Planner’s Memorandum

To: Members, Planning and Zoning Commission
   K. Moynihan, Selectman (via email)
   K. Devereaux, Selectman (via email)
   N. Williams, Selectman (via email)
   I. Bloom, Town Attorney (via email)
   T. Mann, Director of Public Works (via email)

From: Lynn Brooks Avni, AICP Town Planner
Date: Meeting Memo August 28, 2020

There are three (3) public hearing items; one (1) new item and two (2) continued items.

New & Continued Applications:

1. **842 Ponus Ridge Road** - Upon application of Gregory Sages, Authorized Agent for The National Trust for Historic Preservation, owner(s) for a Special Permit Modification due to the COVID-19 crisis of Section(s) 3.2.C.16 and 8.2.B to allow modifications of conditions of existing special permit of the Commission’s January 27, 1998 last modified on May 26, 2020 authorizing use of 842 Ponus Ridge as a limited public access museum (“The Glass House”), for property in the Two Acre Zone at 842 Ponus Ridge Road (Map 26 Block 13 Lot C7).

Discussion:
The Commission will recall that Mr. Greg Sages, Executive Director of the Glass House appeared at the May 26, 2020 Planning and Zoning Commission meeting held via zoom. At the May meeting Mr. Sages indicated that outdoor museums would be permitted to reopen; however, such institutions would need to follow specific sector rules which in the post—COVID world require, social distancing, mask wearing, six foot or more spacing between people, frequent sanitization and other rules. These new sector rules make it hard, if not impossible for the Glass House to use a van to transport visitors from the downtown area to the museum. In lieu of the Glass House van, permission was requested to allow a small amount of parking onsite and to permit overflow parking at the West School. The Commission recognizing the changes necessitated by COVID-19 granted the request for a three (3) month period. Now at the three (3) month mark, the Glass House would like to
request that the Commission grant an extension through the end of the 2020 tour season which ends on December 15, 2020 per the fifth revision to the Glass House Permit, granted on September 24, 2019. The Glass House proposes to continue to utilize the West School parking lot; however, should it become unavailable parking would be limited to the Glass House property. Additionally, should the State of Connecticut guidelines allow the Glass House to commence using their bus, again to transport visitors, the museum plans to use its bus.

In addition to a request for an extension, the Glass House is also seeking permission to hold a wedding at the site on October 4, 2020. The application notes that the global COVID-19 pandemic has made it impossible for the museum to host its annual fundraiser in June nor was it possible for the museum to any “Special Programming Events” of which four (4) are permitted a year. “Special Programming Events” was not intended to allow the Glass House to host weddings. The Glass House is requesting that the Commission consider this special request in consideration of the COVID-19 pandemic. The number of guests at the wedding is proposed to be no more than 75, and it will be in accordance with all the relevant guidelines from the State.

2. Discussion and consideration of the request of Jacqueline O. Kaufman, Carmody, Torrance, Sandak & Hennessey, LLP, Authorized Agent for Thomas A. Sanseverino owner, 8, 10, 12 and 14 Husted Lane and Lynn Corson owner, 16 Husted Lane, Petition for Change in Zoning Boundary, pursuant to Section 8.2.D for properties currently in the B Residence Zone to the Retail B Zone for 8 Husted Lane (Map T, Block 211, Lot 877 ), 10 Husted Lane (Map T, Block 211, Lot 843), 12 Husted Lane (Map T, Block 211, Lot 880), 14 Husted Lane (Map T, Block 211, Lot 874), 16 Husted Lane (Map T, Block 211, Lot 879) as well as Husted Lane.

**Discussion:**

This application is a request for a map change for 8, 10, 12 and 14 Husted Lane from B Residential to Retail B Zone. The Commission will recall that the Applicant gave a pre-application presentation before the Commission at the May 2019 meeting. At the time the Applicant was debating whether a text change to the B Residential Zone Regulations was advisable or whether or more prudent route might be a Map Change. This property is located near the intersection of Main Street and Heritage Hill Road. It is essentially one of the first properties immediately outside the downtown, business and retail zones. This parcel is located at a confluence of zoning districts. It immediately abuts the Apartment Zone to the north; it is zoned B Residential Zone and abuts other B Residential Zones to the east and the Retail B Zone to the south where it abuts the Town’s Locust Street parking lot. Additionally, within one (1) block of the site are the Retail A Zone and the Business A Zone. This parcel is currently improved with five (5) properties: two (2) single family
dwellings, one (1) two family dwelling, and two (2) multi-family dwellings. The multifamily dwellings are legally non-conforming.

Husted Lane appears to be a private road that comes off Heritage Hill Road in such a way that the two streets form a letter “y.” There is a total of five (5) lots on Husted Lane; two of the lots have direct frontage on Husted Lane and three (3) of the lots appear to be rear lots with an access drive that has frontage on Husted Lane. The street dead ends at the access drive. Husted is not a through street and one likely wouldn’t drive down Husted unless they lived there or planned to visit someone on the street. It should also be noted that for a small stretch Heritage Hill Road and Husted Lane run parallel to each other. Additionally, even though the streets run parallel at points there is an elevation change between Heritage Hill Road and Husted Lane. Husted Lane has a lower elevation and is buffered from Heritage Hill Road by some existing landscaping that runs adjacent to the sidewalk on Heritage Hill Road.

ADDENDUM
At the July Planning and Zoning meeting, Jackie Kaufman, attorney for the applicant represented that the Applicant proposes to submit a revised map of the proposed area to be changed that will remove the property of Lynn Corson. The public hearing was held in conjunction with the Site Plan/Special Permit application.

3. 8 and 10 Husted Lane – Upon Application of Jacqueline O. Kaufman, Carmody, Torrance, Sandak & Hennessey, LLP, Authorized Agent for Thomas A. Sanseverino, Owner for a Special Permit and Site Plan approval of Sections 4.3, 4.3.D.1, 4.3.D.1.d, 4.8.C, 6.H.1, 8.2.B and 8.2.A to permit a mixed use development containing twelve (12) residential dwelling units and approximately 315 SF of commercial space with associated parking, landscaping, utility and site improvements at 8 Husted Lane (Map T, Block 211, Lot 877) and 10 Husted Lane ((Map T, Block 211, Lot 843) as well as Husted Lane in the proposed Retail B Zone

Discussion:

This is a Special Permit/Site Plan application to construct a twelve (12) unit mixed use development on 8 and 10 Husted Lane. This application is related to the preceding Map Change application. If the Map Change application were successful, the Applicant proposes to construct a twelve (12) unit mixed use building with a small ground floor commercial space of approximately 315 SF. Special Permits are required in the Retail B zone to construct a mixed use development, specifically Sections 4.3.D.1, 4.3.I.d, 4.8.C and 6.H.1.

As noted above, in the Map Change application, this property is located near the intersection of Main Street and Heritage Hill Road. It is essentially one of the first
properties immediately outside the downtown, business and retail zones. This parcel is located at a confluence of zoning districts. It immediately abuts the Apartment Zone to the north; it is zoned B Residential Zone and abuts other B Residential Zone to the east and the Retail B Zone to the south where it abuts the Town’s Locust Street parking lot. Additionally, within one (1) block of the site are the Retail A Zone and the Business A Zone. This parcel is currently improved with five (5) properties: two (2) single family dwellings, one (1) two family dwelling, and two (2) multi-family dwellings. The multifamily dwellings are legally non-conforming.

Husted Lane appears to be a private road that comes off Heritage Hill Road in such a way that the two streets form a letter “y.” There is a total of five (5) lots on Husted Lane; two of the lots have direct frontage on Husted Lane and three (3) of the lots appear to be rear lots with an access drive that has frontage on Husted Lane. The street dead ends at the access drive. Husted is not a through street and one likely wouldn’t drive down Husted unless they lived there or planned to visit someone on the street. It should also be noted that while for a small length Heritage Hill Road and Husted Lane run parallel to each other, there is an elevation change between Heritage Hill Road and Husted Lane. Husted Lane has a lower elevation and is buffered from Heritage Hill Road by some existing landscaping that runs adjacent to the sidewalk on Heritage Hill Road.

The Commission would need to approve the Map Change request in order for them to address the Special Permit application which has some additional specific requests that will need to be addressed. First, the Applicant has requested that the Front Yard Setback be relocated to the Building Line. According to the Regulations (Sect. 2.2) the “Building Line is a line established by the Commission or other competent municipal authority, in back of the street line defining an area between said lines upon which buildings or structures are regulated or prohibited.” The term Building Line seems to refer to the setback and is only used in the commercial and business zones. If the Commission were to look favorably upon the Map Change application this would become a commercial zone (Retail B). In the Residential zone the term Yard Setback (ie. Front, Rear and Side) when referring to the setback areas. Chapter 54 Streets and Sidewalks of the Ordinances and Bylaws of the Town Charter, specifically, 54-3 notes that “until a building line is established in any highway the property line thereon shall be the building line.” Second, the Applicant has requested a modification of the requirement in Sect. 6.H.1 which requires a maximum of ten (10) parking spaces in a row. Instead the Applicant proposes a continuous row of eleven (11) parking spaces with appropriate landscaping. In an effort to avoid locating the parking adjacent to neighboring residential property lines, the Applicant has requested this modification. Additionally, the Applicant has represented that this parking design allows for a greater amount of perimeter landscaping and screening opportunities. A Traffic Access and Impact Study was prepared by Frederick
Clarke Associates and dated April 8, 2020. Based on the proposed development the Traffic Engineer recommends that a stop sign and stop bar be provided at both the site access driveway to Husted Lane and at the intersection of Husted Lane and Heritage Hill Road on the westbound approach. Additionally, no parking signs should be installed on both sides of Husted Lane from Heritage Hill Road to the existing roundabout.