

PORTLAND PLANNING AND ZONING COMMISSION
REGULAR MEETING
Thursday, February 1, 2024 at 7:00 PM
Buck Foreman Room (2nd Floor)
265 Main Street, Portland, CT.

Regular Meeting Minutes

1. Call Meeting to Order

Robert Ellsworth called the meeting to order at 7:00 p.m.

2. Introduction of Members and Seating of Alternates

Present: Bob Ellsworth, Robert Taylor, Carolyn Freeman, Jennifer Tellone, Chantal Foster, Victoria Tchetchet

Staff: Dan Bourret, Town Planner
Dawn Guite, Recording Secretary

Absent: Tom Bransfield

3. Accept Agenda

MOTION: Robert Taylor MOVED, seconded by Jennifer Tellone to ACCEPT the agenda as PRESENTED. **VOTE UNANIMOUS. MOTION CARRIED.**

Public Hearing

4. Application #23-07: 1600 Portland Cobalt Road. LLC. Proposal to modify existing special permit approval with the addition of two more commercial buildings with garage bays. Application and property of 1600 Portland Cobalt Road LLC. Map 16, Lot 31-1. Zone R-25.

MOTION: Robert Taylor MOVED, seconded by Victoria Tchetchet to OPEN the public hearing for #22-06. **VOTE UNANIMOUS. MOTION CARRIED.**

Ben Srb, Owner, 42 Gospel Lane, Portland, is seeking to modify existing special permit approval with the addition of two more commercial buildings with garage bays. Each building will be under 5,000 s.f. and exterior colors will vary. Each site is less than 15,000 s.f. Current plantings will remain and new ones will be sustainably maintained. Trees noted on the plan will have shrubs around them. The kettle pond will not be disturbed.

Geoffrey Jacobson was unable to review information for the site plan modification for tonight's meeting and make engineering comments. Mr. Jacobson understands that if approved by PZC, Mr. Srb will accept a Condition of Approval to comply with any subsequent review comments that he has. Deputy Fire Marshall Goff, sent a memorandum on January 15, 2024, including comments in accordance with the site plan dated May 1, 2018 which are in tonight's packet. He is asking for a minimum of 20 feet for fire trucks on the site of which Mr. Srb agrees to. Conditions from 2018 will be in the motion. Elizabeth Davidson's memorandum from Chatham Health District on February 1, 2024 with her comments and modifications. New revised site plans are required before final approval is given.

MOTION: Robert Taylor MOVED, seconded by Jennifer Tellone to CLOSE the public hearing for #22-06. **VOTE UNANIMOUS. MOTION CARRIED.**

RECORDED VOTE

DATE: February 1, 2024

COMMISSION: PLANNING & ZONING COMMISSION

MOTION

To Approve Application #23-07: 1600 Portland Cobalt Road. Proposal to modify existing special permit approval with the addition of 2 more commercial buildings with garage bays. Application and property of 1600 Portland Cobalt Road LLC. Map 16, Lot 31-1. Zone B-1, as shown on plans entitled "Site Plan, 1600 Portland-Cobalt Road, LLC Portland" prepared by Bushnell Associates LLC, dated 12/21/23, revised to 1/31/24, and based on all plans, renderings and information submitted, testimony provided and subject to the following instructions and conditions that are integral to this approval:

1. That this approval will expire in 5 years.
2. That the applicant is to meet the conditions of the Chatham Health District memo from 2/1/24 and that no work can commence without approval from the Sanitarian.
3. That the plan is subject to a final engineering review and any changes from the Town Engineer must be adhered to per his 2/1/24 memo.
4. That the applicant addresses any requirements of the State of CT DOT.
5. That as a condition of approval the applicant address all comments from the Fire Marshals 1/15/24 memo.
6. That 3 paper copies of the final revised plan and one mylar be submitted to the Planning Department for endorsement by an officer of the Commission. The endorsed mylar shall be filed on the Land Records within 180 days, as per ZR Section 10.5.2.F.2.a.
7. That the certified Letter of Approval be placed on the revised final plan.
8. That an E&S bond and site restoration bond, in an amount to be determined by the Town Engineer, be submitted prior to endorsement of the plan.
9. That all E&S controls be installed and/or maintained per the plan and inspected by Town Staff prior to any land disturbance activities.
10. That any exterior light fixtures must comply with ZR Section 8 and must be approved by the Zoning Enforcement Officer prior to installation.
11. That any signage will comply with ZR Section 8 and must be approved by the Zoning Enforcement Officer prior to installation.
12. That a Zoning Permit be issued prior to the start of activity associated with this approval;
13. That the applicant has voluntarily agreed to the following from the original 8/2/2018 approval, which are integral to this application and cannot be changed:
 14. There shall be no more than 5 acres of disturbance at any time per 9.5.3.C.1.
 15. Upon completion of each section, the disturbed area shall be regraded so that the slopes are no steeper than 1:2 (vertical-horizontal) per ZR 9.5.3.C.2.
 16. The applicant shall comply with 9.5.3.C.3, except for site improvements.
 17. Processing of material as described in 9.5.3.C.4 is not permitted as these activities require a special permit.
 18. 9.5.3.C.5
 19. 9.5.3.C.8
 20. 9.5.3.C.9. In addition, the applicant shall always maintain a tracking pad at the end of the asphalt.
 21. 9.5.C.10. Refer to DOT
 22. 9.5.3.C.11
 23. 9.5.3.C.12
 24. 9.5.3.C.13. There may be construction work on weekends. Rough grading and hauling are allowed weekdays and Saturdays from 10-4. Excavation and hauling shall be allowed on Saturdays from 10-4. There shall be no work on Sundays or legal holidays.
 25. 9.5.3.C.14
 26. 9.5.3.D.3. Reports shall be submitted quarterly.
 27. 9.5.3.D.3.b.
 28. 9.5.3.F.3. After 5 years.
 29. 9.5.3.G.1.
 30. 9.5.3.G.2.
 31. 9.5.3.G.3.

32. _____

Reasons: The proposal conforms to Section 5 and 10.4 of the Zoning Regulations.

Made by: Victoria Tchetchet

Seconded by: Robert Taylor

<u>IN FAVOR</u>	<u>IN OPPOSITION</u>
<u>Victoria Tchetchet</u>	
<u>Robert Taylor</u>	
<u>Bob Ellsworth</u>	
<u>Chantal Foster</u>	
<u>Jennifer Tellone</u>	

IN ABSTENTION

Recorded By: Dawn Guite

5. PZC Application #23-08: 209 Sand Hill Road. Proposal to modify existing special permit approval for a 15 ft. addition around the whole perimeter of the previously approved barn structure to be used as an event space. Application of Arrigoni Winery LLC and property of R G Manner LLC. Map 5, Lot 14. Zone RR. *To be opened at March 7th meeting.*

Regular Meeting

6. Receive Application:

- PZC Application #23-09: 850 Portland Cobalt Road. Request for a Site Plan Review for a proposed retail fueling station and convenience store with drive thru. Application of Jannat LLC and property of MJS Realty Venture LLC. Map 31, Lot 23-2. Zone B-2.

Dan Bourret said that the site is located between Burger Heaven and Dunkin Donuts. The drive thru will be for retail coffee.

- PZC Application #23-10: 311 Brownstone Avenue. Request for Site Plan Review for proposed construction of a spa with associated site grading, drainage, utility, lighting and landscaping improvements. Application of Tartan Spa Operations, Inc. and property of Dean Soucy and Darlene Rice. Map 28, Lot 54. Zone B-3.

Dan Bourret said that the Site Plan is being reviewed by Wetlands.

7. New Business:

- Business and Industrial Zoning

Dan Bourret asked commissioners to review standards presented for Towns: Bloomfield, Cromwell, and East Hampton. He will also provide standards for Guilford. They will be discussed during the next meeting.

8. Old Business:

- POCD Implementation Letter and Table

Nothing to report.

9. Staff Report:

- Correspondence

Nothing to report.

- Brainerd Place Update

Dan Bourret said that Dan Bertram of Bright Ravens Development is aware of the concerns for refurbishing the historic buildings and Starbucks making a commitment. Starbucks will not move forward unless historic buildings are refurbished. Target date is end of summer/fall.

Bright Ravens Development will be bringing a modification before the BOS regarding tax abatement.

- Other

Dan Bourret thanked Holly Marrero for her service to the Planning and Zoning Department. She will be moving on to a position at the Senior Center.

10. Public Comment: The Commission will hear brief comments at this time from anyone wishing to speak. Comments may not be made regarding any pending application.

There were no public comments.

11. Approval of Minutes: 1/18/2024

MOTION: Robert Taylor MOVED, seconded by Jennifer Tellone to ACCEPT the Regular Meeting Minutes of 1/18/2024 as amended. **VOTE UNANIMOUS. MOTION CARRIED.**

12. Adjourn

MOTION: Chantal Foster MOVED, seconded by Robert Taylor to ADJOURN the meeting at 8:01 p.m. **VOTE UNANIMOUS. MOTION CARRIED.**

Respectfully Submitted:

Dawn Guite

Dawn Guite, Recording Secretary