hearing on the application; and require that the applicant:
 1. post a sign owners in accordance with the requirements of Section 9.9.F of these regulations. and
 2. give notice to abutting property owners in accordance with the requirements of Section 9.9.G of these regulations.

- 7. **Notice**
Notification to parties holding restrictions may be required in accordance with the requirements of Section 9.9.K.
Pursuant to CGS Section 47-42d, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 1. the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 2. the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.

- 8. **Notice**
Notification to adjoining municipalities may be required in accordance with the requirements of Section 9.9.H.

- 9. **Notice**
Notification to water companies may be required in accordance with the requirements of Section 9.9.J.

- 10. **Wetlands**
If a site plan application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands and Watercourses Agency not later than the day such application is filed with the Commission.

- 11. **Wetlands**
Where applicable, a soils report from a professional soil scientist

- 12. **Wetlands**
Where applicable, a statement from a professional soil scientist that the "flagging" of wetland soils and delineation of watercourses on the maps is accurate

- 13. **Aquifer**

Copy of Aquifer Protection Agency (APA) registration or permit approval if the application involves any activity regulated pursuant to CGS Sections 22a-336 to 22a-400.
- 14. **Flood**

An Elevation Certificate from an authorized professional if proposal is within a FEMA designated flood zone (only applies to New Construction or Substantial Improvements)

A copy of Zoning Commission Approval (acting as the Flood Plain Protection Board) certifying the proposed activity complies with Section 6.2.

A copy of a completed Checklist F for Additional Requirements in Flood Prone Areas
- 15. **Well/ Septic**

Copy of approvals of the Farmington Valley Health District (FVHD) for any proposed or change in use, or proposed building or structure that involves the installation, extension, relocation, reconstruction, or connection of a private septic system or well.
- 16. **Public Water**

Copy of approvals of the Connecticut Water Company (CWC) for any proposed or change in use, or proposed building or structure that involves the installation, extension, relocation, reconstruction, or connection of a public water supply system.
- 17. **Sewer**

Copy of approvals of the Town of Canton Water Pollution Control Authority (WPCA) for any proposed or change in use, or proposed building or structure that involves the installation, extension, relocation, reconstruction, or connection of public sewage disposal system.
- 18. **State Traffic Administration & Local Traffic Authority**

Copy of application review comments from the Canton Local Traffic Authority

Copy of application materials to the Office of the State Traffic Administration, if required.
- 19. **Other Conditions**

Copy of Other Conditions - Any maps, plans, documents, statements, and stipulations submitted to and approved by the Commission, Planning Commission, IWWA, ZBA, WPCA or other Town agency, in connection with any conditions of approval imposed by such Commission, Board or Agency shall be conditions for approval of a zoning permit, whether or not stated on the zoning permit approval.

Introduction

Definitions

Residential (R)
Districts

Business
Districts

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Special
Regulations

Procedures/
Appendix

Canton Zoning Regulations
Effective May 12, 2014

Introduction
Definitions
Residential (R) Districts
Business Districts
Design Districts
Other Districts
Basic Standards
Special Regulations

20. **Bonds**

Any proposed bonds or other security estimates submitted to the Commission's Engineer for review and determination of adequacy.

21. **Historic District**

Copy of Certificate of Appropriateness, if located within the Collinsville Historic District or Canton Center Historic District.

22. **Stormwater**

Three (3) copies of a stormwater management study, if required, and/ or written certification by a professional engineer that the proposed stormwater management system has been designed in accordance with the Connecticut Department of Energy and Environmental Protection (DEEP) 2004 Stormwater Quality Manual, Best Management Practices specified by the DEEP, and complies with the standards of Section 7.13.

23. **Traffic**

Three (3) copies of a Traffic Study and other documentation as required by Section 7.8

24. **Erosion Control**

Written certification by a professional engineer that the Erosion and Sedimentation Control Plan has been designed in accordance with the DEEP 2002 Guidelines for Soil Erosion and Sediment Control (CTDEP Bulletin 34).

A completed Checklist D. Requirements for Erosion and Sediment Control.

A narrative describing construction stages and manner in which the application complies with the requirements for erosion and sedimentation control prescribed under these Regulations.

25. **Design Review**

Completion of Preliminary and Subsequent Review Meeting with DRT.

Copy of Final Review issued by Town of Canton Design Review Team in accordance with Section 8.6.D.2.



26. **Site Plan**

A site plan shall be prepared in accordance with these regulations and standards, and showing the information hereinafter required.

26.1. **Preparation** – The site plan shall be clearly and legibly drawn on good quality fixed line mylar or other material that will enable production of clear prints as required by these regulations. The site plan shall be prepared by and shall bear the name, signature, and seal of a professional: surveyor, engineer, architect; and/or landscape architect, each as required by law for preparation of parts of the site plan. The seal shall be impressed on all copies of the site plan presented for approval.

26.2. **Size, Scale, and Copies**

The site plan shall be drawn to a scale of not less than 1" = 40' or such greater scale as may be necessary to show the site development features clearly and in detail. The parts of the site plan that are intended for approval will be required to be endorsed and filed in the office of the Town of Canton Town Clerk

Copies of all materials as follows (Full Size = 36" x 24"; Reduced Size = 18" x 12")

1. 1 File Original (full size);
2. 10 Commissioners (1 full size, 9 reduced);
3. 7 Staff Review (2 full size, 5 reduced) (Town Planner, Superintendent of WPCA, Director of Public Works, Project Administrator/ Town's Engineering Consultant, Traffic Authority, Building Inspector, & Fire Marshal/ Fire Chief);
4. 6 Design Review Team Review (6 full size) (if required as part of the application proceedings);
5. Conservation Commission Review (2 full size, 4 reduced) (if required as part of the application proceedings); and
6. 7 Planning Commission Review (2 full size, 5 reduced) (if required as part of the zoning application proceedings)

Please check with staff on the number of active Commissioners at the time the application is filed.

26.3. **Plan Information** - The information listed herein is the minimum required to be shown on the site plan to the extent that the information occurs on or is applicable to the particular lot or is required to demonstrate compliance with these regulations.

26.4. **General**

A key map at a scale of 1"=500' showing the location of the property in relation to surrounding areas, including streets, property lines and zoning district boundaries, and an index map if the plan is divided into sections or phases, or is of such size that more than one sheet for each plan section is required.

26.5. **General**

Title block with name of project, name of developer applicant and owner, address, date (with revisions), and scale.

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- 26.6. **General**
North arrow, numerical, and graphic scale (the title of individual site plan sheets and orientation of north arrows shall, to the extent practicable, be consistent from one sheet to the other).
- 26.7. **Zoning Schedule**
A schedule, certified by a professional surveyor or engineer, specifying in square feet the:
 1. lot area;
 2. yard setbacks;
 3. area of wetlands and watercourses, as determined by a professional soils scientist;
 4. amount of floor area by use;
 5. building coverage;
 6. impervious coverage;
 7. maximum height;
 8. calculations for required parking and loading;
 9. calculations for required landscape areas;
 10. total disturbed area;
 11. total cuts; and
 12. total fills.
- 26.8. **Boundaries**
Boundaries of and existing conditions of the lot based on a "Class A-2" type survey as defined in the Regulations of State Agencies adopted pursuant to CGS Section 20-00b.
- 26.9. **Abutters**
Names of all abutting lot owners as recorded with the Town of Canton Assessor.
- 26.10. **Limits**
Any line delimiting a portion of the lot to be used under the application and any zoning district boundary on the lot.
- 26.11. **Easements/ Restrictions**
Location, width and purpose of all existing and proposed easements, covenants and restrictions and other encumbrance lines.
- 26.12. **Grading**
Location and details of existing and proposed grades, topography, earthwork, staging and stock pile areas, retaining walls, and fences

Existing and proposed grading contours at an interval not exceeding two (2) feet, or equivalent ground elevations, based on mean sea level, including identification of a bench mark at the site and certified in accordance with Class T-1, T-2 or T-3 by a professional surveyor.
- 26.13. **Soils**
Location of USDA Soils Conservation Services soils type boundaries and codes



- 26.14. **Water Supply Areas**
 Location of aquifer protection areas and other public water supply watershed boundaries
- 26.15. **Refuse Disposal**
 Provisions and manner for refuse disposal
- 26.16. **Roads/ Driveway/ Obstructions**
 Location of adjacent roads, curb cuts, and width of rights-of-way and travel way location of existing and proposed signs, directional signs, and potential obstructions.
- 26.17. **Setbacks**
 All applicable setback lines.
- 26.18. **Utilities**
 Location and details of existing and proposed utilities including:
 1. electric;
 2. telephone;
 3. cable;
 4. gas;
 5. propane;
 6. water;
 7. sewer;
 8. wells;
 9. septic systems and leaching areas; and
 10. any associated above or below ground equipment.
 (all proposed utilities to be located underground)
- 26.19. **Environment**
 Location of all:
 1. wetlands and watercourses on and within 200 feet of the lot as delineated by professional soils scientist;
 2. boundaries of Natural Diversity Database Areas as published by the Ct DEEP;
 3. rock outcrops and ledge;
 4. wooded areas and tree canopy lines;
 5. public drinking water supply areas/ aquifer protection areas;
 6. stormwater control/ management features;
 7. soils test pits and test results;
 8. ground water levels; and
 9. other significant features.

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- 26.20. **Buildings**
Location of existing and proposed buildings, and appurtenances thereof including:
 - 1. location of heating, air condition, ventilation and similar equipment if located outside of the building
 - 2. supporting or accessory uses and structures
- 26.21. **Details**
Construction details of proposed outdoor improvements
- 26.22. **Costs Estimates**
Itemized costs estimates by a professional engineer for all site improvements and the installation of all erosion and sediment controls based on published Connecticut DOT unit prices.
- 26.23. **Section 6.1 Collinsville Business District**
Location, design, architectural elevations, renderings, photo graphs and other such details of all existing and proposed changes within the Collinsville District areas necessary to demonstrate compliance with Section 6.1.
- 26.24. **Section 6.2 Flood Plain**
 - 1. The location of any water courses, flood boundaries, and flood hazard areas delineated by the Flood Insurance Rate Map and published by FEMA;
 - 2. Location, design, and details of all existing and proposed activity within flood hazard areas, calculations and other information necessary to demonstrate compliance with Section 6.2.
- 26.25. **Section 6.3 Farmington River Protection**
Location, design, and details of all existing boundaries and proposed activity within the Farmington River Protection Overlay District, and any necessary information to demonstrate compliance with Section 6.3.
- 26.26. **Section 6.4 Municipal Community Public Facilities District**
Location, design, and details of all existing boundaries and proposed activity within the Municipal Community Public Facilities District, and any necessary information to demonstrate compliance with Section 6.4.
- 26.27. **Section 7.1 Landscaping**
A landscaping plan prepared by a professional Landscape Architect including:
 - 1. Existing and proposed vegetation and landscaping, including limits of vegetation coverage, wooded areas, tree canopy lines, and location of any significant trees (caliper 6" or greater) to be retained and/ or to be removed;
 - 2. The location, numbers, installed sizes anticipated mature sizes, species and common names of proposed plants;
 - 3. Cost estimates of proposed plant as installed based on published DOT unit prices; and
 - 4. Location, design, plantings lists, details, estimates and other necessary information to demonstrate compliance with Section 7.1.



- 26.28. Section 7.2 Parking and Loading
 - A parking plan showing:
 1. Location of existing and proposed parking accommodations
 2. Location of existing and proposed loading accommodations,
 3. Location of porous, pervious pavement or similar pervious parking areas;
 4. Location of fire lanes;
 5. Location of sidewalks;
 6. Access management;
 7. Vehicular circulation;
 8. Directional signage and pavement markings;
 9. Snow storage areas
 10. A parking schedule;
 11. Construction Details; and
 12. Location, design and dimensions, calculations, and details of all existing and proposed parking and loading necessary to demonstrate compliance with Section 7.2.

- 26.29. Section 7.3 Signage
 - A signage plan showing:
 1. Location of all existing and proposed signage, including dimensions, method and details of illumination;
 2. Location of any other graphics;
 3. The design of any proposed sign; and
 4. Location, design, dimensions, and details of all existing and proposed signage necessary to demonstrate compliance with Section 7.3.

- 26.30. Section 7.4 Outdoor Lighting
 - A lighting plan showing:
 1. Location, details and illumination levels of any existing and proposed outdoor lighting/ illumination sources
 2. Photometric surveys of proposed lighting plans including separate sheets demonstrating business hour and non-business hour lighting plans;
 3. Location size, height, light intensity coverage area and manufactures product description for each light type proposed;
 4. Location, design, dimensions, photometrics, and details of all existing and proposed lighting necessary to demonstrate compliance with Section 7.4 & 7.12.

- 26.31. Section 7.5 Earthwork and Grading
 - Location, design, dimensions, calculations, and details of all existing and proposed earthwork and grading necessary to demonstrate compliance with Section 7.5.

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- 26.32. Section 7.6 Soil Erosion and Sediment Control

An Erosion and Sedimentation Control Plan in compliance with the Connecticut Department of Environmental Protection *2002 Guidelines for Soil Erosion and Sediment Control* (CTDEP Bulletin 34) for all new construction showing the location, design, dimensions, and details of all existing and proposed erosion and sedimentation controls necessary to demonstrate compliance with Section 7.6 and the Requirements for Erosion and Sediment Control Checklist.
- 26.33. Section 7.7 Fences and Walls

Location, design, dimensions, calculations, and details of all existing and proposed fences and retaining walls necessary to demonstrate compliance with Section 7.7.
- 26.34. Section 7.8 Traffic and Visibility at Intersections and Driveways

 1. Access and egress details for pedestrian, bicycle and vehicular traffic,
 2. Sight distances from property entrance along streets (plan and profile to be submitted if grading is required)
 3. Location, design, dimensions, calculations, and details of all existing and proposed entrances, driveways, internal and external vehicular circulation and movements necessary to demonstrate compliance with Section 7.8.
- 26.35. Section 7.9 Bicycle and Pedestrian Accommodations

Location, design, dimensions, and details of all existing and proposed areas of bicycle and pedestrian parking, access and amenities necessary to demonstrate compliance with Section 7.9.
- 26.36. Section 7.10 Outdoor Display and Outdoor Storage

Location, design, dimensions, data, and details of all existing and proposed areas of outdoor display and outdoor storage areas necessary to demonstrate compliance with Section 7.10.
- 26.37. Section 7.11 Mobile Vendors

Location, design, dimensions, data, and details of all existing and proposed areas to be used, accessed by, and associated with the use of a site by a mobile vendor necessary to demonstrate compliance with Section 7.11.
- 26.38. Section 7.12 Hours of Operation

Location, design, dimensions, and details of all existing and proposed areas of uses regulated under Section 7.12 to necessary to show compliance with hours of operation and non-business hour lighting under Sections 7.4 & 7.12.
- 26.39. Section 7.13 Stormwater Management

Location, design, dimensions, calculations, and details of all existing and proposed site drainage, stormwater management systems and controls necessary to demonstrate compliance with Section 7.12.
- 26.40. Section 8.2 Performance Standards

Location, design, dimensions, data, calculations and details of all existing and proposed uses and property necessary to demonstrate compliance with Section 8.2.
- 26.41. Section 8.4 Towers and Antennas

Location, design, dimensions, data, calculations and details of all existing and proposed towers, antennas and other improvements necessary to demonstrate compliance with Section 8.4.

- 26.42. Section 8.5 Alcoholic Beverages
Location, dimensions, data, calculations and details necessary to demonstrate compliance with Section 8.5.
- 26.43. Section 8.6 Design Review
All necessary information as required by Section 8.6.
- 27. Architectural Plans
Where applicable, fifteen (15) copies of architectural plans at acceptable scale prepared by a professional architect showing:
 - 27.1. Proposed exterior elevations of buildings including:
 1. dimensions;
 2. identification of building materials;
 3. textures and color of all building façades;
 4. fenestration;
 5. roofs;
 6. building illumination;
 7. rooftop units that will project above the level of a parapet or other enclosure;
 8. rooftop enclosures;
 9. outdoor display areas, merchandise, vending machines or items along a building that would obscure the building façade; and
 10. any other appurtenances/
 - 27.2. Floor plans showing:
 1. existing and proposed floor plans with dimensions; and
 2. identification of all proposed interior and exterior alterations, modifications or changes
 - 27.3. All necessary information as required by Section 8.6. Design Review
- 28. Computer Simulation
When warranted by the size, location or nature of a proposal, or when determined to be in the public interest, the Commission may require a three dimensional physical representation or a computer simulation of the proposal at an appropriate scale. The Commission may also require that the model include three dimensional representation of all or portions of the abutting lots if this would significantly aid the Commission and the public to visualize and understand the proposal.
- 29. Additional Information
Any other information which in the Town Planner's judgment will assist in evaluating the proposal.
- 30. Additional Information

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The Commission may, in accordance with the requirements of these regulations require the submission of additional information as deemed necessary to make a reasonable review of the application.

31. **Digital Submission**

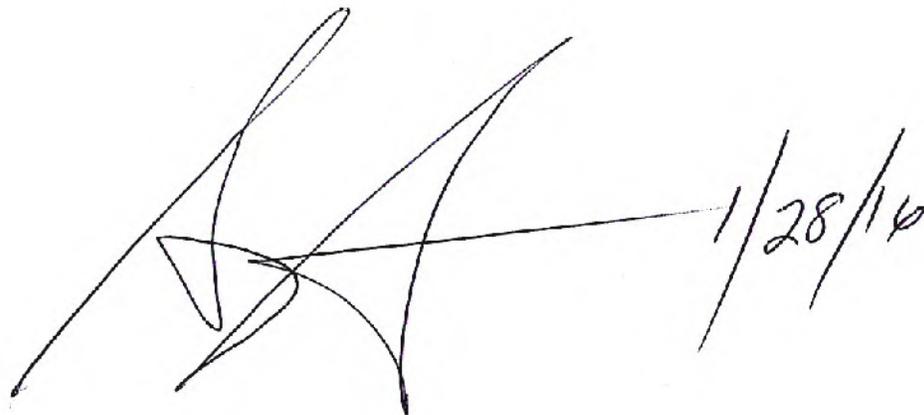
In addition to the submission requirements above, the applicant shall submit in digital format (PDF or JPEG, as deemed appropriate by Land Use staff) all application materials and public hearing exhibits, or, in the absence of a public hearing, any supplemental information received up to final action by the Commission. These materials shall include, but not be limited to, the application form, cover letter, statements of use, site plan and architectural plans, reports, easements or deeds to roads, and any other information submitted to support an application. The Commission may waive this requirement upon request by the applicant showing good cause

32. **Waiver**

The Commission, per Section 9.1.A of the regulations may waive the required submission of all or a part of the required information after finding that such information is not necessary in order to render a decision on the application or defer the required submission of part of such information to a later date.

(see next page for supplemental requirements for erosion and sediment control)

(continued on next page)

A large, stylized handwritten signature in black ink is written across the page. To the right of the signature, the date "1/28/14" is handwritten in black ink.

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GSHP, LLC
107 WRIGHT ROAD
CANTON, CT 06019

2080
51-7428(2/11)

Date

1/28/16

Pay to the
Order of

Town of Canton

\$ 485.00

Dollars

Four hundred eighty five and 00/100

COLLINSVILLE SAVINGS SOCIETY
COLLINSVILLE, CONNECTICUT
Community Banking Since 1853

Security
Deposit
Act



For

2080

⑆21174288⑆ 600 004 136⑈

MP

#2

#1

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TOWN OF CANTON
4 Market Street
PO Box 168
Canton, CT 06019

**CANTON TOWN HALL
LAND USE OFFICE**

JAN 28 2016

Land Use Department
(860) 693-7856 **DATE OF RECEIPT IN OFFICE**
(860) 693-7884 (fax)

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OFFICE USE ONLY		
APPLICATION # <u>1574</u>	FILE # <u>140</u>	FEE AMOUNT: <u>\$485.00</u>
DATE SUBMITTED: <u>1/28/16</u>		PAID <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
APPROVED Y / N		
Zoning Official _____		Date: _____
Comments _____		

ZONING - DEVELOPMENT APPLICATION

Address: 175 Albany Turnpike
 Assessor's Identification: Map#: 0000 Lot #: 1010175
 Zoning District: B-1
 Lot Size: 2.01
 Land Record Reference to Deed Description: Volume: 121 Page: 542
 PROPERTY OWNER: Steven Steng & Gregory Gorch PHONE: 860-966-3172
 APPLICANT / AGENT: Steven Steng PHONE: _____
 MAILING ADDRESS: 107 Wright Rd. Canton, CT 06019
 EMAIL ADDRESS: stevensteng@ATT.net

Present Use
 Briefly describe the present use of the site
Vacant / formerly Hinman Garden Center
and other business names/owners

Proposal
 Briefly describe the proposal
See attached

CANTON TOWN HALL
OFFICE

Type of Application and Required Fee	Amount Included
<input type="checkbox"/> Special Exceptions	\$200 for first and \$75 for each additional special permit/exception 350.
<input type="checkbox"/> Detailed Site Plan Non-residential (new construction or expansion)	\$200 up to 2,000 sq. ft and \$30 for each additional 1,000 sq. ft. of floor area. _____
<input type="checkbox"/> Detailed Site Plan Residential (new construction or expansion)	\$200 up to four (4) dwellings; \$30 each additional dwelling over four units. _____
<input type="checkbox"/> Any application to modify plans previously approved and not considered to be new construction or expansion of a residential or nonresidential use/area	Fee equal to 50% of the original filing fee. 75.
<input type="checkbox"/> Excavation and Grading Permit	\$200 plus \$75 per acre of disturbed area or portion thereof _____
<input type="checkbox"/> Soil and Erosion Control Plan Certification	All applications requiring a soil and erosion control plan certification may require an additional fee required by and paid to the North Central Soil Conservation District. _____
<input checked="" type="checkbox"/> All applications require an additional \$60 State Fee	\$60.00
<input type="checkbox"/> Additional Fees	The Commission may require additional fees in accordance with Town Ordinance Chapter #248 9485.

TOTAL FEE \$ **9485.00**

Cite the Section(s) and written description of the Zoning Regulations under which you are applying (only those items specifically identified on this application will be included in the public notice and application proceedings):

- Section # 4.1.C.1.a Regulatory Language: retail/service businesses over 2,500sq.ft.
- Section # 4.1.C.1.f Regulatory Language: outdoor display
- Section # 7.3.G Regulatory Language: coordinated sign theme standards
- Section # 9.1.a.1 Regulatory Language: Site Plan Modification
- Section # _____ Regulatory Language: _____

Is any portion of the site within 500 feet of an adjoining town? (See Town of Canton Zoning Map available at Town of Canton Land Use Office) n/a

- Avon
- Barkhamsted
- Burlington
- Granby
- New Hartford
- Simsbury

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The required "CHECKLIST" has been completed by the applicant and attached? (Zoning Regulations Appendix)

No (Failure to submit the required checklist shall render the zoning application incomplete)
 Yes

This application will be considered incomplete if any required information is not submitted.

If a development application involves a Zoning Regulation or Map Amendment the applicant shall submit a Town of Canton Zone Change Application. The applicant shall file a copy of any proposed **regulation amendment or zone change** with the Town Clerk ten (10) days prior to the hearing per Sections 8-3(a) of the Connecticut General Statutes. Certification by the Town Clerk of the filing under these sections must be presented by the Applicant at the public hearing. (See certification form attached)

By submitting this application, I hereby verify that all materials contained herein are true and grant permission to Town employees and Commission members to enter and view the subject site.

As the applicant/ owner, I hereby give Town employees and Commission members permission to enter and walk the property, which is the subject of this application, during daylight hours during the pendency of this application.

BEFORE SIGNING, OWNERS AND APPLICANTS PLEASE NOTE:

By signing this application, the signer represents as to the owner or applicant, whichever applies, either:

- (i) if an individual, that the signer is that individual; or
- (ii) if an entity (e.g. corporation, LLC, partnership, trust, association) that he or she is legally authorized to sign on behalf of that entity.

Owner Name (please print)

Steven Stang & Gregory Gerber

Date: 1/28/16

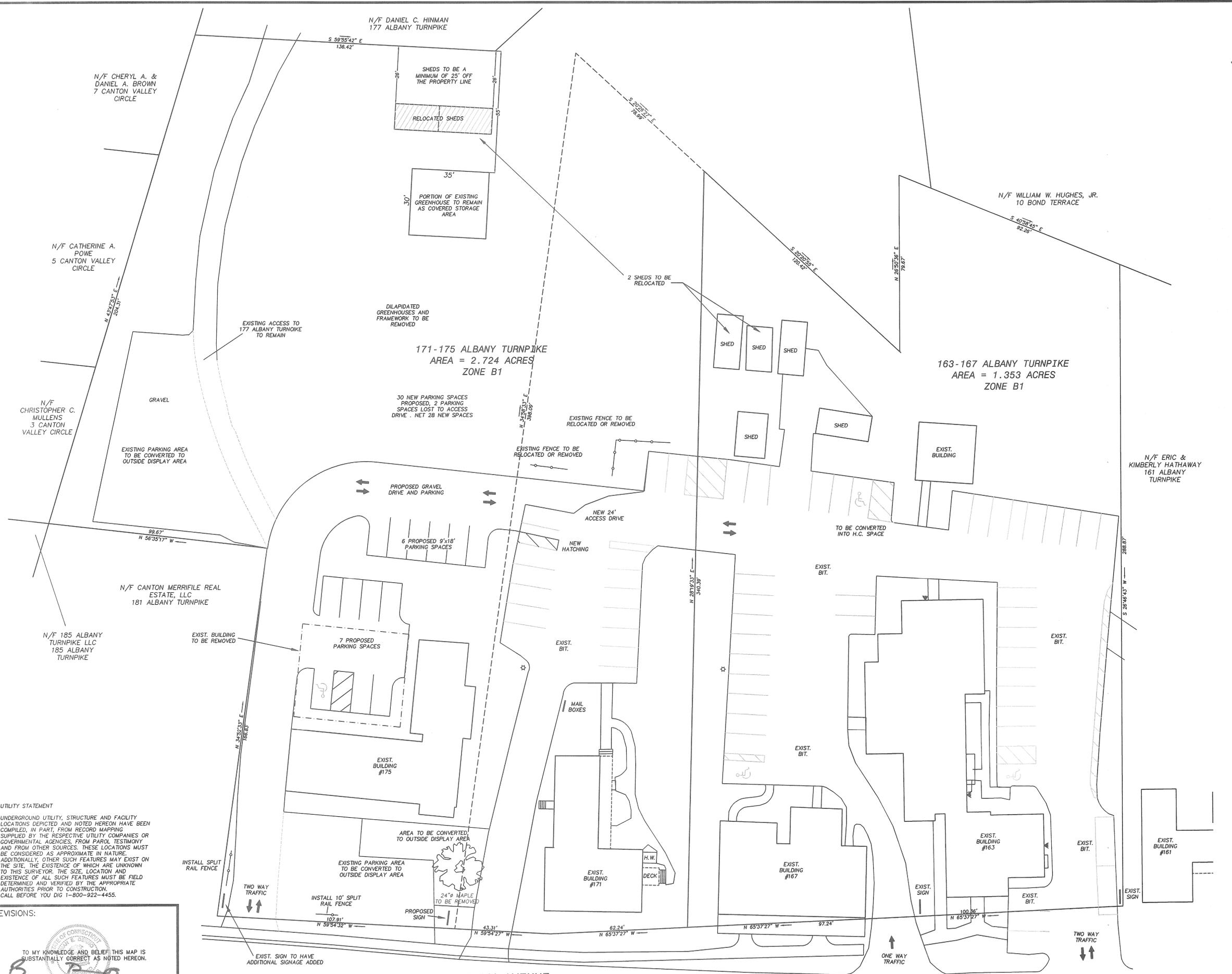
Owner Signature

Applicant Name (please print)

Steven Stang

Date: 1/28/16

Applicant Signature



B-1 ZONING REQUIREMENTS

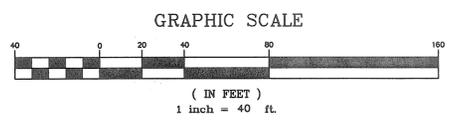
REQUIREMENTS	REQUIRED
MINIMUM LOT AREA (SQ. FT.) :	40,000
MINIMUM LOT WIDTH (FT.) :	100
MINIMUM FRONT YARD (FT.) :	50
MINIMUM SIDE YARD (FT.) :	15
MINIMUM REAR YARD (FT.) :	15
MAXIMUM COVERAGE (%) :	N/A

PARKING REQUIREMENTS 163-171:
 RETAIL 1 SPACE PER 300 SQ. FT.
 12,348 SQ. FT. RETAIL (12,348/300) = 42 SPACES
 RESIDENTIAL 1 SPACE PER DWELLING UNIT
 8 DWELLING UNITS (8*1) = 8 SPACES
 50 PARKING SPACES REQUIRED
 57 SPACES EXISTING
 55 SPACES PROPOSED

PARKING REQUIREMENTS 175:
 RETAIL 1 SPACE PER 300 SQ. FT.
 3,380 SQ. FT. RETAIL (3,380/300) = 12 SPACES
 RESIDENTIAL 1 SPACE PER DWELLING UNIT
 1 DWELLING UNITS (1*1) = 1 SPACES
 13 PARKING SPACES REQUIRED
 13 SPACES PROPOSED

- MAP REFERENCES:**
- "PLOT PLAN PREPARED FOR STEVEN C. STANG & GREGORY J. CARTNER 163-169 ALBANY TURNPIKE CANTON CONN. SCALE 1" = 20' AUGUST 10, 1949".
 - "PLAN OF PROPERTY OWNED BY ADELAIDE JAHNES & EUNICE MCCURRACH ALBANY TURNPIKE CANTON CONN. SCALE 1" = 20' AUGUST 10, 1949".
 - "SURVEY-BELLEROSE LOT ALBANY TURNPIKE CANTON, CONNECTICUT SCALE 1" = 40' DATE 11-12-57 HAROLD R. SANDERSON, C.E. & L.S.".
 - "MAP SHOWING PROPERTY OWNED BY LOIS S. HINMAN JOHN HINMAN & NINA HINMAN U.S. ROUTE 44 - CANTON, CONN. SCALE: 1" = 40' SEPT. 1969 F.N. WHITTEMORE". REVISED OCT. 1995.

SURVEY NOTES:
 THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS PREPARED AND ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996.
 THE TYPE OF SURVEY PERFORMED IS AN IMPROVEMENT LOCATION SURVEY.
 BOUNDARY DETERMINATION CATEGORY-RESURVEY BASED ON A DEPENDENT RESURVEY.
 THIS PLAN CONFORMS TO HORIZONTAL ACCURACY CLASS A-2.
 HORIZONTAL DATUM IS BASED ON MAP REFERENCES.



UNIFIED SITE PLAN
 PREPARED FOR
G.S.H.P., LLC
 163-175 ALBANY AVENUE
 CANTON, CONNECTICUT

SCALE 1"=20'	DATE 1/27/16	SHEET NO. 1 OF 1
-----------------	-----------------	---------------------

UTILITY STATEMENT
 UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROL TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE. THE EXISTENCE OF WHICH ARE UNKNOWN TO THIS SURVEYOR. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

REVISIONS:

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

NOT VALID UNLESS LIVE SIGNATURE AND EMBOSSED SEAL IS AFFIXED

DENNO LAND SURVEYING & CONSULTING, LLC
 2 TUNXIS RD STE. 210 TARIFFVILLE, CT 06081

Exhibit List for:

File #8; ApIn #1575; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

List as of February 12, 2016

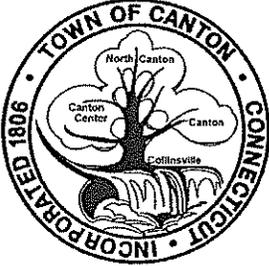
List of Drawings

1. Sheet 1; SP-1; Site Plan; 110 Albany Turnpike; Prepared by BL Companies; Prepared for The Shoppes at Farmington Valley; Dated October 5, 2015; Revised January 28, 2016
2. Sheet 2; DN-1; Detail Sheet; 110 Albany Turnpike; Prepared by BL Companies; Prepared for The Shoppes at Farmington Valley; Dated October 5, 2015; Revised January 28, 2016

Correspondence:

1. Town of Canton – Zoning Development Application for File #8; ApIn #1575; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners
2. Copy of payment; check #89687 and 89686
3. Special Permit application checklist
4. Letter of transmittal from BL Companies; dated 1/28/16
5. Letter from BL Companies to the Planning and Zoning Commission Chairman, David Bondanza, regarding the scope of work
6. Location map for 110 Albany Turnpike; dated 11/12/15
7. Abutter's map
8. Abutter's list
9. Copy of Certified Mail receipts
10. Public hearing sign affidavit; dated 1/28/16
11. Copy of the abutter notice; received 2/1/16
12. Copy of the municipal abutter notice sent to the Town of Avon; dated 2/2/16
13. Town of Canton legal notice
14. Proof of legal notice from the Hartford Courant; dated 2/2/16
15. Application review comments from George Wallace, Town of Canton Project Administrator
16. Application review comments from William Rich, Town of Canton Building Official

#16



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

APPLICATION REVIEW

To: George Wallace, Project Administrator
William Rich, Building Official

From: Renee Narducci, Land Use Coordinator (860) 693-7856

Re: **File #8; Apin #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

Date: February 3, 2016

The above captioned application is scheduled to be received at the Planning & Zoning Commission meeting scheduled for February 17, 2016. Please review the attached plans and return them with your comments at your earliest convenience. Use a separate sheet if necessary. Thank you in advance for your time and review.

COMMENTS

supp SP-1 "SITE PLAN NOTES" # 34 "EXISTING BUILDING WILL BE DEMOLISHED" ??

Archived: Wednesday, February 17, 2016 9:53:21 AM
From: Carlson, Michelle
Sent: Thu, 29 Oct 2015 10:54:24
To: Pade, Neil
Cc: Narducci, Renee; Anyzeski, Emily; Wallace, George
Subject: RE: Gravity wall system for The Shoppes at Farmington Valley - review
Importance: Normal

Hi Neil,

I have a few questions as I work thru the below list.

What is the submission deadline for the next IWWA meeting?

Also do we have to go to PZC since the wall is greater than 8 feet? The existing wall is greater than 8ft and is falling apart so we need to get the new wall approved and installed to be the same height as the existing.

Thanks,

Michelle

Michelle Carlson, P.E.
Senior Project Manager
Principal
BL Companies | *Employee owned. Client driven.*



355 Research Parkway, Meriden, CT 06450
tel: 203.630.1406 | direct: 203.608.2557
mobile: 860.539.7474 | fax: 203.630.2615
www.blcompanies.com

From: Pade, Neil [mailto:NPade@TownofCantonCT.org]
Sent: Friday, October 16, 2015 10:37 AM
To: Carlson, Michelle <mcarlson@Blcompanies.com>
Cc: Narducci, Renee <RNarducci@TownofCantonCT.org>; Anyzeski, Emily <EAnyzeski@TownofCantonCT.org>; Wallace, George <GWallace@TownofCantonCT.org>
Subject: FW: Gravity wall system for The Shoppes at Farmington Valley - review

Hi Michelle – Please see the comments from Mr. Wallace below.

I have the following:

Wetlands

- A Permit application to the IWWA will be required.

Flood Zone

- We need an explanation on why there is no LOMA from FEMA on the flood plain boundaries. Obviously a substantial amount of fill occurred augmented the boundaries which must have had some form of approval, but the flood plain boundaries shown in the plan (and by FEMA are not accurate).
- See Section 6.2.E.5 (inclusive of subsection d).
- See Section 6.2.F.4.b and e and 6.2.G.1 regarding work and value.
- We need further discussion on how to process this under the flood zone.

Zoning

- Wall elevations exceed 8'. Section 7.7.C.2.a and b require separation/ stepping and grading in-between or a special permit under 7.7.C.3 to modify these standards.
- No grading permit required under 7.5.D.1
- Section 7.6 will require erosion and sedimentation controls. Due to the significance of Jim's Brook a single line of silt fence is not sufficient, please reinforce with a row of staked hay bales, wood bark mulch berm, or a second line of silt fencing.

Thanks,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Wallace, George
Sent: Friday, October 16, 2015 9:39 AM
To: Pade, Neil
Cc: Martin, Robert; Skinner, Robert; Anyzeski, Emily; Narducci, Renee; Rich, William; Boyko, Harriet
Subject: Re: Gravity wall system for The Shoppes at Farmington Valley - review

Neil,

I have completed a preliminary review of the site plan sheet [SP-1] and the detail sheet [DN-1] for a new gravity wall system for The Shoppes AT Farmington Valley; Route 44; Canton, CT; dated 10/5/15 as prepared by BL Companies and have the following comments:

1. There were no calculations submitted for the proposed Stone Strong Gravity Wall System demonstrating the wall system's stability against overturning, sliding, bearing requirements at the toe of the wall, etc. Such calculations should be prepared by and stamped by a Professional Engineer;
2. The site plan sheet [SP-1] and the detail sheet [DN-1] for a new gravity wall system should be stamped by a Professional Engineer;
3. By item 2. above, verification that the 9" embedment of the toe of the proposed wall is sufficient when considering possible frost action;

4. Recommend the Note 1. on sheet DN-1, stating "Drain tile may be eliminated at the discretion of the site engineer", be removed from the sheet unless design calculations prepared by a Professional Engineer are submitted demonstrating the drain tile would not be needed;
5. Existing fence at top of wall should be moved out to the top of the new wall for safety of maintaining the surface between the existing and proposed walls;
6. Recommend that the excerpts from the 2003 report and corresponding mapping identifying the "net *increase* in the available 100-year compensatory flood storage volume of 7,877 CY" from the development should be submitted as background data for review with this plan;
7. An explanation of how the gravity wall system will be installed/constructed should be provided along with limits of disturbance/work area, measured from the proposed wall, for access road construction, crane staging, etc.;
8. The start of some deterioration of the gravity wall, on the opposite side of the brook that supports the access driveway, was noticed and prompted the question of whether this same system would be used on that side in the future if warranted.

Note that the review of supplemental materials requested above may warrant further comments.

Please contact me if you have any questions on any of the above.

Sincerely,

George M. Wallace, P.E.
Project Administrator
Town of Canton

(860)693-7855



PUBLISHING
DIGITAL

Order ID: 3941501

Printed: 2/2/2016 9:59:12 AM
Page 1 of 2
* Agency Commission not included

GROSS PRICE * : \$225.08

PACKAGE NAME: Legal Notice Zoned Daily

Product(s): Hartford Courant, Affidavits, MyPublicNotices.com

AdSize(s): 1 Column, , 300 X 250 Pixels

Run Date(s): Thursday, February 04, 2016, Thursday, February 11, 2016

Color Spec. BMW

Preview

**Legal Notice
Town of Canton
Planning & Zoning Commission**

The Canton Planning and Zoning Commission will hold a public hearing at a regular meeting on Wednesday, February 17, 2016 at 7:30 p.m. in Room F of the Canton Community Center, 40 Dyer Avenue, Canton, CT for the following applications:

File #193; Apn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

File #140; Apn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

#13

Legal Notice
Town of Canton
Planning & Zoning Commission

The Canton Planning and Zoning Commission will hold a public hearing at a regular meeting on Wednesday, February 17, 2016 at 7:30 p.m. in Room F of the Canton Community Center, 40 Dyer Avenue, Canton, CT for the following applications:

File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner

File #140; ApIn #1574; 175 Albany Turnpike; Assessor's Map 31; Parcel 1010175; Zone B; Special Permits, Section 4.1.C.1.a, retail and service businesses greater than 2,500 square feet; Section 4.1.C.1.f, outdoor display area; Section 7.3.G, coordinated sign theme standards; and Section 9.1.A.1, Site Plan Modification; Steven Stang, applicant/owner

File #8; ApIn #1575; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

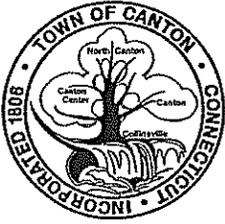
This application is on file and available for public inspection in the Land Use Office, Canton Town Hall, 4 Market Street, Collinsville, CT, telephone 860-693-7856.

Dated at Canton, Connecticut, this 2nd day of February 2016.

David Bondanza, Chairman
Philip Pane, Secretary

To be published twice in the Hartford Courant on Thursday, February 4, 2016 and Thursday, February 11, 2016.

Town of Canton Account Number: CU00254181



PLANNING & ZONING COMMISSION
Canton, Connecticut Inc. 1806
 4 Market Street, Collinsville, Connecticut 06022

COPY #12

Certified Mail #7014 3490 0002 1097 5985

February 2, 2016

Town Clerk
 Town of Avon
 60 West Main Street
 P.O. Box 578
 Avon, CT 06001

RE: **File #8; ApIn #1575;** 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; Special Permits, Section 7.7.C, retaining walls; Section 6.2, flood plain management; and Section 9.1.A.1, Site Plan Modification; request to construct a new 10 foot high gravity retaining wall along Jim Brook; W/S Peak Canton Properties, LLC c/o Denise Robidoux, applicants; W/S Peak Canton Properties, LLC c/o WS Asset Management, Inc., owners

To Whom It May Concern:

The above captioned application was received by the Town of Canton Land Use Department on January 28, 2016. As a municipal abutter within 500 feet of this property, you are hereby being notified of a public hearing that has been scheduled for Wednesday, February 17, 2016, at 7:30 p.m. in Room F of Canton's Community Center, located at 40 Dyer Avenue, Canton, CT. Enclosed you will find a copy of the application on file.

If you have any questions regarding this application or would like additional information, please contact the Town of Canton Land Use Office at (860) 693-7856.

Sincerely,

Renee Narducci

Renee Narducci,
 Land Use Coordinator

Enclosures: Application Copy for File #8; ApIn #1575

7014 3490 0002 1097 5985

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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.96

0122 03
 Postmark Here
 02/02/2016

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 Street & Apt. No., or PO Box No. P.O. Box 578
 City, State, ZIP+4 Avon, CT 06001

PS Form 3800, July 2014 See Reverse for Instructions

Renee

#11

FEB 1 2016 PM 12:45

NOTICE OF PUBLIC HEARING
LIBRARY COMMUNITY CENTER
40 DYER AVENUE
CANTON, CONNECTICUT
FEBRUARY 17, 2016
7:30 P.M

January 28, 2016

Dear Property Owner:

As owner of record of land within one hundred (100) feet of property known as "The Shoppes at Farmington Valley", 110 Albany Turnpike, Canton, CT, you are hereby notified that the Town of Canton Planning and Zoning Commission has received an application, and has subsequently scheduled a Public Hearing for the consideration of the proposed reconstruction of an existing retaining wall as it relates to a Special Permit on the site.

The Public Hearing is scheduled to be held in the Library Community Center, 40 Dyer Avenue, Canton, on Wednesday February 17, 2016. The meeting starts at 7:30 pm.

As part of the public hearing process, you have the right to appear and be heard, or you may submit written information relative to this Special Permit Application.

A copy of this application is available for your review in the Town Land Use Office in the Town Hall. Their telephone number is (860) 693-7856.

The application and this notice is being submitted by W/S Peak Canton Properties L.L.C.

CANTON TOWN HALL
LAND USE OFFICE

FEB 01 2016

DATE OF RECEIPT IN OFFICE

TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

Land Use Department
(860) 693-7856
(860) 693-7884 (fax)



Intraduction

Definitions

Residential (R)
Districts

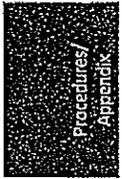
Business
Districts

Design
Districts

Other
Districts

Basic
Standards

Special
Regulations



OFFICE USE ONLY		
APPLICATION # _____	FILE # _____	FEE AMOUNT: _____
DATE SUBMITTED: _____	PAID Y / N	
APPROVED Y / N		
Zoning Official _____	Date: _____	
Comments _____		

ZONING – DEVELOPMENT APPLICATION

Address: 110 Albany Turnpike, Canton, CT

Assessor's Identification: Map#: 36/101 Lot #: 0110

Zoning District: SB

Lot Size: 124

Land Record Reference to Deed Description: Volume: 285 Page: 557

PROPERTY OWNER: W/S Peak Canton Properties, LLC PHONE: _____
c/o WS Asset Management, Inc

APPLICANT / AGENT: W/S Peak Canton Properties, LLC PHONE: 860-693-3059 ext 222
c/o Denise Robidoux

MAILING ADDRESS: 110 Albany Turnpike, Canton, CT 06019

EMAIL ADDRESS: Denise.Robidoux@WSDevelopment.com

Present Use
 Briefly describe the present use of the site
The site is currently developed as a retail shopping center.

Proposal
 Briefly describe the proposal
To construct a new gravity retaining wall in front of a failing modular block retaining wall adjacent to the Ben & Jerry's and Dish N Dat outdoor patio.

Introduction

Canton Zoning Regulations
Effective May 12, 2014

The required "CHECKLIST" has been completed by the applicant and attached? (Zoning Regulations Appendix)

No (Failure to submit the required checklist shall render the zoning application incomplete)
 Yes

Definitions

This application will be considered incomplete if any required information is not submitted.

Residential (R) Districts

If a development application involves a Zoning Regulation or Map Amendment the applicant shall submit a Town of Canton Zone Change Application. The applicant shall file a copy of any proposed regulation amendment or zone change with the Town Clerk ten (10) days prior to the hearing per Sections 8-3(a) of the Connecticut General Statutes. Certification by the Town Clerk of the filing under these sections must be presented by the Applicant at the public hearing. (See certification form attached)

Business Districts

By submitting this application, I hereby verify that all materials contained herein are true and grant permission to Town employees and Commission members to enter and view the subject site.

Design Districts

As the applicant/ owner, I hereby give Town employees and Commission members permission to enter and walk the property, which is the subject of this application, during daylight hours during the pendency of this application.

Other Districts

BEFORE SIGNING, OWNERS AND APPLICANTS PLEASE NOTE:

By signing this application, the signer represents as to the owner or applicant, whichever applies, either:

- (i) If an individual, that the signer is that individual; or
- (ii) If an entity (e.g. corporation, LLC, partnership, trust, association) that he or she is legally authorized to sign on behalf of that entity.

Basic Standards

Owner Name (please print)

Owner Signature

W/S Peak Canton Properties LLC
c/o WB Asset Management Inc

Denise Robidoux
hereunto duly authorized

Date: 1/26/16

Special Regulations

Applicant Name (please print)

Applicant Signature

W/S Peak Canton Properties LLC
c/o Denise L. Robidoux

Denise Robidoux
hereunto duly authorized

Date: 1/26/16



NOTICE TO APPLICANTS

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIRING A PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION.

NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.

THIS FORM (SIGNED AND NOTARIZED) MUST BE PRESENTED AT THE PUBLIC HEARING.

AFFIDAVIT

STATE OF CONNECTICUT

Ss:

COUNTY OF HARTFORD

I, W/S Peak Canton Properties LLC. of Canton CT.
(Applicant) (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Canton Planning & Zoning Regulations, stating that a Planning & Zoning Commission application is pending for the following property:

110 Albany Turnpike, Canton.
(Location of Property)

DATE: 1/28/16

[Signature]
(Signature of Applicant)

Emile Perker (BL Companies)
(Type or Print Name of Applicant)

Subscribed and sworn to before me this 28th day of January, 2016

[Signature]
(Notary Public)

My Commission Expires on 10/31/2017

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
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Total Postage and Fees	\$ 6.74	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$
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 City, State, ZIP+4[®] **CANTON, CT 06019**

PS Form 3800, April 2015 PSN 7530-0200-9077 See Reverse for Instructions

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Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To **HALLUM KIRSTEN**
 Street and Apt. No., or PO Box No. **35 LOVELY ST**
 City, State, ZIP+4[®] **CANTON, CT 06019**

PS Form 3800, April 2015 PSN 7530-0200-9077 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To **JASCHINSKI ERNEST H**
 Street and Apt. No., or PO Box No. **41 LOVELY ST**
 City, State, ZIP+4[®] **CANTON, CT 06019**

PS Form 3800, April 2015 PSN 7530-0200-9077 See Reverse for Instructions

7015 0640 0005 2514 1960

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Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To **SECRET LAKE ASSOCIATION**
 Street and Apt. No., or PO Box No. **151 SECRET LAKE ROAD**
 City, State, ZIP+4[®] **AVON, CT 06001**

PS Form 3800, April 2015 PSN 7530-0200-9077 See Reverse for Instructions

6617 4752 5000 040 5702

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<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To: 66 ALBANY TURNPIKE ASSOC. LLC
 Street and Apt. No., or PO Box No.: 66 ALBANY TPKE
 City, State, ZIP+4®: CANTON, CT 06019

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

6699 0250 0000 064 4702

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Postage	\$.49
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74

Sent To: VELEZ MILDRED &
 Street & Apt. No., or PO Box No.: 10 SUNRISE DRIVE
 City, State, ZIP+4®: CANTON, CT 06019

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7015 0640 0005 2514 1748

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Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To: RIZZO JANET A - EST OF
 Street and Apt. No., or PO Box No.: 9 SHARLIN DRIVE
 City, State, ZIP+4®: WEST SIMSBURY, CT 06092

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

7015 0640 0005 2514 1700

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Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To: MCKEEMAN RACHEL A
 Street and Apt. No., or PO Box No.: 31 LOVELY STREET
 City, State, ZIP+4®: CANTON, CT 06019

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To: MULLIN SCOTT P
 Street and Apt. No., or PO Box No.: 61 SECRET LAKE ROAD
 City, State, ZIP+4®: CANTON, CT 06019

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.49
Total Postage and Fees	\$ 6.74

Sent To: COURNOYER LINDA
 Street and Apt. No., or PO Box No.: 35 SECRET LAKE ROAD
 City, State, ZIP+4®: CANTON, CT 06019

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To WIS PEAK CANTON OP LLC	
Street and Apt. No., or PO Box No. 33 BOYLSTON STREET, SUITE 3000	
City, State, ZIP+4® CHESTNUT HILL, MA 02467	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

7015 0640 0005 2514 2042

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OFFICIAL USE

Certified Mail Fee \$ 3.45	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To WIS PEAK CANTON PROPERTIES LLC	
Street and Apt. No., or PO Box No. 33 BOYLSTON STREET STE 3000	
City, State, ZIP+4® CHESTNUT HILL, MA 02467	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

7015 0640 0005 2514 1762

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To JORSON RICHARD C	
Street and Apt. No., or PO Box No. 47 SECRET LAKE ROAD	
City, State, ZIP+4® CANTON, CT 06019	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

7015 0640 0005 2514 1816

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OFFICIAL USE

Certified Mail Fee \$ 3.45	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To CARTER PHILIP J &	
Street and Apt. No., or PO Box No. 38 LOVELY STREET	
City, State, ZIP+4® CANTON, CT 06019	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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Certified Mail Fee \$ 3.45	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To BERK REALTY LLC	
Street and Apt. No., or PO Box No. 60 LOVELY ST	
City, State, ZIP+4® CANTON, CT 06019	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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Certified Mail Fee \$ 3.45	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.80	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$.49	
Total Postage and Fees \$ 6.74	
Sent To JACOBS DANIEL A	
Street and Apt. No., or PO Box No. 22 LOVELY ST	
City, State, ZIP+4® CANTON, CT 06019	

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

TANGUAY MICHAEL J
77 SECRET LAKE RD
AVON, CT 06001

LAMONTAGNE THERESA A
33 LOVELY STREET
CANTON, CT 06057

DEMONSTRANTI PAUL
57 SECRET LAKE RD
CANTON, CT 06019

SECRET LAKE ASSOCIATION
151 SECRET LAKE ROAD
AVON, CT 06001

MCKEEMAN RACHEL A
31 LOVELY STREET
CANTON, CT 06019

BOGDANY JOSEPH K &
53 SECRET LAKE ROAD
CANTON, CT 06019

GALVIN COLLEEN M
73 SECRET LAKE RD
CANTON, CT 06019

MILLER BARBARA
29 LOVELY STREET
CANTON, CT 06019

JORSON RICHARD C
47 SECRET LAKE ROAD
CANTON, CT 06019

STAUDACHER DAVID A &
69 SECRET LAKE RD
CANTON, CT 06019

CHURCHILL BRUCE F
23 LOVELY ST
CANTON, CT 06019

CANTON TOWN OF
P O BOX 168
COLLINSVILLE, CT 06022

DUFFEY DAVID A
74 SECRET LAKE RD
CANTON, CT 06019

VELEZ MILDRED &
10 SUNRISE DRIVE
CANTON, CT 06019

RIZZO JANET A EST OF
9 SHARLIN DRIVE
WEST SIMSBURY, CT 06092

GARCIA CARLOS
44 LOVELY STREET
CANTON, CT 06019

W/S PEAK CANTON OP LLC
33 BOYLSTON STREET, SUITE 3000
CHESTNUT HILL, MA 02467

ROTONDO MICHELLE M
37 SECRET LAKE ROAD
CANTON, CT 06019

GARCIA CARLOS &
44 LOVELY STREET
CANTON, CT 06019

GAVIOLI DANIEL A
67 SECRET LAKE ROAD
CANTON, CT 06019

COURNOYER LINDA
35 SECRET LAKE ROAD
CANTON, CT 06019

JASCHINSKI ERNEST H
41 LOVELY ST
CANTON, CT 06019

CHMELIWSKYJ LUDMILA &
44 OAK RIDGE LANE
WEST HARTFORD, CT 06107

COURNOYER LINDA
35 SECRET LAKE ROAD
CANTON, CT 06019

THURSTON DWIGHT W
39 LOVELY ST
CANTON, CT 06019

MULLIN SCOTT P
61 SECRET LAKE ROAD
CANTON, CT 06019

COURNOYER LINDA
35 SECRET LAKE ROAD
CANTON, CT 06019

HALLUM KIRSTEN
35 LOVELY ST
CANTON, CT 06019

BRENNAN ROSEMARY E
59 SECRET LAKE ROAD
CANTON, CT 06019

ASARO ANTHONY &
27 SECRET LAKE RD
CANTON, CT 06019

8

ASARO ANTHONY &
27 SECRET LAKE RD
CANTON, CT 06019

BARTKIEWICZ DREW &
10 LOVELY ST
CANTON, CT 06019

ARMSTRONG ROBERT D
24 SECRET LAKE RD
CANTON, CT 06019

LADUKE ELIZABETH A &
4 LOVELY ST
CANTON, CT 06019

LEFRANCOIS BARBARA
18 LOVELY ST
CANTON, CT 06019

VINCENT RICHARD J
P.O. BOX 335
SIMSBURY, CT 06070

BENNE DIANA &
16 LOVELY STREET
CANTON, CT 06019

WU JEFFREY &
25 SECRET LAKE ROAD
CANTON, CT 06019

WOLMETZ BARRY J &
14 LOVELY ST
CANTON, CT 06019

W/S PEAK CANTON PROPERTIES LLC
33 BOYLSTON STREET STE 3000
CHESTNUT HILL, MA 02467

HUMPHREY JEAN A
12 LOVELY STREET
CANTON, CT 06019

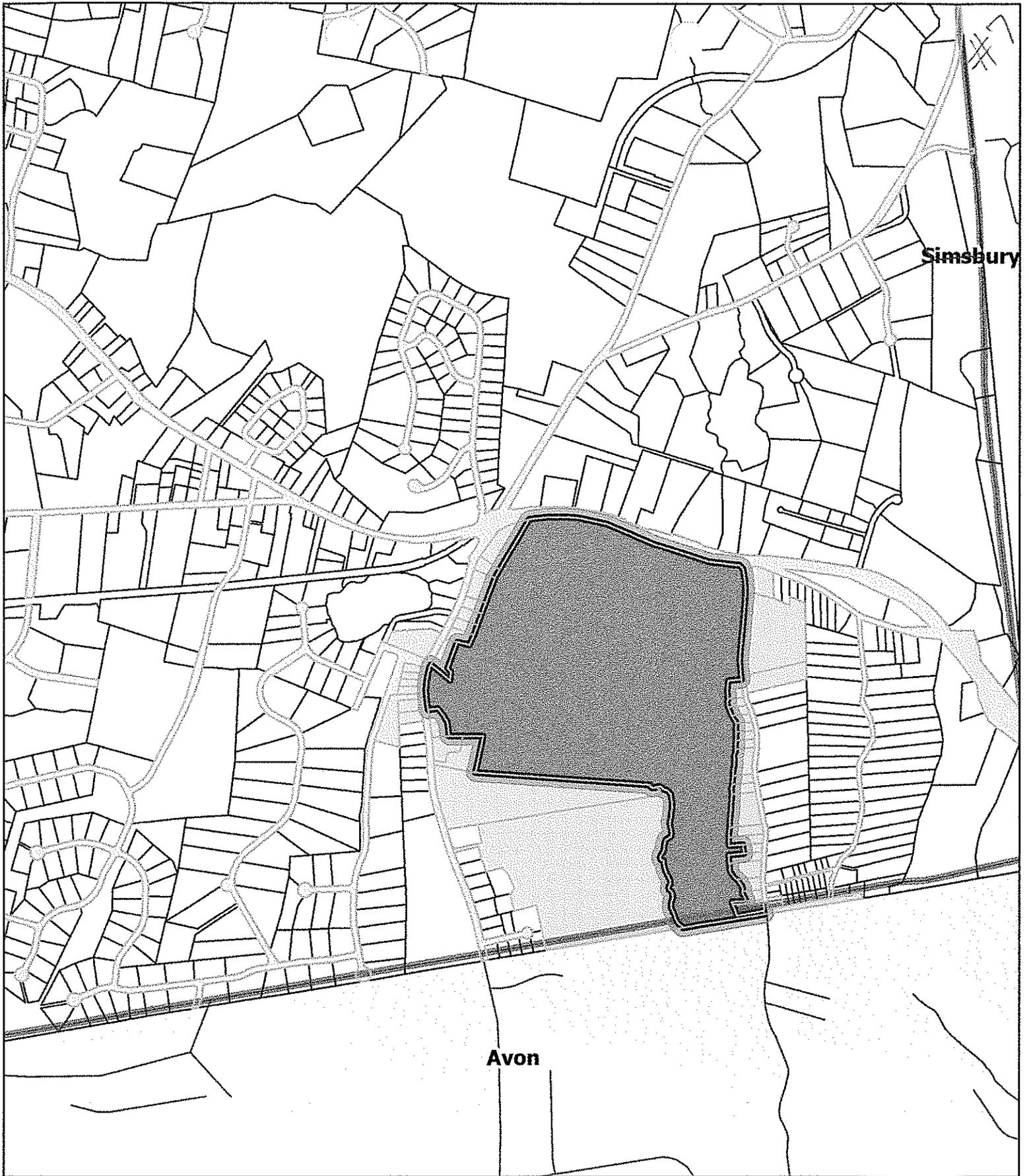
BOX FACTORY THE LLC
5 CLIMAX ROAD
AVON, CT 06001

JACOBS DANIEL A
22 LOVELY ST
CANTON, CT 06019

CARTER PHILIP J &
38 LOVELY STREET
CANTON, CT 06019

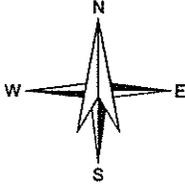
BERK REALTY LLC
60 LOVELY ST
CANTON, CT 06019

66 ALBANY TURNPIKE ASSOC. LLC
66 ALBANY TPKE
CANTON, CT 06019

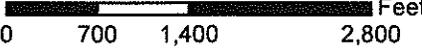


Simsbury

Avon



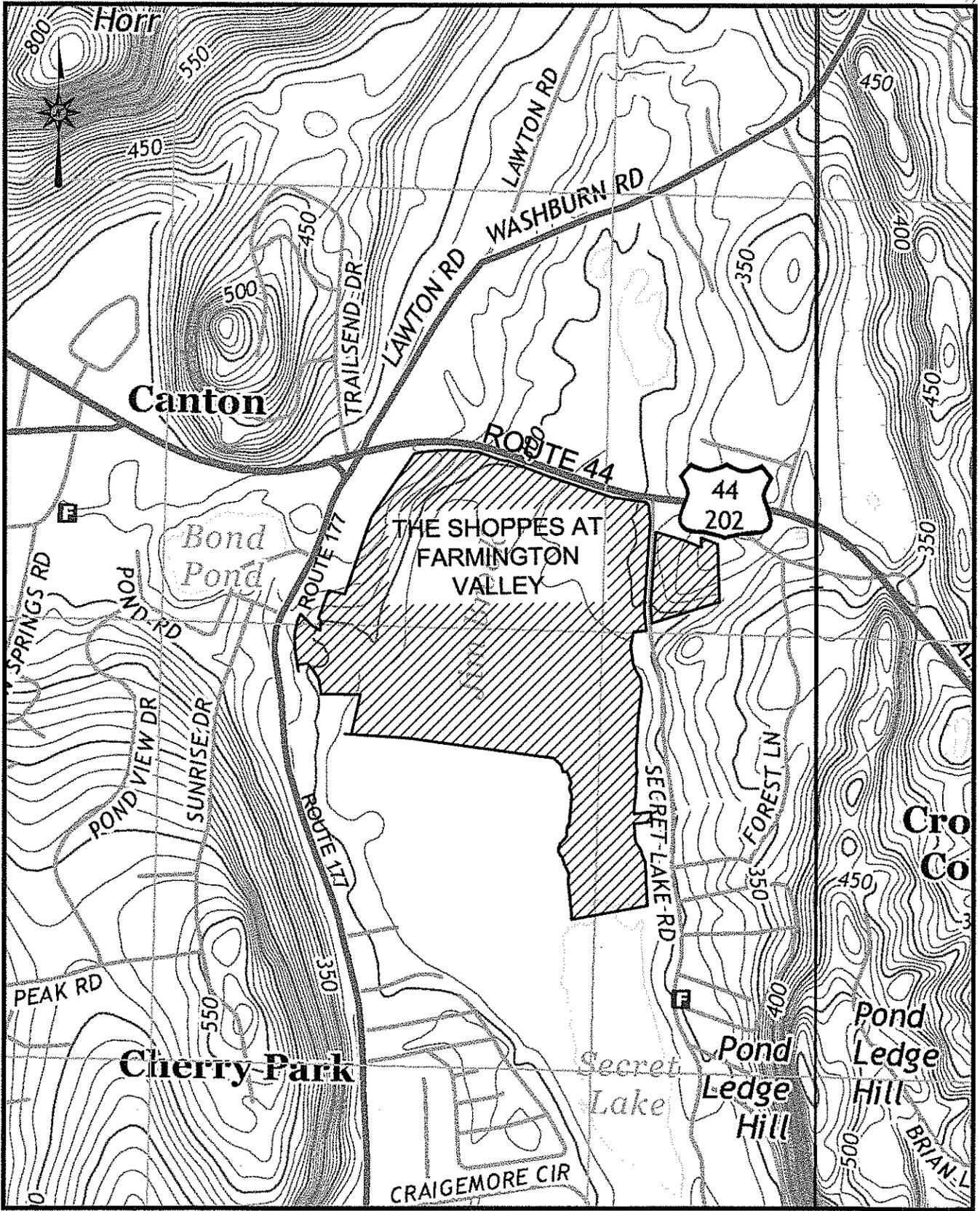
assessors



1 inch = 1,464 feet



The Town of Canton, CT shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused or any decision made or action taken or not taken by reader in reliance upon any information or data furnished hereunder.



#6



ARCHITECTURE
ENGINEERING
ENVIRONMENTAL
LAND SURVEYING

THE SHOPPES AT FARMINGTON VALLEY
ROUTE 44
CANTON, CONNECTICUT

Designed
Drawn
Checked
Approved
Scale
Project No.
Date
CAD File

E.P.
M.S.B.

1"=1000'
15D2812
11/12/2015
LOC150281201

LOC-1

Xref (s):



Architecture
Engineering
Environmental
Land Surveying

Companies

An Employee-Owned Company

#5

David Bondanza, Chairman
Planning & Zoning Commission
Town of Canton
4 Market Street
Collinsville, Ct 06022

RE: Retaining Wall Repair
The Shops at Farmington Valley
BL Project #15D2812

Dear Mr. Bondanza,

On behalf of W/S Peak Canton Properties L.L.C., we are pleased to submit application to the Town of Canton Planning and Zoning Commission for the above referenced project.

GENERAL SUMMARY OF WORK

The Shoppes at Farmington Valley, also known as The Greens at Canton, was constructed at 110 Albany Turnpike in 2003 -2004. At the time the project was reviewed by Town staff and various Town commissions and determined to be in compliance with local and State standards. Multiple retail/restaurant buildings with associated parking lots were constructed on the property. The site is located within 500 ft of the boundary of the Town of Avon.

The existing modular block retaining wall adjacent to the Ben & Jerry's and Dish N Dat has deteriorated and is in need of replacement. The Management of the center would like to have a solution that will minimize impact to the adjacent businesses and patrons. The solution that is proposed is to construct a gravity type wall placed directly in front of the deteriorating modular block wall. This will allow the patio directly above the wall to remain undisturbed during construction of the new wall. This solution will limit the amount of disturbance within the 100' upland review area as large volumes of fill will not be required to be excavated for the removal of the existing wall and construction of the replacement wall.

CONSTRUCTION

The new gravity wall, which will be approximately 10 feet tall, can be constructed in this sensitive area with the least amount of disturbance compared to the alternative, which is to remove and replace the modular block wall with a similar wall system. This gravity wall system can be constructed with a minimal amount of disturbance in front of the wall. Excavation will be limited to an area 709 s.f to construct the base for the gravity wall. Once the 9" thick stone base is placed at the bottom the Stone Strong block can be installed from above. A row of silt fence reinforced with a row of hay bales will be installed to protect Jim Brook from any sediment during construction. Installation procedures outlined in the 2002 CT Guidelines for Soil Erosion and Sediment Control will be followed.

Representatives of the wall installer have performed an initial investigation of the site including performing a small test pit at the base of the wall to determine the depth of foundation for the existing modular block wall and soil type. A flexible gravity wall system, such as the Stone Strong system, does not require a foundation to be installed down below frost depth. Specification of a 9" stone base and 9" of block embedment is all that



will be required for the construction of the wall. Detailed specifications and calculations for the gravity wall will be prepared and submitted with the building permit for approval as required.

STORMWATER MANAGEMENT

There will be minimal impact to the stormwater management system on site. Although the wall will have a footprint of 709 square feet, the Stone Strong wall system will have a pervious grass cover on top of it similar to the ground it is being installed on. The Stone Strong blocks are hollow and filled with stone which will allow stormwater to infiltrate. The wall is also equipped with a curtain drain at the top that will catch any runoff from the patio that might make its way to the wall.

Thank You,

A handwritten signature in black ink, appearing to read 'Emile Pierides', written in a cursive style.

Emile Pierides P.E.
BL Companies



An Employee-Owned Company

#4

TRANSMITTAL

DATE January 28, 2016
 ATTENTION Renee Narducci – Land Use Coordinator
 COMPANY Town of Canton
 ADDRESS 4 Market Street
 Collinsville, CT 06022
 860-693-7856
 FROM Emile Pierides
 EMAIL epierides@blcompanies.com
 PROJECT NAME The Shops at Farmington Valley
 PROJECT NUMBER 15D2812
 SUBJECT IWWA Submission

WE ARE SENDING YOU:

- Attached
- Via
- Under separate cover
- Plans
- Specifications
- Copy of letter
- Prints
- Shop drawings
- Samples
- Application for payment
- Change order
- Other _____

COPIES	DATE	NO.	DESCRIPTION
11	1/28/16	SP-1, DN-1	Site Plan and Details
11	1/28/16		Project Summary Letter
11	-		Location map
11	-		Abutters list and map
11	1/26/16		Special Permit Application form
1			Special Permit Application Checklist
1	1/26/16		\$200.00 Application fee check # 89687
1	1/26/16		\$60.00 State reporting fee check # 89686
11			Notice to abutters
11	1/28/16		Cert receipt of notices

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review & comment
- For bids due: _____
- No exceptions taken
- Furnish as corrected
- Revise & resubmit
- Rejected
- Resubmit for record
- Resubmit
- Submit
- Return
- Prints returned after loan to us
- For distribution
- Corrected prints

REMARKS: Please accept the attached as application for Special Permit Agency.

**CANTON TOWN HALL
 LAND USE OFFICE**

COPY TO: _____
 Signed: Emile Pierides

JAN 28 2016

DATE OF RECEIPT IN OFFICE

1.5. SPECIAL PERMIT APPLICATION

- 1. **Site Plan**
An approved site plan filed with the Town of Canton Town Clerk, or an application submitted for approval of a site plan in conjunction with the application for a special permit.

- 2. **Copies**
Unless otherwise specified by herein, each application shall be submitted with eleven (11) copies of the following information.

- 3. **Application Form**
A completed application form, as adopted by the Commission, bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent.

- 4. **Application Fee**
The complete application fee, as required by Chapter 248 of the Town Code. This may include additional review fees for technical expertise, engineering, and other reviews if required by the Commission.

- 5. **Notice**
Notification to parties holding restrictions may be required in accordance with the requirements of Section 9.9.K.

Pursuant to CGS Section 47-42d, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 - 1. the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 - 2. the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.

- 6. **Notice**
Notification to adjoining municipalities may be required in accordance with the requirements of Section 9.9.H.

- 7. **Notice**
Notification to water companies may be required in accordance with the requirements of Section 9.9.J.

Introduction

Definitions

Residential (R)
Districts

Business
Districts

Design
Districts

Other
Districts

Basic
Standards

Special
Regulations

8. Notice

For every special permit application the Commission shall:

1. hold a public hearing on the special permit application; and
2. publish a legal notice in accordance with the requirements of Section 9.9.E of these regulations.

9. Notice

The applicant shall give notice by the posting of a sign in accordance with Section 9.9.F.

10. Notice

The applicant shall give notice to abutting property owners in accordance with Section 9.9.G of these regulations.

11. Uses Proposed

A statement describing in detail the proposed use or uses.

12. Site Plan

Copies of detailed maps and plans as required under Checklist "C. Site Plan Application":

13. Traffic

For any proposed non-residential development containing a gross floor area of ten thousand (10,000) square feet or more, any intersection that would have 100 or more vehicles trips in a peak hour, or for any development which, in the Commission's judgment, could generate high levels of traffic, exacerbate existing traffic conditions, or create a traffic safety issue, the applicant shall provide a traffic impact analysis, in accordance with the Institute Of Transportation Engineers requirements for traffic impact studies. Such analysis shall evaluate traffic generated by a proposed development and its probable impact on existing roads and intersections in the area in accordance with Section 7.8.B and shall include the following:

- 13.1. existing and projected traffic volumes (average daily traffic, peak A.M. and P.M.) and peak hour traffic generation,
- 13.2. past and present roadway conditions including location and number of accidents;
- 13.3. existing roadway capacity; volume & capacity ratios;
- 13.4. proposed sight lines;
- 13.5. location of existing and proposed curb cuts, traffic lights and intersections at the development site and within three hundred (300) feet from the development site,
- 13.6. traffic impact of proposed development, including but not limited to, the effect of the proposed development on traffic conditions on abutting streets and any nearby intersections that would have 100 or more vehicle trips in a peak hour;

Procedures/
Appendix

- 13.7. the patterns of vehicular circulation in relation to the adjoining street system;
- 13.8. adequacy of:
 - 1. right-of-way and travel way;
 - 2. traffic signalization, traffic channelization, left-turn lanes and roadway widths of adjoining streets;
 - 3. vehicular stacking lanes and/or distances;
 - 4. pedestrian drop-off areas; and
 - 5. other traffic or transportation facilities to accommodate the proposed development.
- 13.9. recommendations for safe pedestrian, bicycle, and vehicular circulation.
- 13.10. where applicable, the applicant shall include the written recommendations of the Connecticut Department of Transportation, the Canton Traffic Authority, and the Commission's engineer.
- 13.11. whether a significant traffic impact will occur as identified under Section 7.8.B.4
- 14. If a multi-family development, fifteen (15) copies of a report of the proposal including:
 - 14.1. Number of units proposed and breakdown of dwelling unit types;
 - 14.2. The density of the proposed development (units per gross acre);
 - 14.3. Acreage in buildings and parking and acreage in open space
 - 14.4. Anticipated number of people and number of school age children per unit
 - 14.5. Projected dwelling unit floor areas
 - 14.6. A draft of proposed covenants and restrictions
- 15. **Traffic**

Comments from the Local Traffic Authority.

Copy of approval of the Office of the State Traffic Administration.
- 16. **Staging**

A statement describing the proposed staging if the development is to be constructed over a period of years.

Introduction

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Districts

Design
Districts

Other
Districts

Basic
Standards

Special
Regulations

- 17. **Fire**
A report from the Canton Fire Marshal commenting and/or recommending on fire protection provisions affecting the development or nearby properties.
- 18. **Topo/ Drainage**
In cases where unusual topographic, drainage or other conditions exist, the Commission may require the submission of additional data pertinent to their review.
- 19. **DRT**
A report from the Design Review Team on the site plan, site illumination, landscaping, and architectural design of all buildings, signs, and other structures.
- 20. **Construction Schedule**
A narrative describing construction stages and manner in which the application complies with the requirements for erosion and sedimentation control prescribed under these Regulations
- 21. **Special Permit Criteria**
A narrative describing compliance with the Special Permit Criteria of Section 9.2.E
- 22. **Additional Information**
Any other information which in the Commission's judgment will assist in evaluating the proposal.

Procedures/
Appendix

89687

Citizens Bank

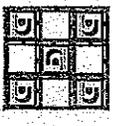
BL COMPANIES, INC.
355 RESEARCH PARKWAY
MERIDEN, CT 06450
PH. 203-630-1406

51-7011/2111

CHECK DATE January 21, 2016

PAY Two Hundred and 00/100 Dollars
TO Town of Canton

AMOUNT \$200.00



AUTHORIZED SIGNATURE

[Handwritten Signature]

⑈089687⑈ ⑆222014082⑈

Security Features. Details on back.

89686

Citizens Bank

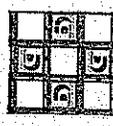
BL COMPANIES, INC.
355 RESEARCH PARKWAY
MERIDEN, CT 06450
PH. 203-630-1406

51-7011/2111

CHECK DATE January 21, 2016

PAY Sixty and 00/100 Dollars
TO Town of Canton

AMOUNT \$60.00



AUTHORIZED SIGNATURE

[Handwritten Signature]

⑈089686⑈ ⑆222014082⑈

Security Features. Details on back.

#2

#1

Canton Zoning Regulations
Effective May 12, 2014

TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

CANTON TOWN HALL LAND USE OFFICE

JAN 28 2016



Land Use Department **DATE OF RECEIPT IN OFFICE**
(860) 693-7856
(860) 693-7884 (fax)

Introduction
Definitions
Residential (R) Districts
Business Districts
Design Districts
Other Districts
Basic Standards
Special Regulations
Procedures/Appendix

OFFICE USE ONLY	
APPLICATION # <u>1575</u>	FILE # <u>8</u> FEE AMOUNT: <u>\$260.00</u>
DATE SUBMITTED: <u>1/28/16</u>	PAID <input checked="" type="radio"/> Y <input type="radio"/> N
APPROVED Y / N	
Zoning Official _____	Date: _____
Comments _____	

ZONING – DEVELOPMENT APPLICATION

Address: 110 Albany Turnpike, Canton, CT

Assessor's Identification: Map#: 36/101 Lot #: 0110

Zoning District: SB

Lot Size: 124

Land Record Reference to Deed Description: Volume: 285 Page: 557

PROPERTY OWNER: W/S Peak Canton Properties, LLC PHONE: _____

c/o WS Asset Management, Inc.

APPLICANT / AGENT: W/S Peak Canton Properties, LLC PHONE: 860-693-3059 ext 222

c/o Denise Robidoux

MAILING ADDRESS: 110 Albany Turnpike, Canton, CT 06019

EMAIL ADDRESS: Denise.Robidoux@WSDevelopment.com

Present Use

Briefly describe the present use of the site

The site is currently developed as a retail shopping center.

Proposal

Briefly describe the proposal

To construct a new gravity retaining wall in front of a failing modular block retaining wall adjacent to the Ben & Jerry's and Dish N Dat outdoor patio.

Introduction
 Definitions
 Residential (R)
 Districts
 Business
 Districts
 Design
 Districts
 Other
 Districts
 Basic
 Standards
 Special
 Regulations

Type of Application and Required Fee	Amount Included
<input checked="" type="checkbox"/> Special Exceptions	\$200 for first and \$75 for each additional special permit/exception \$200.00
<input type="checkbox"/> Detailed Site Plan Non-residential (new construction or expansion)	\$200 up to 2,000 sq. ft and \$30 for each additional 1,000 sq. ft. of floor area.
<input type="checkbox"/> Detailed Site Plan Residential (new construction or expansion)	\$200 up to four (4) dwellings; \$30 each additional dwelling over four units.
<input type="checkbox"/> Any application to modify plans previously approved and not considered to be new construction or expansion of a residential or nonresidential use/area	Fee equal to 50% of the original filing fee.
<input type="checkbox"/> Excavation and Grading Permit	\$200 plus \$75 per acre of disturbed area or portion thereof
<input type="checkbox"/> Soil and Erosion Control Plan Certification	All applications requiring a soil and erosion control plan certification may require an additional fee required by and paid to the North Central Soil Conservation District.
<input checked="" type="checkbox"/> All applications require an additional \$60 State Fee	\$60.00
<input type="checkbox"/> Additional Fees	The Commission may require additional fees in accordance with Town Ordinance Chapter #248

TOTAL FEE \$ \$260.00

Cite the Section(s) and written description of the Zoning Regulations under which you are applying (only those items specifically identified on this application will be included in the public notice and application proceedings):

Section # 7.7.C Regulatory Language: Retaining Walls
 Section # 6.2 Regulatory Language: Flood Management
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____
 Section # _____ Regulatory Language: _____

Is any portion of the site within 500 feet of an adjoining town? (See Town of Canton Zoning Map available at Town of Canton Land Use Office)

- Avon
- Barkhamsted
- Burlington
- Granby
- New Hartford
- Simsbury



Introduction

Canton Zoning Regulations
Effective May 12, 2014

The required "CHECKLIST" has been completed by the applicant and attached? (Zoning Regulations Appendix)

No (Failure to submit the required checklist shall render the zoning application incomplete)
 Yes

Definitions

This application will be considered incomplete if any required information is not submitted.

Residential (R) Districts

If a development application involves a Zoning Regulation or Map Amendment the applicant shall submit a Town of Canton Zone Change Application. The applicant shall file a copy of any proposed **regulation amendment or zone change** with the Town Clerk ten (10) days prior to the hearing per Sections 8-3(a) of the Connecticut General Statutes. Certification by the Town Clerk of the filing under these sections must be presented by the Applicant at the public hearing. (See certification form attached)

Business Districts

By submitting this application, I hereby verify that all materials contained herein are true and grant permission to Town employees and Commission members to enter and view the subject site.

Design Districts

As the applicant/ owner, I hereby give Town employees and Commission members permission to enter and walk the property, which is the subject of this application, during daylight hours during the pendency of this application.

BEFORE SIGNING, OWNERS AND APPLICANTS PLEASE NOTE:

By signing this application, the signer represents as to the owner or applicant, whichever applies, either:

- (i) if an individual, that the signer is that individual; or
- (ii) if an entity (e.g. corporation, LLC, partnership, trust, association) that he or she is legally authorized to sign on behalf of that entity.

Other Districts

Basic Standards

Owner Name (please print)

Owner Signature

W/S Peak Canton Properties LLC
c/o WB Asset Management Inc

Denise Robidoux
hereunto duly authorized

Date: 1/26/16

Special Regulations

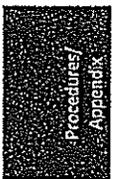
Applicant Name (please print)

Applicant Signature

W/S Peak Canton Properties LLC
c/o Denise L. Robidoux

Denise Robidoux
hereunto duly authorized

Date: 1/26/16





REVISIONS
No. Date Desc.
1. 11/12/15 SUBMISSION TO IWMA
2. 1/28/16 IWMA CONDITIONS OF APPROVAL AND SPECIAL PERMIT APPLICATION

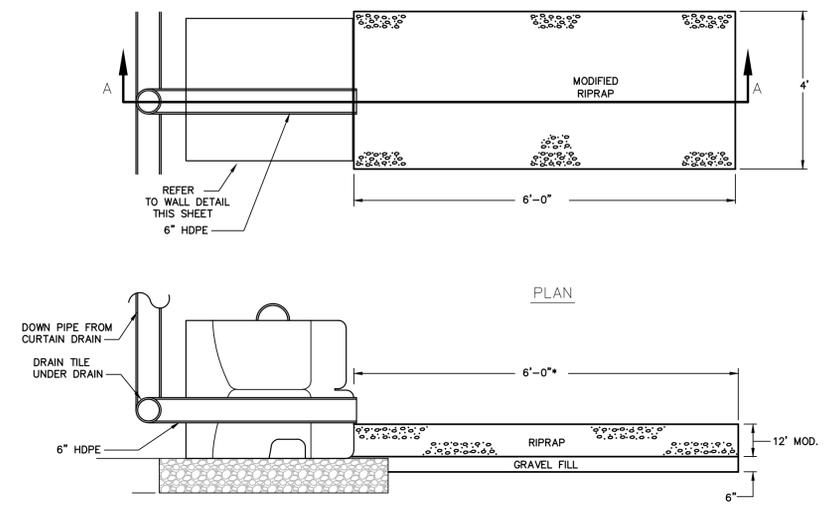
Designed E.C.P.
Drawn E.C.P.
Checked
Approved NTS
Scale
Project No. 1502812
Date 10/05/15
CAD File: DN150281201

Title
DETAIL SHEET

Sheet No.

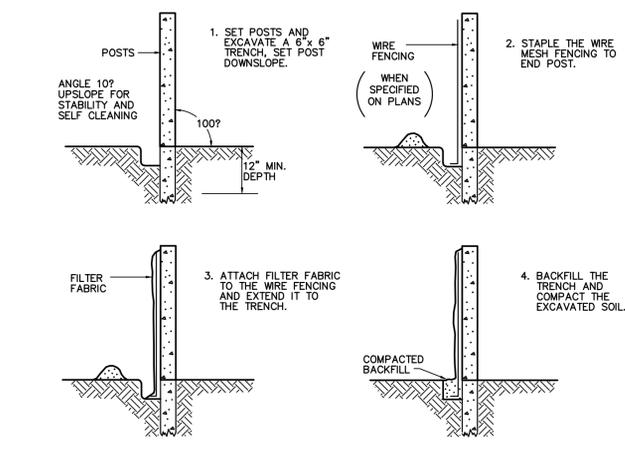
DN-1

Xref (G)



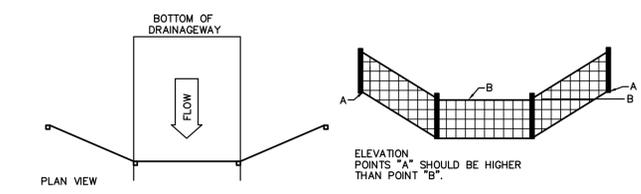
SECTION A-A
SPLASH PAD

N.T.S.



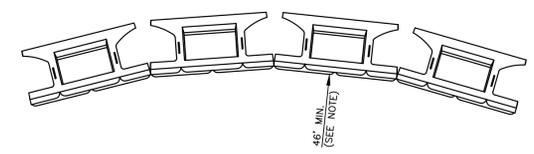
SYNTHETIC FILTER BARRIER WITH WIRE FENCING

N.T.S. ZEC-006



SEDIMENTATION CONTROL BARRIER WITH HAY BALE BARRIER

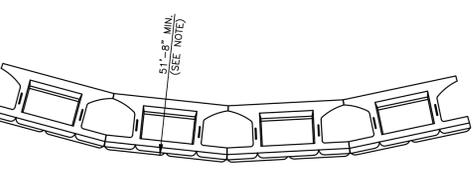
N.T.S. ZEC-003



Minimum Concave Radius		
Wall Height (ft)	Total # of Courses	Reqd. Radius at Top Course
6	2	46' 4"
9	3	46' 8"
12	4	47' 0"
15	5	47' 4"
18	6	47' 8"
21	7	48' 0"
24	8	48' 4"

NOTE: MINIMUM RADIUS OCCURS AT LOWEST COURSE. RADIUS INCREASES 4" PER COURSE ABOVE, AS SHOWN ON TABLE.

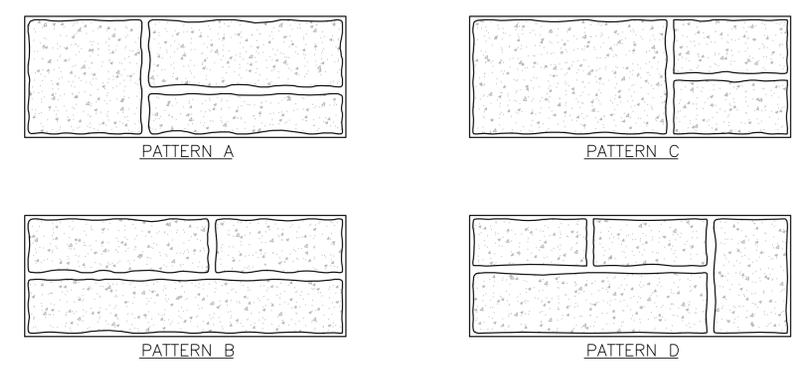
MINIMUM CONCAVE RADIUS-24SF UNITS



Minimum Convex Radius		
Wall Height (ft)	Total # of Courses	Reqd. Radius at First Course
6	2	52' 0"
9	3	52' 4"
12	4	52' 8"
15	5	53' 0"
18	6	53' 4"
21	7	53' 8"
24	8	54' 0"

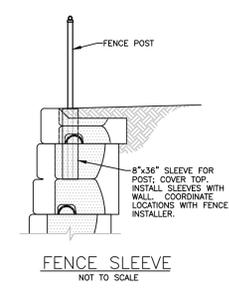
NOTE: MINIMUM RADIUS OCCURS AT TOP COURSE. REQUIRED RADIUS INCREASES 4" PER COURSE BELOW, AS SHOWN ON TABLE.

MINIMUM CONVEX RADIUS-24SF UNITS



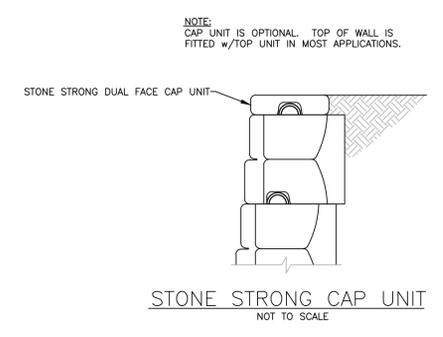
STONE STRONG FRACTURED LEDGE FACE PATTERNS

NOT TO SCALE



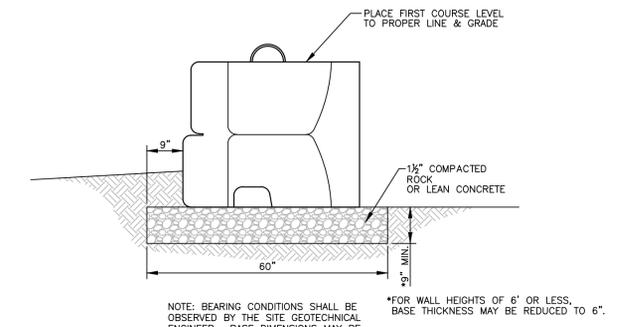
FENCE SLEEVE

NOT TO SCALE



STONE STRONG CAP UNIT

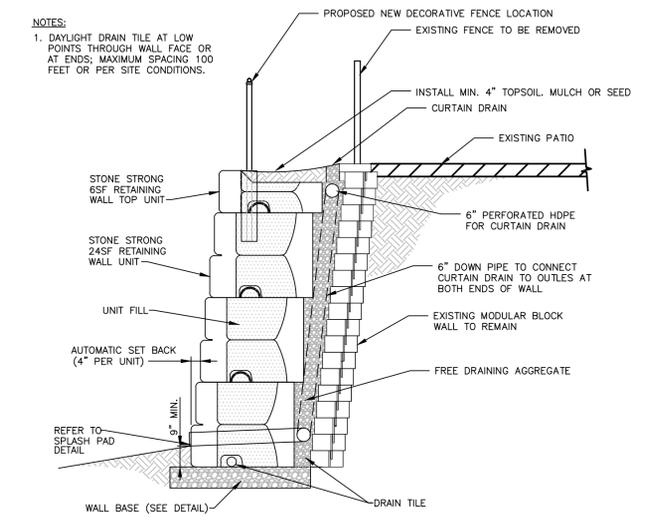
NOT TO SCALE



24SF WALL BASE

NOT TO SCALE

NOTE: BEARING CONDITIONS SHALL BE OBSERVED BY THE SITE GEOTECHNICAL ENGINEER. BASE DIMENSIONS MAY BE INCREASED TO ADDRESS DEFICIENT SOIL BEARING CONDITIONS.
*FOR WALL HEIGHTS OF 6' OR LESS, BASE THICKNESS MAY BE REDUCED TO 6".



GRAVITY WALL CROSS SECTION

NOT TO SCALE

NOTES:
1. DAYLIGHT DRAIN TILE AT LOW POINTS THROUGH WALL FACE OR AT ENDS; MAXIMUM SPACING 100 FEET OR PER SITE CONDITIONS.

Exhibit List for:

File #543; 169 and 177 Robin Drive; Assessor's Map 7; Parcels 4580169 & 4580177; Zone R3; Lot Line Revision; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner

List as of February 3, 2016

List of Drawings

1. Sheet 1; Lot Line Revision; 169 and 177 Robin Drive; Prepared by Alford Associates, Inc.; Prepared for Bing and Robin Murphy; dated March 19, 2014

Correspondence:

1. Town of Canton – Zoning Development Application for File #543; 169 and 177 Robin Drive; Assessor's Map 7; Parcels 4580169 & 4580177; Zone R3; Lot Line Revision; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner
2. Copy of payment; check #21172
3. Copy of the approval letter for Referral #400; regarding the request to release an easement for a temporary cul-de-sac located on Robin Drive; dated 6/30/14
4. Copy of the approval letter for File #543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Resubdivision/Modification of Lot Lines/Release of easement for a temporary cul-de-sac; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner; dated 7/22/14
5. Memo from the FVHD to Neil Pade regarding sewage disposal capabilities at 169 Robin Drive; dated 9/11/14

AVON
BARHAMSTED
CANTON
COLEBROOK
EAST GRANBY
FARMINGTON
GRANBY
HARTLAND
NEW HARTFORD
SIMSBURY



FARMINGTON VALLEY HEALTH DISTRICT

95 River Road, Suite C, Canton, CT 06019 PHONE (860) 352-2333 FAX (860) 352-2542

EX 5

MEMO

Date: September 11, 2014

To: Neil Pade, Director of Planning & Comm. Dev.
Town of Canton

From: Dianne Harding, Chief Sanitarian
FVHD

RE: Bing and Robin Murphy
Lot line revision of Lots 2 & 3 Robin Drive
177 & 169 Robin Drive, Canton, Ct.

Plan Date: March 19, 2014
Revisions: 5-20-14, 6-17-14 & 8-28-14

CANTON TOWN HALL
LAND USE OFFICE
SEP 11 2014
DATE OF RECEIPT IN OFFICE

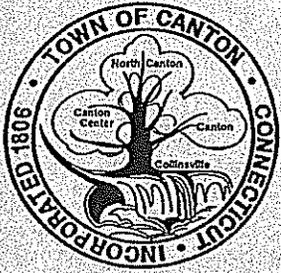
The above referenced plan as prepared by Wilson M. Alford, Jr., P.E. along with the accompanying soil test data shows that (lot 3)169 Robin Drive is capable of supporting the installation of a subsurface sewage disposal system that meets the minimum requirements of the CT. Public Health Code. At the time of site development the professionally engineered plans will include the installation of select sand fill material because of a shallow restrictive layer. A suitable well location has also been proposed.

Although no additional soil testing was conducted on the lot with the existing house located at (lot 2) 177 Robin Drive, the "swap" of the small amount of land in the eastern corner of the site does not detract from any future septic system replacement. When a "repair" is needed, the site evaluation will include soil tests downhill of the house. Hopefully a shallow percolation test in the "b" horizon may yield a more favorable result than the deeper one done in 1978 when the subdivision was developed.

Please call me if you have any concerns and/or questions.

CC- Murphy
Alford Assoc.

EX 4



PLANNING & ZONING COMMISSION
Canton, Connecticut Inc. 1806
4 Market Street, Collinsville, Connecticut 06022

PLANNING & ZONING COMMISSION APPROVAL
FILE# 543, 177 ROBIN DRIVE
EFFECTIVE AUGUST 5, 2014

Certified Mail: # 7011 2970 0003 5903 6506

July 22, 2014

Alford Associates, Inc.
P.O. Box 484
Windsor, CT 06095

Re: **File #543**; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Resubdivision/Modification of Lot Lines/Release an easement for a temporary cul-de-sac; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner.

Dear Mr. Alford:

Please be advised that at a regular meeting on Wednesday, July 16, 2014, the Canton Planning & Zoning Commission voted to approve the above referenced item.

MOTION: by Jonathan Thiesse as follows:

The Canton Planning and Zoning Commission does hereby **APPROVE** File #543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Resubdivision/Modification of Lot Lines/Release an easement for a temporary cul-de-sac; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner.

This approval is granted in accordance with plans entitled:

1. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date June 17, 2014
and such revisions to said plans as may be required by this approval;

In addition to the above-referenced plans, this approval is granted in accordance with the following documentation submitted by the applicant, or otherwise submitted to the Commission:

Drawings

1. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Dated March 19, 2014

2. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date May 20, 2014
3. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Received May 21, 2014
4. Lots 2 & 3, Robin Estates; Prepared for James Hudson; Prepared by Alford Associates, Inc.; Revised Date for Addition Added, December 7, 1987
5. Lot Line revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date June 17, 2014

Correspondence

1. Town of Canton Planning & Zoning-Development Application for File # 543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Subdivision Modification of Lot Lines; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner. Submitted May 1, 2014.
2. Copy of check #306
3. Assessor's Property Card for #4580177
4. Property Deed
5. Map #1311 from Town Clerk's Office
6. Email from Neil Pade to Lynn Charest; Dated May 15, 2014
7. Email from Marjorie Begin to Neil Pade; Dated May 20, 2014
8. Email from Roland Klee to Harriet Boyko and Bing Murphy; Dated January 15, 2014
9. Town of Canton Building Permit Application; Dated December 10, 1987
10. Email from Lynn Charest to Skip Alford; Dated June 4, 2014
11. Email from Kerry Kazlauskas to Neil Pade; BOS Release of Easement; Dated June 2, 2014
12. Legal Notice
13. Affidavit of Public Information Sign; Dated June 5, 2014
14. Canton Subdivision Regulations; Section 126
15. Draft Minutes from June 18, 2014
16. Legal Notice of Decision
17. Email from Neil Pade to Lynn Charest; Dated May 7, 2014
18. PZC Approval Letter for Referral #400; Dated June 30, 2014
19. Legal Notice
20. Email from Lynn Charest to Marjorie Begin; Dated June 30, 2014
21. FVHD Approval for Robin Estates; Dated January 4, 1979
22. Email from Diane Harding to Lynn Charest; Dated July 10, 2014
23. Email from Lynn Charest to Marjorie Begin; Dated July 9, 2014
24. Email from George Wallace to Neil Pade; Dated July 9, 2014
25. Staff Report; Dated July 9, 2014
26. Appendix A; Subdivision Checklist
27. Appendix B; Subdivision Checklist

This approval is granted based on the following findings:

1. The proposed Resubdivision, as modified by this approval, complies with the Town of Canton subdivision and zoning regulations;
2. The Commission finds that the proposed resubdivision is not in conflict with the Town of Canton Plan of Conservation and Development; and

3. The Commission finds the land can be used for building purposes without danger to the public health and safety.

This approval is effective August 5, 2014 and upon the recording of the final Mylar's as required below with the town clerk.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on Mylar, **bear all the conditions of all land use commissions**, and stamped "APPROVED" and signed by the Planning and Zoning Commission (PZC) on a Town approved signature block. Said plans shall be filed by the applicant with the Town Planner and Town Clerk by November 1, 2014, which is within 90 days of the effective date (anticipated expiration of the appeal period); The applicant/ developer must provide one (1) fixed line Mylar, and two (2) paper copies of each approved plan for signature by the Chairman and /or Secretary. Maps to be filed on the land records of the Town Clerk must meet the following standards:

Must be produced by 1) wash-off photographic polyester film, 2) fixed line photographic polyester film, 3) original ink drawing on polyester film or linen; the process used must be certified by a stamp in red indelible ink, 1" x 2", and include name of producer and process used. Polyester films ("Mylar") must be matte on at least one side. Maps shall be 24" x 36".

2. The above referenced plans shall be modified, prior to the recording of Mylars, to include:
 - a. The location of wells and septic systems on surrounding developed properties will be added to the plans;
 - b. The schematic layout of lot 3 will be modified as necessary to maintain an acceptable layout based on well and septic location of adjacent properties;
 - c. Update soil test hole data will be submitted to the FVHD for review and approval in the area of the proposed septic system;
 - d. A check should be made that the proposed septic system sizing is based on present day standards and not based on those standards that were in effect at the time of the original subdivision. Approval blocks to be added to the plans;
 - e. Updated Lot/ Assessor ID numbers will be added to the plans as part of the mylar submission;
 - f. Proposed erosion and stormwater controls, subject to the review and approval of staff;
 - g. A-2 Certification;
3. All required deed restrictions, transfers, and/ or transactions shall be filed on the Town Land Records in accordance with the terms and conditions of this approval;
4. All necessary approvals and permits must be obtained from the Farmington Valley Health District prior to the commencement of any site activities;
5. Building Permits may be obtained only if stipulations # 1,2, 3, 4, 5, 6, 7, 8 and 9 are met;

6. All work in connection with this subdivision shall be completed within five years after the approval of the plan, or July 16, 2019 per Sections 8-26c(c), of the Connecticut General Statutes;
7. The applicant shall comply with Chapter 375-34 of the Town of Canton Town Code, Streets and Sidewalks Permit Required;
8. The approved lot line, shall be pinned as shown on the approved plans
9. A certified as-built plot plan prepared to A-2 standards shall be submitted to the Canton Zoning Enforcement Officer subject to the requirements of Section 72 of the Zoning Regulations and Section 250 of the Subdivision Regulations (SR);
10. Utilities shall be installed in accordance with SR Section 323;
11. Any Town streets, roads, sidewalks, curbs or other public components damaged due to construction activities are to be repaired or replaced, if required in the opinion of the Project Administrator or Director of Public Works;
12. A contribution to the Open Space Purchasing Fund IS NOT required;
13. This approval shall be binding upon the applicant / developer, heirs, assigns, and grantees.

SECONDED: By Jonathan Thiesse.

VOTE: Passes unanimously.

This approval is effective August 5, 2014 (20 Days from the date of approval) and **UPON THE RECORDING OF AN APPROVAL LETTER WITH THE TOWN CLERK.** Please note that a fee is required for all filings.

The Notice of Decision will appear in the Hartford Courant on Tuesday, July 22, 2014. Should you have any questions, please feel free to contact this office at 860-693-7891.

Sincerely,

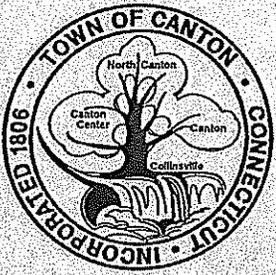
Neil S. Pade
 Neil S. Pade, AICP
 Director of Planning

CC: Robin Downe
 Roland Klee,
 Canton Building

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <i>Christian Alford</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Alford Associates, Inc. P.O. Box 484 Windsor, CT 06095 (Land use)		B. Received by (Printed Name) <i>Christian Alford</i>	C. Date of Delivery 7-23-2014
		D. Is delivery address different from item 1? If YES, enter delivery address below:	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee)	
		<input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7011 2970 0003 5903 6506	
File #543; 177 Robin Drive; R		Domestic Return Receipt PS Form 3811, February 2004 See Reverse for Instructions	

102595-02-M-1540

PS Form 3800, August 2006



PLANNING & ZONING COMMISSION
Canton, Connecticut Inc. 1806

4 Market Street, Collinsville, Connecticut 06022

EX-3

PLANNING & ZONING COMMISSION APPROVAL AND CERTIFICATE OF ACTION
FILE# 109; APLN# 1442, 130 DOWD AVENUE
EFFECTIVE JULY 8, 2014

Certified Mail: # 7013 1090 0002 0671 8627

June 30, 2014

Alford Associates, Inc.
 P.O. Box 484
 Windsor, CT 06095

RE: Referral #400; Connecticut General Statute Section 8-24 Review and Report for Request to release an easement for a temporary cul-de-sac located on Robin Drive to the abutting land owner Robin Downey-Murphy.

Dear Mr. Alford,

Please be advised that at a regular meeting on Wednesday, June 18, 2014, the Canton Planning & Zoning Commission voted to approve the above referenced item.

MOTION: By Chairman Bondanza makes motion to make a positive recommendation to the Board of Selectmen to release an easement on the temporary cul-de-sac located on Robin Drive to the abutting land owner Robin Downey-Murphy, and the Planning & Zoning Commission has reviewed and considered an easement and the potential paper street as there is no potential for the street to be built or would serve a public purpose and the release of the easement would be favorable.

SECONDED: by M

VOTE: Passes una

The Notice of Decision will
 you have any questions, pl

Sincerely,

Neil S. Pade
 Neil S. Pade, AICP
 Director of Planning & Com

SENDER: COMPLETE		U.S. Postal Service™		CERTIFIED MAIL™ RECEIPT		Agent	
<ul style="list-style-type: none"> Complete items 1, 2, & item 4 if Restricted Delivery Print your name and address so that we can return this card to the sender or on the front if space permits 		(Domestic Mail Only; No Insurance Coverage Provided)		For delivery information visit our website at www.usps.com		Addresssee	
1. Article Addressed to: ALFORD ASSOCIATES P.O. BOX 484 WINDSOR, CT 06095		OFFICIAL USE COLLINSVILLE, CT 06022 JUN 23 2014 Postmark Here		Yes No		of Delivery	
2. Article Number (Transfer from service label)		Postage \$ _____ Certified Fee \$ _____ Return Receipt Fee (Endorsement Required) \$ _____ Restricted Delivery Fee (Endorsement Required) \$ _____ Total Postage & Fees \$ _____		Sent To ALFORD ASSOCIATES, INC Street, Apt. No., or PO Box No. P.O. BOX 484 City, State, ZIP+4 WINDSOR, CT 06095		Merchandise <input type="checkbox"/> Yes <input type="checkbox"/> No	
PS Form 3811, February 2004		Domestic Return Receipt		See Reverse for Instructions		102595-02-M-1540	

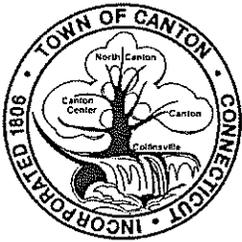
EX-1

For Office Use
Only:

File No. 543 Application No. n/a
Date Submitted 1/13/16 Date Received by Commission

CANTON TOWN HALL
LAND USE OFFICE

JAN 13 2016



LAND USE OFFICE

Canton, Connecticut INC. 1806

DATE OF RECEIPT IN OFFICE

4 Market Street, Canton, Connecticut 06019

PLANNING/ SUBDIVISION – DEVELOPMENT APPLICATION

1. Address: 177 Robin Drive (Lots 2 & 3 "Robin Estates" Subdivision)
2. Assessor's Identification: Map#: 5-12 Lot #: 41
3. Zoning District: AR-3
4. Lot Size: 4.15 (Area in acres/ Square Feet if less than 2 acres))
5. Land Record Reference to Deed Description: Volume: 213 Page: 36

6. Applicant:

Name: Alford Associates, Inc., Wilson M. Alford, Jr.
 Address: P.O. Box 484
 City: Windsor State: CT Zip Code: 06095
 Daytime Phone: 860-688-7288 E-mail: skipalford@snet.net
 Fax: 860-688-3485

7. Property Owner:

Name: Robin Downey-Murphy
 Address: 177 Robin Drive
 City: Canton State: CT Zip Code: 06019
 Daytime Phone: 860-693-2194 E-mail: Robinbing@aol.com Fax: 860-657-9217

8. Primary Contact Person: Wilson "Skip" Alford, Alford Associates, Inc.

Daytime Phone: 860-688-7288 E-mail: skipalford@snet.net Fax: 860-688-3485
 ext. 11

9. Present Use

Briefly describe the present use of the site

A single family home, detached garage (barn) and related improvements

10. Subdivision Information

a. Briefly describe the proposal (Including Subdivision Title)

Lots 2 and 3 are owned by the same owner. A lot line revision is needed to have the the existing house and related improvements to be on Lot 2 and allow for development of Lot 3. On July 16, 2014, the Canton Planning and Zoning Commission approved a Resubdivision/Modification of the lot lines and release of an easement for a temporary cul-de-sac. Inadvertently, mylars of the approved plan were not filed with the Town Planner and the Town Clerk within the required time period. A reapproval, of the same, is being requested.

Adopted by the Planning Commission on February 8, 2010

S:\LandUse\Archives\Planning\Planning Development App 2_8_10.doc

b. Number of Lots Proposed Existing: 2 lots Proposed: 2 lots

c. Average Lot Size Lot 2 = 2.02 acres Lot 3 = 2.13 acres

d. General Description of Public or Private Infrastructure Proposed

The two (2) lots are located on existing public streets.

There is no additional infrastructure proposed.

11. Open Space – (Please Check One) Not applicable

 Dedication of Open Space Land

 Fee in Lieu of Dedication

 Open Space Not Required (See Subdivision Regulation Section 316)

12. Type of Application and Required Fee		Amount Included
<u> </u> Subdivision and Resubdivision	\$250 per lot proposed on existing public or private streets \$300 per lot proposed on new public or private streets (not including open space lots)	<u> </u>
<input checked="" type="checkbox"/> Subdivision Modifications (Including Lot Line Revisions)	Any modifications to an approved subdivision or resubdivision shall be accompanied by a filing fee according to the following schedule: If over 50% of the Lots are affected, the fee shall be 50% of the current filing fee; If between 25% to 50% of the lots are affected; the fee shall be 25% of the current filing fee; If 25% or less of the lots are affected, the fee shall be \$75.00; In no case shall the fee for a modification be less than \$75.00;	<u>\$75.00</u>
<u> </u> Soil and Erosion Control Plan Certification	All applications requiring a soil and erosion control plan certification may require an additional fee required by and paid to the North Central Soil Conservation District.	<u> </u>
<input checked="" type="checkbox"/> All applications require an additional \$60 State Fee	\$60.00	\$60.00
<u> </u> Additional Fees	The Commission may require additional fees in accordance with Town Ordinance # 224	<u> </u>

Total Fee \$135.00

13. Is any portion of the site within 500 feet of an adjoining town? (See Town of Canton Zoning Map available at Town of Canton Land Use Office)

No
 Yes

- Avon
- Barkhamsted
- Burlington
- Granby
- New Hartford
- Simsbury

14. Does this application involve any land or wetlands activity regulated pursuant to Connecticut General Statutes (CGS) Sections 22a-36 to 22a-45? (See Official Town Wetlands Map available at Land Use Office)

No
 Yes

- No work will be done in regulated area
- Work will be done in the regulated area

- An application to the IWWA has been submitted
- An application to the IWWA has not been submitted

Per CGS Section 8-26(e) if an application submitted to the Planning Commission involves any land regulated as an inland wetland or watercourse under Sections 22a-36 to 22a-45 (the wetlands statutes) an application for this activity must be filed with the Inland Wetlands and Watercourses Agency no later than the day the application is filed for the subdivision or resubdivision.

15. Is any portion of the site within a watershed of a Water Company? (See Public Drinking Water Source Protection Map and Aquifer Protection Map available at Land Use Office and Town Clerk's Office)

No
 Yes

Per CGS Section 8-3i: If the proposed activity is to take place within a watershed of a Water company, the applicant is required to file a copy of the application with the Water Company via certified mail within seven (7) days of the date of the application.

Any applications for projects that fall within a public water supply aquifer or watershed area, as required by Public Act No. 06-53, must notify The Commissioner of Public Health (see Public Water Supply Watershed or Aquifer Area Project Notification Form).

The Public Drinking Water Source Protection Areas map is located in the Land Use Office, and Town Clerks Office at the Town Hall. Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven days after the date of the application.

16. Is any portion of the site within the Town of Canton sewershed? (See Official "Revised Sewershed Plan" prepared by Tighe and Bond Engineers, dated September 2007 available at Land Use Office and Water Pollution Control Authority (WPCA))

No
 Yes

No connections or extensions to the Town sewer system are proposed

Yes, connections or extensions to the Town sewer system are proposed

Engineering plans and specifications detailing the proposed sewer connection or extensions have been submitted to the WPCA for review

Engineering plans and specifications have not been submitted to the WPCA

A request for capacity review has been submitted to the WPCA for review

A request for capacity review has not been submitted to the WPCA

If an application submitted to the Planning Commission involves any activity within the Town sewershed and proposes connection to the sewer system, or a modification of a connection, a copy of those changes submitted with this application shall be provided to the WPCA for review. Review comments from the Superintendent of WPCA are required for the Commission to make a finding of adequate disposal of sewerage under Section 124 & 300 of the regulations. Adequate disposal of sewerage includes the submission of a set of plans that demonstrates compliance with WPCA Standard Details for the Construction of Sanitary Sewers and Appurtenances. These standards are available to the public by contacting the Town of Canton WPCA at 860-693-7894

(Failure to submit a copy of plans to the WPCA, when applicable, shall render the planning application incomplete)

17. Is the property located within a historic district? (See Historic District Maps available at Land Use Office)

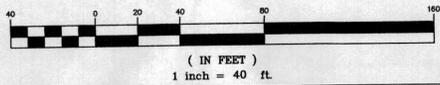
No
 Yes

Collinsville

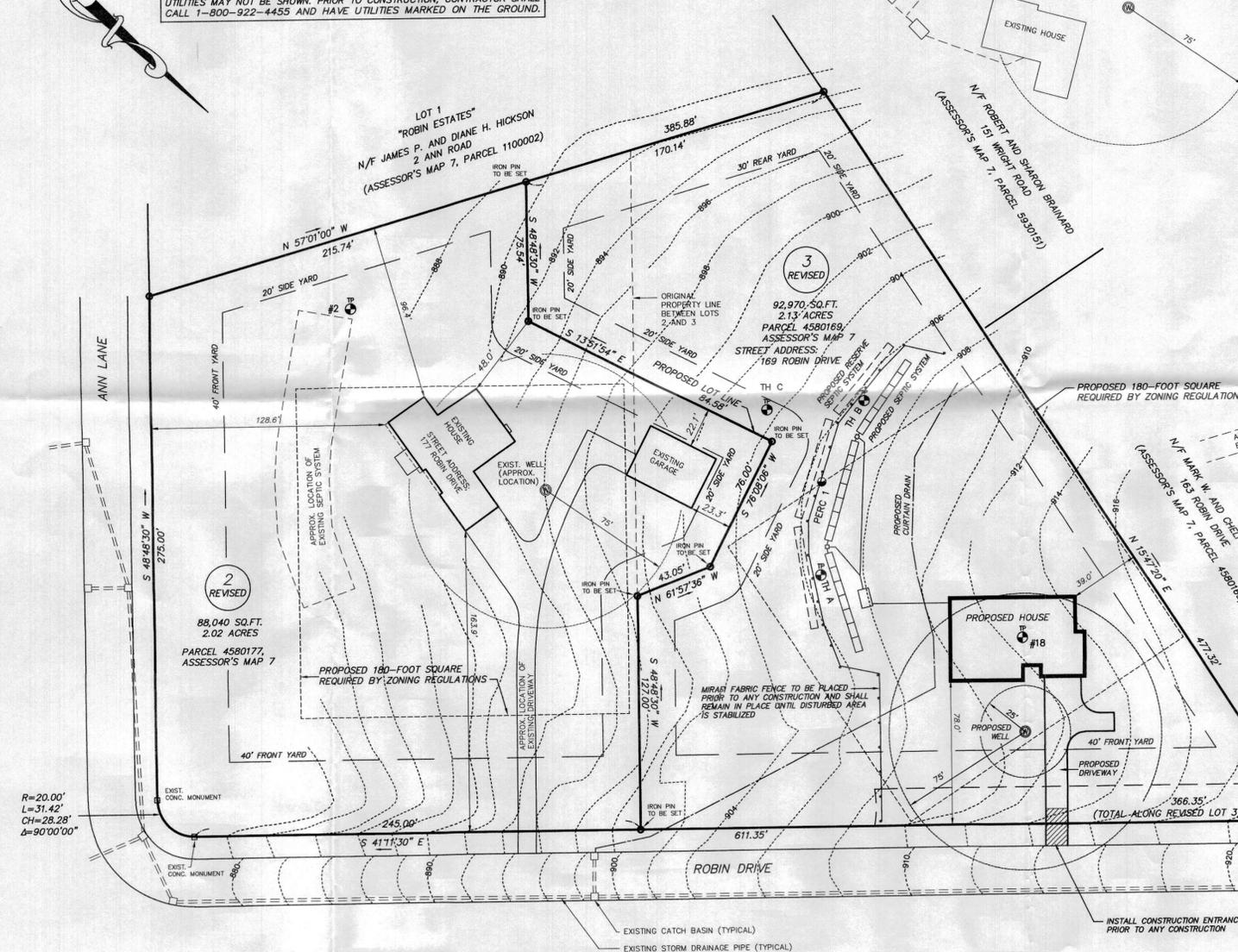
Canton Center

Individual Historic Property

GRAPHIC SCALE



THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE AND ALL UTILITIES MAY NOT BE SHOWN. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CALL 1-800-922-4455 AND HAVE UTILITIES MARKED ON THE GROUND.



NOTES -

- 1. THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THROUGH 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES...
2. REFERENCE PLANS:
3. SUBJECT PROPERTY IS ZONED "AR-3" AS SHOWN ON THE TOWN OF CANTON ZONING MAP.
4. EXISTING HOUSE AND GARAGE HAS BEEN FIELD VERIFIED BY ALFORD ASSOCIATES, INC. ON JAN. 14, 1988.
5. SIZE, SHAPE AND LOCATION OF THE PROPOSED HOUSE IS SCHEMATIC AND MAY CHANGE AT TIME OF FINAL HOUSE DESIGN.
6. THE PROPOSED LOT AREAS FOR "LOT 2 REVISED" AND "LOT 3 REVISED" ARE THE SAME LOT AREAS AS THE ORIGINAL LOTS 2 AND 3, AS SHOWN ON THE REFERENCE PLANS IN NOTE #1.
7. ON MAY 28, 2014, THE BOARD OF SELECTMEN AGREED TO RELEASE A PRIOR CUL-DE-SAC EASEMENT OVER LOTS 2 AND 3.
8. LOCATION OF EXISTING HOUSES ON #163 ROBIN DRIVE AND #151 WRIGHT ROAD ARE TAKEN FROM AERIAL MAPS AND ARE APPROXIMATE.
9. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "2002 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL", PREPARED BY THE CONNECTICUT DEP.

PROPOSED SEPTIC SYSTEM FOR LOT 3

NOTE - THE LOCATION OF THE PROPOSED SEPTIC SYSTEM IS SCHEMATIC AND IS BASED ON THE PROPOSED HOUSE SHOWN ON THIS PLAN. AN ACTUAL DESIGN OF THE SEPTIC SYSTEM IS TO BE DONE AT THE TIME OF THE REQUEST FOR A BUILDING PERMIT. DESIGN DATA USED FOR THIS PLAN IS BASED ON THE CURRENT CONNECTICUT PUBLIC HEALTH CODE.

DESIGN DATA USED FOR THIS PLAN:
NUMBER OF BEDROOMS: 4
SEPTIC TANK SIZE REQUIRED: 1,500 GALLON
PERCOLATION TEST RATE: 10.1-20 MIN./IN.
USING 12" HIGH X 4' WIDE CONCRETE LEACHING GALLERIES = 5.9 SQ.FT./LIN. FT.
S.F. OF EFFECTIVE LEACHING AREA REQUIRED = 900
900 S.F. / 5.9 S.F./L.F. = 152.6 LINEAR FEET REQUIRED
160 LINEAR FEET PROVIDED
160 L.F. X 5.9 S.F./L.F. = 944 S.F. EFFECTIVE LEACHING AREA PROVIDED
MINIMUM LEACHING SYSTEM SPREAD:
M.L.S.S. = HF/FF*PF
HF = 34 (6.1%-8.0%, 20" RESTRICTIVE LAYER)
FF = 2.0 (4 BEDROOM)
PF = 1.5 (PERC RATE = 10.1-20 MIN./IN)
34 x 2.0 x 1.5 = 102 FEET MINIMUM
M.L.S.S. PROVIDED = 160'

SOIL TEST HOLE DATA -

Table with 4 columns: Test Hole #, Date, Soil Profile, and Percolation Rate. Includes data for Test Holes #2, #18, TH A, TH B, and TH C.

ZONING REQUIREMENTS TABLE -

Zoning requirements table with columns: ITEM, REQUIREMENT, LOT 2-REVISED, LOT 3-REVISED. Rows include Lot Area, Square, Frontage, Front Yard, Side Yard, Rear Yard, # of Stories/Height, Building Coverage, and ImperVIOUS Coverage.

* BY DEFINITION IN THE ZONING REGULATIONS FOR "LOT AREA AND SHAPE AND FRONTAGE" IN DETERMINING COMPLIANCE WITH MINIMUM LOT AREA, SHAPE AND FRONTAGE REQUIREMENTS, LAND SUBJECT TO EASEMENTS FOR DRAINAGE FACILITIES AND UNDERGROUND PUBLIC UTILITIES MAY BE INCLUDED, BUT NO STREET OR HIGHWAY, EASEMENT OF VEHICULAR ACCESS, PRIVATE RIGHT-OF-WAY FOR VEHICLES OR EASEMENT FOR ABOVE GROUND PUBLIC UTILITY TRANSMISSION LINES MAY BE INCLUDED.

LOT 2 REVISED:
- THERE ARE NO EASEMENTS FOR STREETS, HIGHWAYS, VEHICULAR ACCESS, PRIVATE RIGHT-OF-WAYS FOR VEHICLES OR EASEMENTS FOR ABOVE GROUND PUBLIC UTILITY TRANSMISSION LINES
- THERE ARE NO PONDS, LAKES, SWAMPS OR MARSH AREAS
- THERE ARE NO SLOPES OF 30% OR GREATER
- LOT IS IN ONE ZONE
CALCULATION FOR "COUNTABLE LOT AREA" = 88,040 - 0 = 88,040 SQ.FT.
"LOT 2 REVISED" COMPLIES WITH THE MINIMUM REQUIRED LOT AREA OF 87,120 SQ.FT.
LOT 3 REVISED:
- THERE ARE NO EASEMENTS FOR STREETS, HIGHWAYS, VEHICULAR ACCESS, PRIVATE RIGHT-OF-WAYS FOR VEHICLES OR EASEMENTS FOR ABOVE GROUND PUBLIC UTILITY TRANSMISSION LINES
- THERE ARE NO PONDS, LAKES, SWAMPS OR MARSH AREAS
- THERE ARE NO SLOPES OF 30% OR GREATER
- LOT IS IN ONE ZONE
CALCULATION FOR "COUNTABLE LOT AREA" = 92,970 - 0 = 92,970 SQ.FT.
"LOT 3 REVISED" COMPLIES WITH THE MINIMUM REQUIRED LOT AREA OF 87,120 SQ.FT.

APPROVAL FOR RESUBDIVISION/MODIFICATION OF LOT LINES WAS GRANTED BY THE CANTON PLANNING & ZONING COMMISSION ON JULY 16, 2014

PLANNING & ZONING COMMISSION
Canton, Connecticut Inc. 1806
4 Market Street, Collinsville, Connecticut 06022

PLANNING & ZONING COMMISSION APPROVAL
FILE# 543, 177 ROBIN DRIVE
EFFECTIVE AUGUST 5, 2014

Alford Associates, Inc.
P.O. Box 484
Windsor, CT 06095

Dear Mr. Alford:
Please be advised that at a regular meeting on Wednesday, July 16, 2014, the Canton Planning & Zoning Commission voted to approve the above referenced item.

MOTION: by Jonathan Thiesse as follows:
The Canton Planning and Zoning Commission does hereby APPROVE File #543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Resubdivision/Modification of Lot Lines/Release an easement for a temporary cul-de-sac; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner.

This approval is granted in accordance with plans entitled:
1. Lot Line Revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date June 17, 2014
and such revisions to said plans as may be required by this approval.

In addition to the above-referenced plans, this approval is granted in accordance with the following documentation submitted by the applicant, or otherwise submitted to the Commission:
Drawings:
1. Lot Line Revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Dated March 19, 2014

- 2. Lot Line Revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date May 20, 2014
3. Lot Line Revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Received May 21, 2014
4. Lots 2 & 3, Robin Estates; Prepared for James Hudson; Prepared by Alford Associates, Inc.; Revised Date for Addition Added, December 7, 1987
5. Lot Line Revision; Prepared for Bing and Robin Murphy; Prepared by Alford Associates, Inc.; Revised Date June 17, 2014

- Correspondence
1. Town of Canton Planning & Zoning-Development Application for File # 543; 177 Robin Drive (Lots 2 & 3); Assessor's Map 7; Parcel 4580177; Zone AR-3; Subdivision Modification of Lot Lines; Alford Associates, Inc., applicant; Robin Downey-Murphy, owner. Submitted May 1, 2014.
2. Copy of check #308
3. Assessor's Property Card for #4580177
4. Property Deed
5. Map #1311 from Town Clerk's Office
6. Email from Neil Pade to Lynn Charest, Dated May 15, 2014
7. Email from Marjorie Begin to Neil Pade; Dated May 20, 2014
8. Email from Roland Klee to Harriet Boyko and Bing Murphy; Dated January 15, 2014
9. Town of Canton Building Permit Application; Dated December 10, 1987
10. Email from Lynn Charest to Skip Alford; Dated June 4, 2014
11. Email from Kerry Kaziauskas to Neil Pade; BOS Release of Easement; Dated June 2, 2014
12. Legal Notice
13. Affidavit of Public Information Sign; Dated June 5, 2014
14. Canton Subdivision Regulations; Section 126
15. Draft Minutes from June 18, 2014
16. Legal Notice of Decision
17. Email from Neil Pade to Lynn Charest; Dated May 7, 2014
18. PZC Approval Letter for Referral #400; Dated June 30, 2014
19. Legal Notice
20. Email from Lynn Charest to Marjorie Begin; Dated June 30, 2014
21. FVHD Approval for Robin Estates; Dated January 4, 1979
22. Email from Diane Harding to Lynn Charest; Dated July 10, 2014
23. Email from Lynn Charest to Marjorie Begin; Dated July 9, 2014
24. Email from George Wallace to Neil Pade; Dated July 9, 2014
25. Staff Report; Dated July 9, 2014
26. Appendix A; Subdivision Checklist
27. Appendix B; Subdivision Checklist

This approval is granted based on the following findings:
1. The proposed Resubdivision, as modified by this approval, complies with the Town of Canton subdivision and zoning regulations;
2. The Commission finds that the proposed resubdivision is not in conflict with the Town of Canton Plan of Conservation and Development; and

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

- 1. The above-referenced plans, as modified by these conditions, shall be placed on Mylar, bear all the conditions of all land use commissions, and stamped "APPROVED" and signed by the Planning and Zoning Commission (PZC) on a Town approved signature block. Said plans shall be filed by the applicant with the Town Planner and Town Clerk by November 1, 2014, which is within 90 days of the effective date (anticipated expiration of the appeal period); The applicant/ developer must provide one (1) fixed line Mylar, and two (2) paper copies of each approved plan for signature by the Chairman and for Secretary. Maps to be filed on the land records of the Town Clerk must meet the following standards:
Must be produced by 1) wash-off photographic polyester film, 2) fixed line photographic polyester film, 3) original ink drawing on polyester film or linen; the process used must be certified by a stamp in red indelible ink, 1" x 2", and include name of producer and process used. Polyester films ("Mylar") must be matte on at least one side. Maps shall be 24" x 36".
2. The above referenced plans shall be modified, prior to the recording of Mylars, to include:
a. The location of wells and septic systems on surrounding developed properties will be added to the plans;
b. The schematic layout of lot 3 will be modified as necessary to maintain an acceptable layout based on well and septic location of adjacent properties;
c. Update soil test hole data will be submitted to the FVHD for review and approval in the area of the proposed septic system;
d. A check should be made that the proposed septic system sizing is based on present day standards and not based on those standards that were in effect at the time of the original subdivision. Approval blocks to be added to the plans;
e. Updated Lot Assessor ID numbers will be added to the plans as part of the mylar submission;
f. Proposed erosion and stormwater controls, subject to the review and approval of staff;
g. A-2 Certification;
3. All required deed restrictions, transfers, and/ or transactions shall be filed on the Town Land Records in accordance with the terms and conditions of this approval;
4. All necessary approvals and permits must be obtained from the Farmington Valley Health District prior to the commencement of any site activities;
5. Building Permits may be obtained only if stipulations # 1, 2, 3, 4, 5, 6, 7, 8 and 9 are met;

- 6. All work in connection with this subdivision shall be completed within five years after the approval of the plan, or July 16, 2019 per Sections 8-26(c), of the Connecticut General Statutes;
7. The applicant shall comply with Chapter 375-34 of the Town of Canton Town Code, Streets and Sidewalks Permit Required;
8. The approved lot line, shall be pinned as shown on the approved plans
9. A certified as-built plot plan prepared to A-2 standards shall be submitted to the Canton Zoning Enforcement Officer subject to the requirements of Section 72 of the Zoning Regulations and Section 250 of the Subdivision Regulations (SR);
10. Utilities shall be installed in accordance with SR Section 323;
11. Any Town streets, roads, sidewalks, curbs or other public components damaged due to construction activities are to be repaired or replaced, if required in the opinion of the Project Administrator or Director of Public Works;
12. A contribution to the Open Space Purchasing Fund IS NOT required;
13. This approval shall be binding upon the applicant / developer, heirs, assigns, and grantees.
SECONDED: By Jonathan Thiesse.
NOTE: Passes unanimously.

This approval is effective August 5, 2014 (20 Days from the date of approval) and UPON THE RECORDING OF AN APPROVAL LETTER WITH THE TOWN CLERK. Please note that a fee is required for all filings.
The Notice of Decision will appear in the Hartford Courant on Tuesday, July 22, 2014. Should you have any questions, please feel free to contact this office at 860-693-7891.

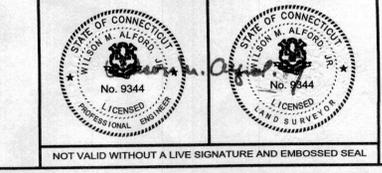
Sincerely,
Neil S. Pade, AICP
Director of Planning & Community Development
CC: Robin Downey-Murphy
Roland Klee, Zoning Enforcement Officer
Canton Building Department

CANTON TOWN HALL
LAND USE OFFICE
JAN 13 2016
DATE OF RECEIPT IN OFFICE

APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF CANTON, CONNECTICUT AT ITS MEETING ON
DATE AND SIGNED BY
CHAIRMAN DATE
SECRETARY DATE
AND DELIVERED TO THE APPLICANT ON
IN ACCORDANCE WITH C.G.S. SECTION 8-26c. ALL WORK IN CONNECTION WITH THIS SUBDIVISION SHALL BE COMPLETED BY

TOWN OF CANTON ZONING COMMISSION
FILE NO. APPLICATION NO.
APPROVED
CONDITIONS
DATE SIGNED
CHAIRMAN

Table with columns: DATE, REVISION. Rows include 8-28-14 INCORPORATED CONDITIONS OF APPROVAL FOR RESUBDIVISION/MODIFICATION OF LOT LINES, 6-17-14 REMOVED EASEMENT TO THE TOWN OF CANTON, 5-20-14 REVISED PROPOSED LOT LINES & ADDED ZONING REQUIREMENTS TABLE.



LOT LINE REVISION
PREPARED FOR
BING AND ROBIN MURPHY
LOTS 2 AND 3 - ROBIN ESTATES
169 AND 177 ROBIN DRIVE
CANTON, CONNECTICUT



TOWN OF CANTON

4 Market Street
PO Box 168
Canton, CT 06019

Land Use Department
(860) 693-7856
(860) 693-7884 (fax)

CANTON TOWN HALL
LAND USE OFFICE

JAN 28 2016

DATE OF RECEIPT IN OFFICE

PRE-APPLICATION REVIEW MEETING – LAND USE

Applicant's Agreement to Pre-application Review Meeting under the Provision of Section 7-159b CGS

"Sec. 7-159b – Connecticut General Statutes. Pre-application review of use of property. Notwithstanding any other provision of the general statutes, prior to the submission of an application for use of property under chapters 124, 126, 440 and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commission, department or agency or authorized agent thereof may separately, jointly, or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant's request. Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project."

I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

Further, I acknowledge and agree that this pre-application review meeting is being conducted prior to and in anticipation of a formal application to the Canton Planning Commission, Zoning Commission, Zoning Board of Appeals, or Wetlands Agency to obtain feedback and response to the proposal or design, as it exists on this date, in the interest of preparing an application consistent with the Subdivision, Zoning, or Wetlands regulations of the Town of Canton, as the case may be.

Location of premises: 50 Old River Road
Anticipated type of application: Zoning, Flood Plain etc.
Name Printed: George M. Wallace Signed: [Signature] Date: 1/28/2016
Representing: Town of Canton Property Interest: Staff



50 Old River Road

A Multi-Use Site

Presented by
Bob Skinner, George Wallace, and Bob Martin

February 11, 2016

Presentation Outline



- Site Use & Background History
- Possibilities
- Next Steps

Current Use Of Site

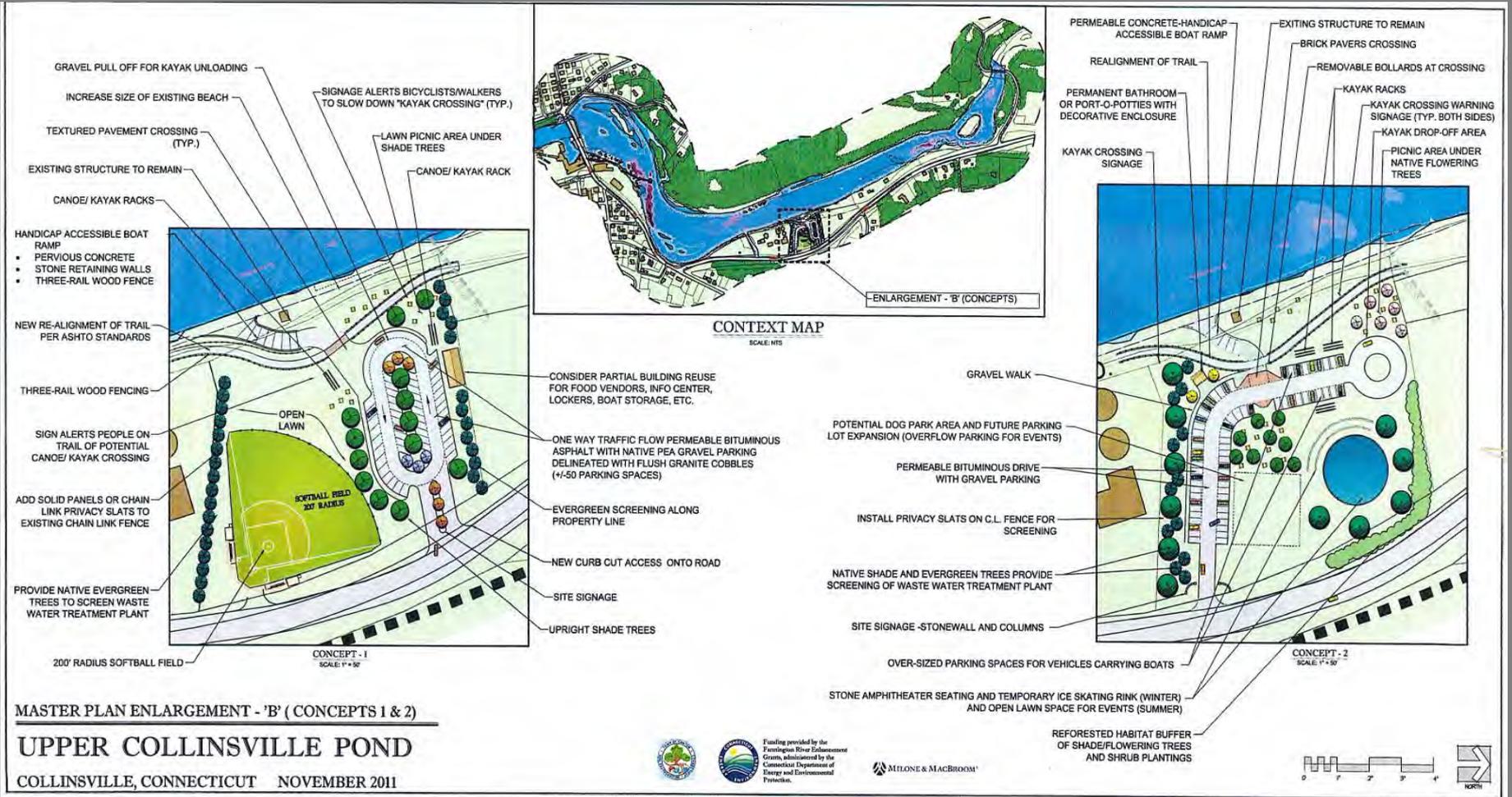


- Department of Public Works
- Water Pollution Control Facility
- Bicentennial Park
- Bike/Walking Trail
- Limited River Access

Existing Use Of Site

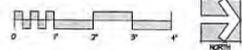


2011 - Proposed Use Of Site



Funding provided by the Farmington River Enhancement Grant, administered by the Connecticut Department of Energy and Environmental Protection.

MILONE & MACBROOM



2012 - Proposed Use Of Site



BUILDING AND IMPERVIOUS SURFACE COVERAGES		
COVERAGE PERCENTAGE	BUILDING/SURFACE AREA	REQUIRED LOT SIZE
BUILDING: 25%	BUILDING: 20,885 SF	118,740 SF
IMPERVIOUS SURFACE: 50%	IMP SURFACE: 167,400 SF	514,800 SF
BUILDING: 60%	BUILDING: 23,865 SF	49,475 SF
IMPERVIOUS SURFACE: 90%	IMP SURFACE: 167,400 SF	282,330 SF

AREAS	
TOTAL LOT AREA	8.5 ACRES (283,140 SF)
DPW BUILDING	23,170 SF
SALT SHED	2,600 SF
FUEL	1,200 SF
CANDY	2,500 SF
PAVEMENT	78,715 SF
TOTAL IMPERVIOUS FOR DPW OPS	128,400 SF
APPROX. IMPERVIOUS FOR WASTEWATER TREATMENT PLANT	48,000 SF
TOTAL IMPERVIOUS AREA	187,400 SF



Weston & Stimpson
ENGINEERS & ARCHITECTS
INC.

1000 S. KENNEDY BLVD., SUITE 100
MILWAUKEE, WI 53205

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

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DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

DATE: _____

PROJECT: 1000 S. KENNEDY BLVD., SUITE 100

Future Site Use Possibilities



Continue Complimentary Use Of The Site

- Recreation
 - Enhanced River Access
 - Scenic River Picnic Areas
 - Additional Trail Parking
 - Groomed Ball Field
- Public Works
 - New Access Road
 - New Facility
- Water Pollution Control Facility

Mitigation – DPW Facility



FEMA and State of Connecticut Regulations

FEMA / NFIP definition of Substantial Improvement (Regulations 59.1/60.3):

- Mirrors Town of Canton definition: “Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not apply to correction of violations that assure safe living conditions or alteration of historic structures

Mitigation – DPW Facility



2015 Fuss & O'Neill Flood Management Regulations Analysis

Reduction of storage in the floodplain (Section 6.2.H.6.A-E):

By building a new facility, soil would be placed up to the floor elevation. This soil would occupy space that is currently available for flood storage. Flood storage cannot be reduced unless:

- Compensated for by deepening or widening the floodplain
- Reduction has an unrestricted hydraulic connection to the same waterway or water body
- Alterations do not cause an increase in flooding upstream or downstream

Current Base Flood Elevation is at 298'

Mitigation – DPW Facility



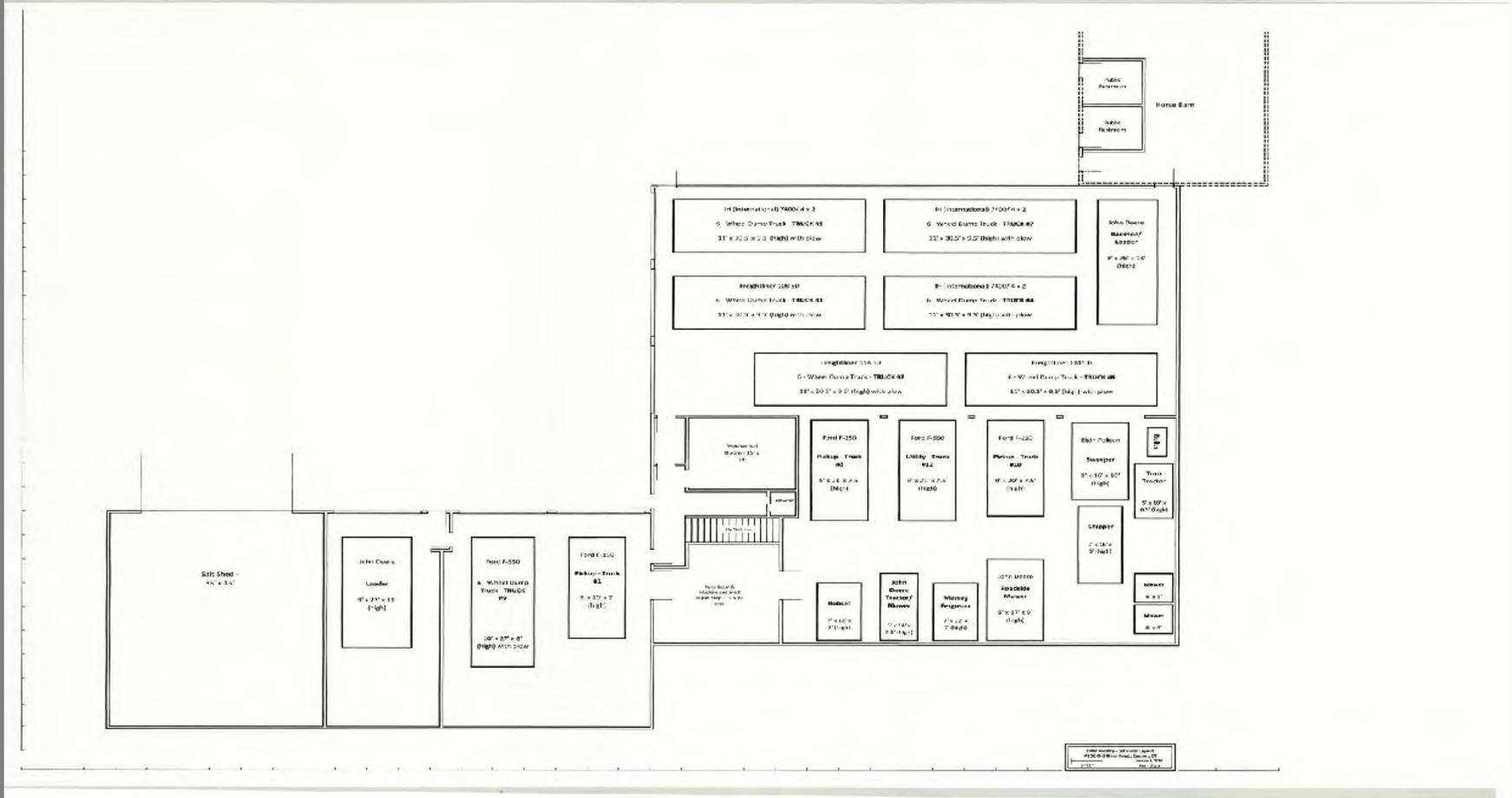
Conclusions:

- If adding a boiler addition, and any other improvements that take place with 10 years before or after the boiler addition, result in an increase of more than 50% of the market value of the structure, the addition is a **substantial renovation**.
- **If a substantial renovation** the Town Zoning Regulations require the improvements to be elevated to or above the Base Flood Elevation (BFE) and compensatory storage must be provided.

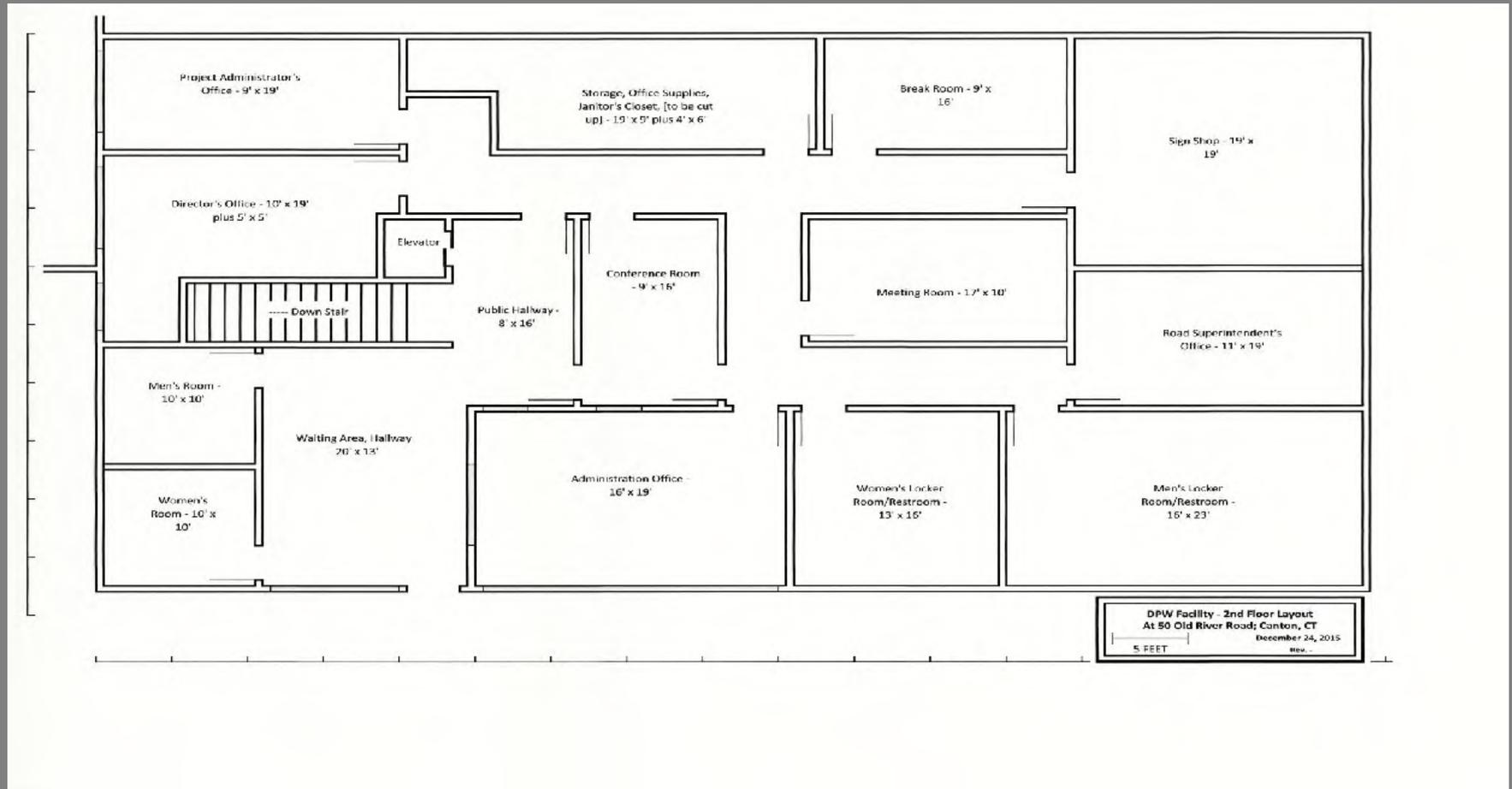
Schematic Site Plan



DPW Facility – 1st Floor Equipment Layout



DPW Facility – 2nd Floor Layout



DPW Facility Cost Estimate



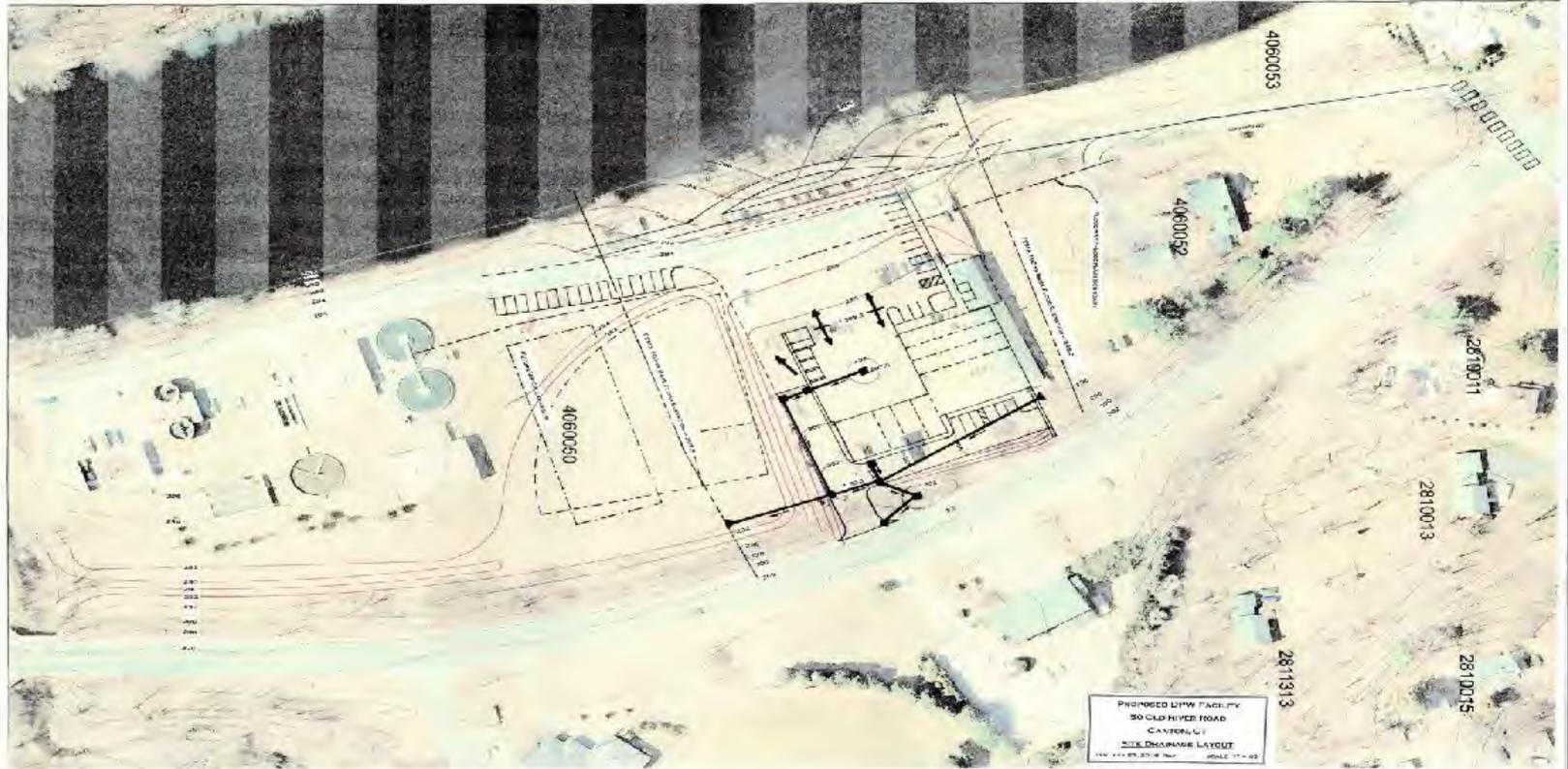
New DPW Facility Cost Estimate - 50 Old River Road

12/28/2015	Unit	Length	Width-Height	Quantity	Unit Cost	Cost
Fill/Cut for Flood Plain Work	LS			1.00	\$ 151,421.20	\$ 151,421.20
Cut for Flood Way Work - River Access	LS			1.00	\$ 114,361.00	\$ 114,361.00
Access to DPW off of Route 179	LS			1.00	\$ 180,648.50	\$ 180,648.50
Front Access Driveway to Building Plus Fill	LS			1.00	\$ 223,824.50	\$ 223,824.50
Fuel Island Relocation	LS			1.00	\$ 50,000.00	\$ 50,000.00
Site Bollards	LS			1.00	\$ 2,500.00	\$ 2,500.00
Granite Curbing	LF	400		1.00	\$ 67.00	\$ 26,800.00
Main Building Cost (1st Floor)	SF			4080.00	\$ 150.00	\$ 612,000.00
Main Building Cost (2nd Floor)	SF			4080.00	\$ 150.00	\$ 612,000.00
Salt Shed	SF	35	45	1575.00	\$ 75.00	\$ 118,125.00
Wash Bay	SF	19	45	855.00	\$ 75.00	\$ 64,125.00
Repair Bays	SF	38	45	1710.00	\$ 75.00	\$ 128,250.00
Cold Storage	SF	48	85	4080.00	\$ 75.00	\$ 306,000.00
Elevator	LS			1.00	\$ 85,000.00	\$ 85,000.00
Bathrooms in Existing Horse Barn	LS			2.00	\$ 50,000.00	\$ 100,000.00
Sub-Total						\$ 2,775,055.20
General Conditions (8.5% of Sub-Total)	LS			8.5%	\$ 235,879.69	\$ 235,879.69
Overhead & Profit (7% of Sub-Total)	LS			7.0%	\$ 194,253.86	\$ 194,253.86
Design, Architecture, & Engineering (6.5% of Sub-Total)	LS			6.5%	\$ 180,378.59	\$ 180,378.59
Contingency (5% of Sub-Total)	LS			5.0%	\$ 138,752.76	\$ 138,752.76
Furniture, Fixtures, & Equipment	LS			1.00	\$ 152,600.00	\$ 152,600.00
Bridge Crane (5 ton)	LS			1.00	\$ 50,000.00	\$ 50,000.00
Building Permit Fees	LS			1.00	\$ -	\$ -
Power Co. Fees	LS			1.00	\$ 18,000.00	\$ 18,000.00
Gas Co. Fees	LS			1.00	\$ 2,500.00	\$ 2,500.00
Water Co. Assessments or Tap Fees	LS			1.00	\$ 1,000.00	\$ 1,000.00
Special Inspector (per building code requirement):	LS			1.00	\$ 7,500.00	\$ 7,500.00
Materials Testing	LS			1.00	\$ 20,000.00	\$ 20,000.00
Legal Fees	LS			1.00	\$ 5,000.00	\$ 5,000.00
Bond Cost	LS			1.00	\$ 65,000.00	\$ 65,000.00
Total						\$ 3,845,920.10
Main Building [excluding salt shed]- 14,805 SF						
Salt Shed - 1,575 SF						
Total - 16,380 SF						

Proposed Mitigation – Site Cut & Fill



Proposed Mitigation – Site Drainage



Next Steps



Boards & Commissions

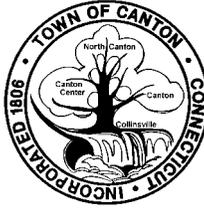
- Permanent Municipal Building Committee
- In-Land Wetlands & Watercourses Agency
- Planning & Zoning Committee

Professional Services

- Survey
- Formal Plans
- Concept Drawings



50 Old River Road
A Multi-Use Site
Questions & Answers



DRAFT MINUTES

Regular Meeting

Canton Planning and Zoning Commission

Tuesday, January 19, 2016 at 7:30 pm

Community Center, Room E

40 Dyer Avenue, Canton, CT

CALL TO ORDER: The Regular Meeting of the Canton Planning and Zoning Commission on January 19, 2016 was called to order at 7:37 p.m.

PRESENT: David Bondanza, David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry

ABSENT: John Huyghebaert, William Sarmuk and Keith August

ALSO PRESENT: Town Planner Neil Pade and Land Use Coordinator Renee Narducci

A quorum of the Commission is present.

Mr. Freeman is hereby seated for Mr. August.

MODIFICATION OF AGENDA: None

PUBLIC HEARINGS

READING OF THE LEGAL NOTICE: Read by Mr. Pane

1. **File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner** – Ms. Nash, the applicant's representative, filed a consent for extension of statutory time (CGS, Chapter 8-7d), requesting that the continuation of this public hearing be postponed until the February 17, 2016 Regular Meeting of the Planning and Zoning Commission.

MOTION: Mr. Freeman moved to continue the public hearing for File #379; ApIn #1559 to the next Regular Meeting on February 17, 2016 at 7:30 p.m. in Room F of the Community Center. Mr. Thiesse seconded the motion, which passed unanimously.

Mr. Bondanza recused himself at 7:41 p.m. and Mr. Thiesse took over as acting Chairman.

2. **File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner**

Commissioners Seated: David Freeman, David Evens, Phil Pane, Jonathan Thiesse and Lansford Perry

Mr. Jeff O'Neil, Chair of the Board of Directors for the North Canton Volunteer Fire Association (NCVFA), was present in order to discuss the application and answer questions the Commission had. Mr. O'Neil provided supplemental information in the form of a handout, which was received by all members of the

Commission at the beginning of the public hearing and read aloud. The document provided background information on the property, its history as a Fire Station, the proposed establishment of an emergency phone for public use, reasoning behind the requested sign, and NCVFA's recently approved Zoning Board of Appeals application. Mr. Thiesse asked if the NCVFA had considered modifying the existing sign, which is a standalone sign perpendicular to Route 179. Mr. Evens expressed a concern regarding the visibility of the proposed sign and questioned how it would aide in terms of awareness/safety. He stated that a standalone sign that is perpendicular to the road would be more visible to traffic coming from the North and South. Mr. O'Neil showed the Commission pictures of various signs throughout the town, which was used as an aide in their decision to request a 75 square foot sign. According to Mr. O'Neil, the NCVFA would like to install a wall-mounted sign due to the high cost of installing a secondary free-standing sign or modifying the current message board. Mr. Pane expressed a concern regarding the requested size of the sign, and noted that 75 square feet is excessive. Both Mr. Pane and Mr. Pade discussed the nature of the sign regulations and how they were developed with the assistance of the Canton Chamber of Commerce. Mr. Thiesse restated that the issue here is not the need or intent behind the sign, but the size requested in relation to what is allowed within the Zoning Regulations. The notion of reducing the size of the sign was questioned; however, Mr. O'Neil stated that the NCVFA would like to stick with 75 square feet.

Mr. Arnold Goldman of 89 High Valley Drive, who is a current member of the NCVFA, and Mr. Scott Goeben of 1 Huckleberry Hill Road, who is Captain of the North Canton Volunteer Fire Department, spoke in favor of the application.

Ms. Patricia Goodwin of 552 Cherry Brook Road submitted a letter to the Land Use Department on January 12, 2016, stating her opposition to the proposed sign, which was read aloud by Mr. Pade during the public hearing.

MOTION: Mr. Perry moved to close the public hearing for File #194; ApIn #1567. Mr. Evens seconded the motion, which passed unanimously.

REGULAR MEETING

PUBLIC HEARING ACTIONS:

- 1. File #379; ApIn #1559; 301 Albany Turnpike; Assessor's Map 31; Parcel 1010301; Zone B; Special Exception; Section 4.1.C.1.a., Retail, service businesses and personal services businesses greater than 2,500 square feet, and Site Plan Application; Section 9.1, for the construction of a 3,440 square foot dance studio and associated site improvements; Holden Nardini, applicant; Arthur and Bette Lowell owner – No action was taken.**
- 2. File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner – Mr. Pade explained the creation of the MCPF district and the need for careful review of this application, as well as future applications. Mr. Perry stated that he feels the proposed sign is in harmony with the character of the area and is esthetically suitable. He also noted that the sign appears to fit the Special Permit criteria regarding appropriateness. Both Mr. Freeman and Mr. Evens agreed with Mr. Perry's discussion; however, Mr. Evens stated that an identification sign would be better suited perpendicular to the road. Mr. Thiesse also felt the proposed sign is appropriate but explained the Commission's role in striving for consistency with the Zoning Regulations. Mr. Pane stated that he does not like the idea of approving a sign of this size, as it is excessive in nature and far beyond what is permitted in the regulations.**

MOTION: Mr. Thiesse made a motion to **APPROVE File #194; ApIn #1567;** 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner.

This approval is granted in part on the application submitted on December 3, 2015, testimony received at a public hearing commenced on January 19, 2016 and closed on that date; and upon the following documentation submitted by the Applicant or others during the course of the proceedings on the application:

Correspondence:

1. Town of Canton Planning/Zoning Development Application – File #194; ApIn #1567; 540 Cherry Brook; Assessor's Map 7; Parcel 1850540; Zone: MCPF; Special Permit, Section 6.4.D.5.a, signs permitted by Special Permit in MCPF district; and Section 6.4.E.10, enlargement of Special Permit in MCPF district, requesting the installation of up to a 75 square foot identification sign to be mounted on the North Canton Volunteer Fire Station; Harold Freytag, applicant; North Canton Volunteer Fire Association, owner
2. Special Permit application checklist
3. List of abutters
4. Abutters map
5. Copy of the abutter notice sent to abutting property owners; dated 12/14/15
6. Certification of Notice for posting of Public Hearing sign per Section 9.9.F of Zoning Regulations
7. Memo from Assistant Town Planner Emily Anyzeski to the ZBA regarding ZBA Application File #2015-7; dated 11/5/15
8. Sketch of the sign approved by the ZBA; dated 11/9/15
9. Copy of the approval letter for ZBA Application File #2015-7; dated 11/20/15
10. Copy of the follow-up letter sent to Mr. Harold Freytag from Neil Pade, regarding necessary action prior to the installation of the sign; dated 11/24/15
11. Certified mailing receipts
12. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on October 19, 2015
13. Email from Karen McCoubrey to Renee Narducci regarding a preliminary drawing for the proposed sign at 540 Cherry Brook Road; dated October 9, 2015
14. Draft minutes from the 11/9/15 ZBA regular meeting
15. Letter to Renee Narducci from Patricia Goodwin regarding the proposed sign; received by the Land Use Office on 1/12/16
16. January 13, 2016 memorandum from Neil S. Pade AICP to the Planning and Zoning Commission
17. Letter from Jeff O'Neil to the Planning and Zoning Commission regarding the proposed application; received by the Commission during the Public Hearing on 1/19/16

This approval with conditions and modifications is granted because the Commission finds that the application, as conditioned and modified by and inclusive of the stipulations of this approval, would comply with the following:

1. Section 9.2.E – Special Permit Criteria
2. Section 6.4.A – MCPF Purpose
3. Section 6.4.D.5.a – Signs in accordance with Section 7.3
4. Section 7.3.C – Standards – Signs in Residence Districts
5. As modified in terms of those standards and regulations by the variance approved by the Zoning Board of Appeals, with respect to the uniqueness of the property and that the approval was tied to the building's use as a Fire Station.

The Commission hereby grants this approval subject to the following conditions, modifications, restrictions, and safeguards:

1. This approval is effective **February 8th, 2016** (20 days from approval date) and **upon the recording of the approval letter/certificate of action with the Town Clerk.**
2. The sign shall be designed and located on the building in accordance with the information provided in the application and presented before the Commission.
3. The Commission hereby waives the required application fees in accordance with Chapter 248-6 of the Canton Town Code.
4. This approval is binding upon the applicant/developer, heirs, assigns, and grantees. This approval constitutes a contractual agreement between the Town of Canton and the applicant, heirs, assigns and grantees.
5. In evaluating this application the Town of Canton has relied on information provided by the Applicant or his agent.

Mr. Evens seconded the motion, which passed 3-1-1.

VOTE: Evens – Yes; Freeman – Yes; Pane – Abstained; Thiesse – No; Perry – Yes

Mr. Bondanza returned to the meeting at 9:00 p.m. and re-assumed his role as Chairman.

OLD BUSINESS: None

NEW BUSINESS:

1. **File #193; ApIn #1571; 465 Albany Turnpike; Assessor's Map 26; Parcel 1010465; Zone B; Special Permit, Section 4.1.C.1.f, outdoor display area; Section 9.1.A.1, Site Plan Modification; request to establish a 1,050 (+/-) square foot outdoor display in the southwest corner of the property; Dana Mathes, applicant; 465 Albany Turnpike, LLC, owner** – Mr. Pade provided a brief overview of the application and a staff report was provided to the Commission prior to the start of the meeting.

MOTION: Mr. Evens moved to receive the application as presented and schedule a public hearing for February 17, 2016. Mr. Perry seconded the motion, which passed unanimously.

OTHER BUSINESS:

1. **Review minutes of the December 16, 2015 Regular Meeting** – The minutes were approved as presented.
2. **Freedom of Information (FOI) Class; February 3, 2016 at 7:00 p.m.** – A class will be held for the benefit of town staff and commissioners in Room F of the Community Center, in which attendance by the Commission is encouraged and appreciated.
3. **CRCOG Representative Recommendation for Regional Planning Commission** – Mr. Bondanza made a resolution to nominate Mr. Perry as the CRCOG Representative for the Regional Planning Commission, with Mr. Evens as an alternate.
4. **POCD Implementation Review** – Mr. Pade informed the Commission that he would like to arrange a meeting by March 2016 in order to run through the POCD to determine progress, areas in need of improvement and next steps. It was requested that the Commission review the materials provided in the meeting packet for a discussion at the next Regular Meeting. Mr. Thiesse expressed the need for a member of the Commission to be involved in the Plan Implementation Committee working group, which is currently staffed by Mr. Pade and members of the Board of Selectmen. After some

discussion, it was decided that this recommendation will be brought before the Board of Selectmen at the Super-Board meeting on January 28, 2016.

5. **Discussion of Super-Board Meeting on January 28, 2016** – The Commission discussed the overall intent of the meeting and who would be in attendance. The meeting will take place in Room F of the Community Center at 7:00 p.m. on Thursday, January 28, 2016.
6. **Discussion of Possible Edits to Zoning Regulations** – Mr. Pade provided overview on where things stand with the current list of suggested edits. As of right now, the proposed changes regarding as-builts have been completed, Mr. Pade has been in contact with the Collinsville Historic District Commission to discuss Open Signs, and draft language around archeological regulations have been provided by the Town Historian. Edits pertaining to accessory buildings and structures in the MR District, shipping containers, and equipment and vehicles are currently in progress.
7. **Discussion of Design Regulations** – A Special Meeting will be scheduled for Wednesday, February 10, 2016 in order to discuss Sections 1-4 of the draft Form-Based Code Regulations.
8. **Discussion of Subdivision Regulations Rewrite** – Mr. Pade informed the Commission that he is waiting for a complete draft of the Subdivision Regulations and Public Improvement Standards rewrite, which should be delivered by the end of the month.
9. **Discussion of Citation Process within Standard Zoning Enforcement Procedures** – Mr. Pade provided some insight regarding the questions that were proposed during the joint meeting of the Zoning Board of Appeals and the Planning and Zoning Commission on December 2, 2015, and feedback from the Town Attorney was provided in the meeting packets prior to the meeting. The Commission discussed the citation process and whether or not changes were necessary at this time, and as a result, no changes were recommended.
10. **Staff Reports:**
 - a. **Town Planner's Report**
 - i. **File #524; Shallot Meadow Road Acceptance Request** – As reported last month, the developer has requested a recommendation from the Commission that Shallot Meadow Road be accepted by the Board of Selectmen. On December 24, 2015, the applicant received a checklist notifying him of the missing information that would be necessary in order for the Commission to issue a positive recommendation. To date, no additional information has been submitted to the Land Use Department and the Town's on-call consultant does not have all the necessary information to complete his review. In the meantime, an interim report has been requested.
 - ii. **Annual Town Meeting January 20, 2016** – The annual Town Meeting will be held at 7:00 p.m. in the Town Hall Auditorium, located at 4 Market Street, Collinsville, CT. The meeting will include a presentation on the TIF Master Plan for the Collins Company and the Town's Marketing and Branding Project.
 - b. **ZEO Report** – The ZEO Report was distributed to the Commission electronically prior to the meeting. Mr. Pade requested guidance from the Commission regarding a recently submitted application for 280 Albany Turnpike, along with an anonymous complaint that was received pertaining to 550 Cherry Brook Road. After some deliberation, it was determined that the Zoning Enforcement Officer shall move forward with a Notice of Violation for 550 Cherry Brook Road. The Commission also requested that the Town Attorney provide insight regarding the regulations around the expansion of non-conforming uses/structures, as it pertains to the application for 280 Albany Turnpike.

ADJOURNMENT:

MOTION: Mr. Evens moved to adjourn the meeting at 9:58 p.m. Mr. Freeman seconded the motion, which passed unanimously.

Town of Canton Land Use Department
4 Market Street
Canton, CT 06019

To: Neil Pade, Emily Anyzeski et al.,

In consideration of the following please keep in mind that my requests relate to a small, low speed and low traffic parking area with exceptional visibility. My property is not a busy shopping plaza or high traffic establishment. There are no visual obstructions and the path of travel is very obvious. (See Pictures #1 and #2)

I am asking the zoning commission to grant a special exception to the following 2 conditions relating to a previously approved plan, and act in accordance with **Section 7.9.C Subsection 6. Paragraph c. The Pedestrian Design Standards** listed below

c. If it is determined that pedestrian ways and/or sidewalks are either impractical or unnecessary considering potential pedestrian traffic at that location, then the Commission may waive any requirement of this section by a 2/3rds affirmative vote as part of the approval of either a site plan, special permit, subdivision, or Design District;

The Conditions I am requesting an exception for are listed below

Condition 1. ~~The crosswalk that is at the base of the driveway~~ Completed

Condition 2. The "bituminous walk with concrete curb ramp if necessary to match town standards" (sidewalk connecting crosswalk mentioned above to 3rd missing condition)

Condition 3. The crosswalk that cuts diagonally from said walkway mentioned above to accessible parking spaces.

Background

As you may know I have completed a considerable renovation and beautification project of a structure located at 136 Dowd Avenue. One of my more formidable challenges was creating a safe paved parking area with extensive drainage where, before we started was an unsafe pothole filled dirt lot.

This project was completed with great care, not only for its visual appeal but function as well. I have taken pride in making a structure that was built in 1809, fully handicap accessible and a model for Canton's business development goals.

The only problem I face now is practical and does not in any way conflict with the spirit of both Canton's current zoning regulations and the current ADA guidelines for access.

Explanation of the Problem

When I was originally granted the plan approval we included a bituminous walk and associated striping for pedestrian access. No one, including myself considered the state of the existing sidewalk that we were connecting to.

I first became aware that this might be impractical when I contracted a company to install the bituminous walk. (Condition 2) It was pointed out to me that connecting to the existing non-conforming 28" wide broken asphalt sidewalk would present significant challenges. (See picture #3) The biggest challenge was the obvious trip hazard going from an uneven asphalt sidewalk to a level grade bituminous walk.

When I consulted other builders they left the site scratching their heads as to a possible solution. The consensus given to me was to use the wide and open parking entrance as a path of travel and abandon the bituminous walk.

Proposal

I ask that you grant a special exception to condition 2, bituminous walk connecting to the existing sidewalk. In lieu of this condition, I propose using the existing parking entrance for the purpose of pedestrian entry. It represents the safest, easiest and shortest "path of travel" from sidewalk to building entrance.

By granting this exception, we would also be in compliance with the **2010 ADA standards; section 206 relating to accessible routes**. This route provides acceptable slope, grade and would utilize the full 24' width of the parking entrance to approach the building. Additionally, this solution would further facilitate ease of access to persons in

wheelchairs by eliminating the angle that was in the previously proposed walkway. (Turning angles pose unnecessary challenges)

Pedestrian safety is in no way compromised with my proposed solution, due to the parking areas wide open line of sight, low traffic and short travel path. (see pictures #1 and # 2)

If the above is reasonable to the commission, it would make condition 3 "crosswalk striping connecting the bituminous walk to the middle of the parking area" unnecessary. The omission of condition 3 would have another pleasant benefit for all patrons entering into the parking area. It would create an easier and more open visual path to walk, or park cars and preserves the simple design aesthetics of a small parking area such as mine.

Note: ADA guidelines do not necessitate markings, only a path of travel that can accommodate handicap access, which we currently comply.

Thank you for your consideration of the exceptions requested. I look forward to many years supporting Canton's growth, now that I am both a resident and proud business owner.

Sincerely,

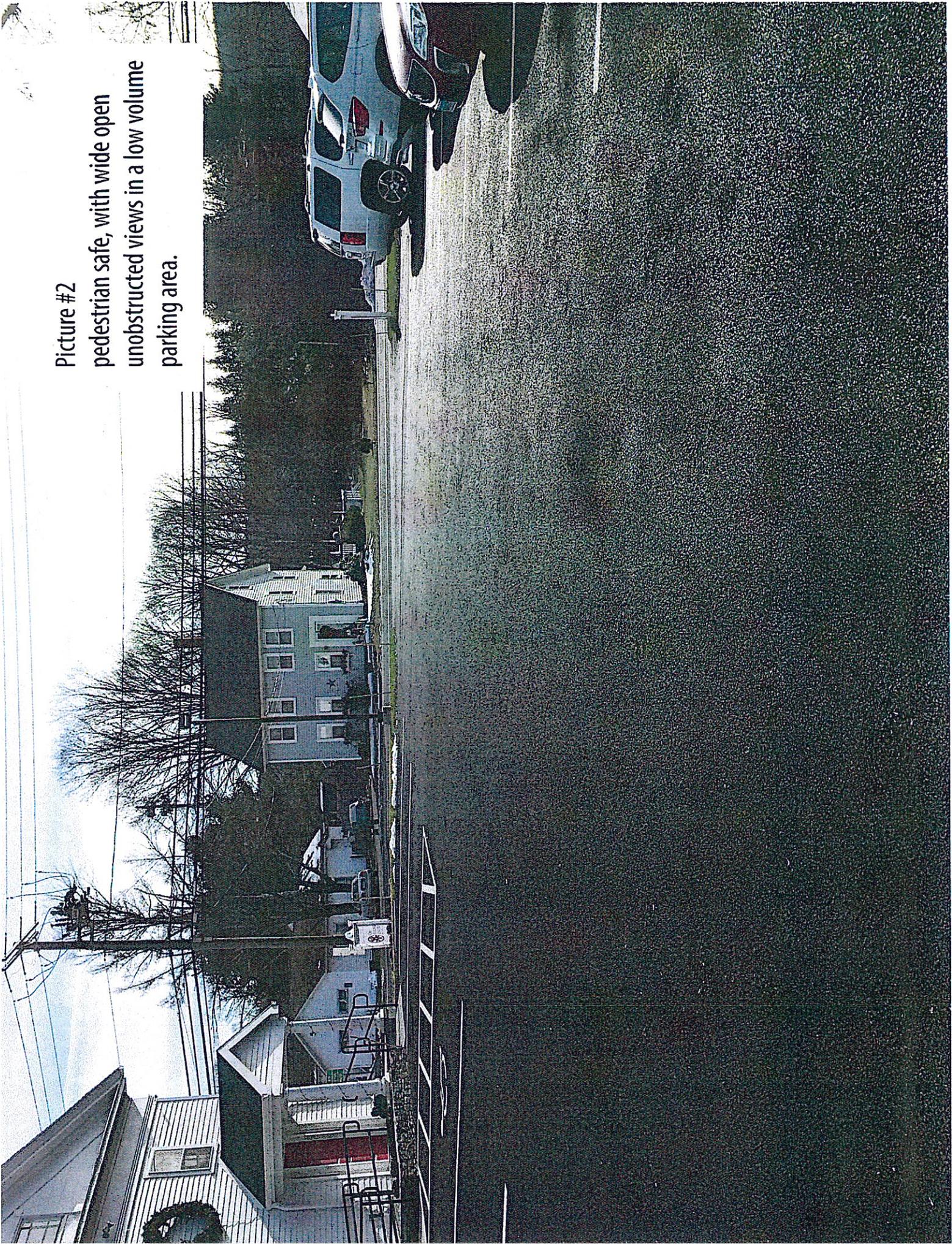
A handwritten signature in black ink, appearing to read "David McCallum". The signature is fluid and cursive, with a large initial "D" and "M".

David McCallum

Picture # 1
showing open and easy access to
building entry points.

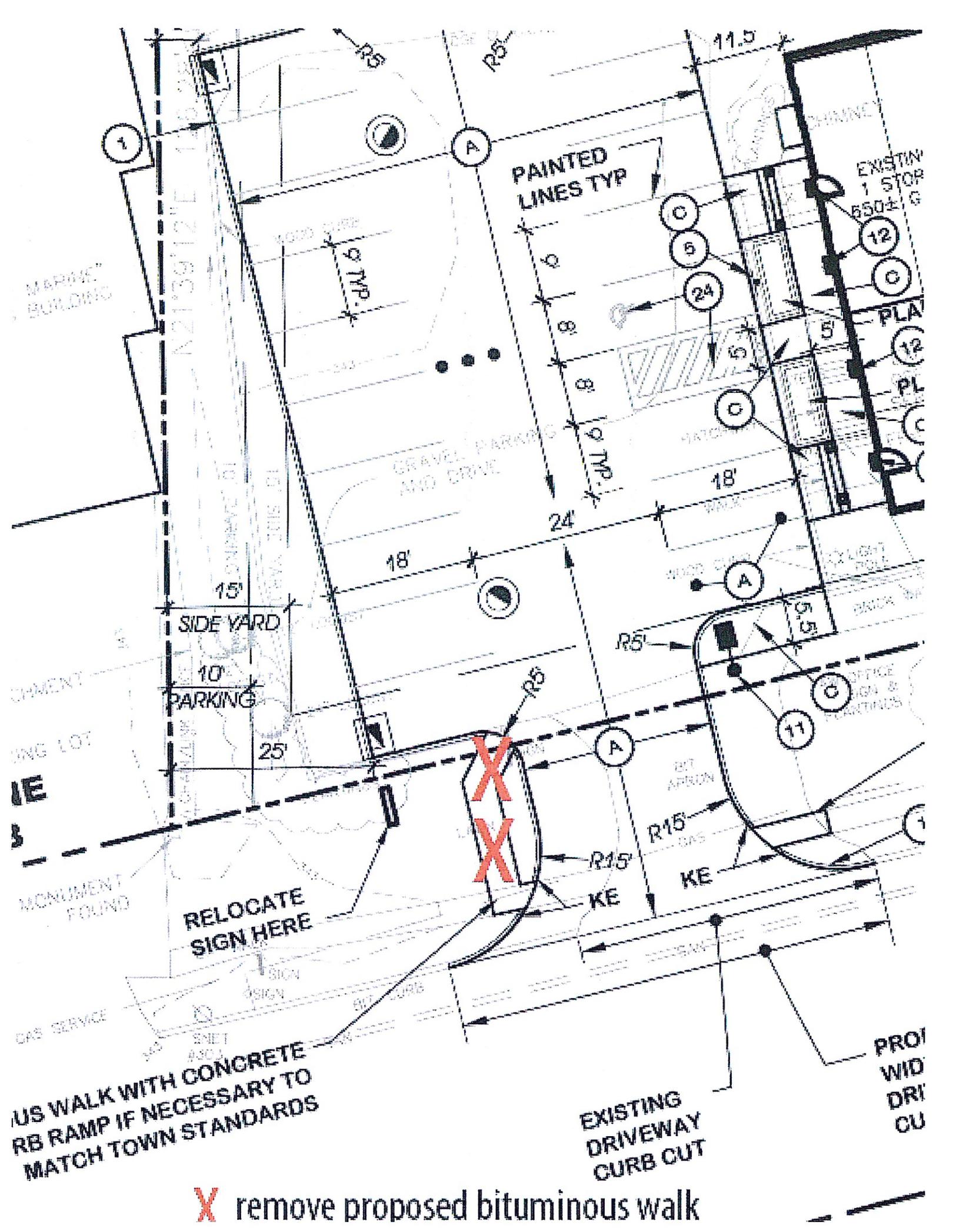


Picture #2
pedestrian safe, with wide open
unobstructed views in a low volume
parking area.





Picture #3
Existing, 28" wide
non-conforming sidewalk



MARBLE BUILDING

PAINTED LINES TYP

SIDE YARD

PARKING

RELOCATE SIGN HERE

EXISTING 1 STOP 650± G

PLA

PL

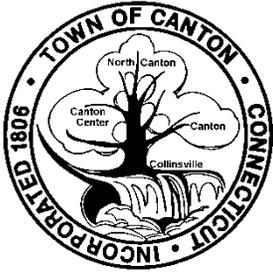
OFFICE SIGN & PARTNERS

US WALK WITH CONCRETE RB RAMP IF NECESSARY TO MATCH TOWN STANDARDS

EXISTING DRIVEWAY CURB CUT

PROVIDE DRIVEWAY CURB CUT

X REMOVE PROPOSED BITUMINOUS WALK



TOWN OF CANTON LAND USE OFFICE

4 Market Street, Collinsville, Connecticut 06022

ZEO Report, February 17, 2016 Permits Granted since January 19, 2016

#	Street	Permit	Dated Issued	
27	Shallot Meadow	ZONPERM	1/21/16	New SFH
135	Albany Turnpike	SIGN	1/27/16	Temporary Sign Permit at Ethan Allen

SFH – Single Family Home
ZONPERM – Zoning Permit
HOME OCC – Home Occupation
IWWA AA – Inland Wetlands
Authorized Agent

SIGN – Sign
LIQUOR – Liquor
MSPM – Minor Site Plan
Modification
SP – Special Permit

CERTCOM – Zoning Certificate of
Compliance

Inspections since January 19, 2016

#	Street	First Visit	Last Visit	# Visits	Reason
52	High Valley	12/23/2015	12/23/2015	1	Inspection of potential wetlands before tree removal
72	Lawton Road	11/24/2015	2/10/2016	6	Complaint regarding alleged junkyard
26	Andrew Drive	12/3/2015	2/10/2016	7	Complaint regarding unregistered vehicle
	Shallot Meadow	1/20/2016	2/10/2016	2	Regarding wetlands complaint
188	Bahre Corner Rd	2/4/16	2/4/2016	1	Regarding wetlands complaint
9	Garrett Road	2/17/2016	2/17/2016	1	CO Inspection for SFH

Enforcement Action/Attention since January 19, 2015

#	Street	Form	Date Issued	Reason
550	Cherry Brook Road	NOV	2/1/2016	NOV for storage of vehicles
26	Andrew Drive	C&D	1/20/2016	Cease and Desist for unregistered car on front lawn

SFH – Single Family Home
NOV – Notice of Violation

OOV – Observation of Violation

C&D – Cease and Desist
COMPL – Complaint

ZEO LOG

All activity since January 19, 2016

Phone Calls – 30

Emails – 63

Counter Assistance – 9

Temporary Signage Removed Since September 1, 2015