

## Draft Minutes

### TOWN OF GUILFORD Design Review Committee Minutes – 12<sup>th</sup> October, 2016

A regular meeting of the Design Review Committee was held on Wednesday 12<sup>th</sup> October, 2016 at 4:00p.m. in the Guilford Community Center with Chairman Karin Patriquin presiding.

Present: Robert Charney, John Cunningham, Shirley Girioni, Karin Patriquin, Mary Repetti, William Thompson, Shavaun Towers and Walter Weissenborn. Also present Town Planner George Kral. Excused: Philippe Campus.

The meeting was called to order at 4:02p.m.

Ms. Patriquin welcomed newly appointed committee member John Cunningham.

**Approval of Minutes:** Mrs. Repetti made a motion to accept the Minutes of 14<sup>th</sup> September, 2016. Mrs. Girioni seconded the motion and it was carried with 4 votes in favor. Charney, Towers and Weissenborn abstained since they were not present at the September meeting. Mr. Cunningham abstained since he was not serving on the Committee in September.

### **REVIEW APPLICATIONS**

**U-Haul, 301 Boston Post Road, Map 49, Lot 30, Zone TS (former Charles Mannix property): Site Plan Revision - Change of use from retail to self-storage, and truck and trailer rentals:** Peter Sciortino (U-Haul) was present. Ms. Patriquin read the Committee's purpose from the Zoning Code (Chapter §273-133): "*A Design Review Committee is created in order to assist the Planning & Zoning Commission in administering the Zoning Code. The advice of the Committee is intended to encourage higher quality building and site design and result in commercial development which is compatible with the character of the Town*" She announced that a letter had been received from Jennifer and David Milano, Managers at Milano Properties, LLC, 40 Mungertown Road, Madison, CT 06443. Ms. Patriquin read excerpts from this letter which expressed concerns about several issues as follows:-

**1) Scale and Style of Proposed Buildings:** The Vision in the Planning and Design Guidelines: Route One East Boston Post Road states in part "*...the character of the Boston Post Road must remain unique and protected from the pressures of strip mall developments, over-scaled structures and excessive car-orientated frontages for the benefit of the town, its residents, and the economy as well. Further, owners/developers that take on new and redevelopment projects along the Boston Post Road will understand and respect its tradition and the varying characters of the zones, building appropriately....*"

**2) Proposed Parking of Trucks:** Zoning Code Chapter §273-120 ... *prohibits rental vehicles from being parked, stored or displayed within 50 feet of the front property line, and the use must be screened. Zoning Code Chapter §273-58 .... Prohibits signs on trucks and vans when they are being used mainly for advertising.*

3) Self-storage and the Guidelines: Planning and Design Guidelines: Route One East Boston Post Road Appendix A states “...because extensive trucking and delivery activity is associated with warehousing and storage uses, and because modern building typology of these uses is generally not visually appealing or engaging, these uses should be discouraged. In their letter the Milano’s acknowledge that the Zoning Code was recently amended to permit self-storage facilities in the TS Zone by special permit but questioned the compatibility of a three-story building and rental of delivery trucks with the Guidelines.

Referring to a comment in the DRC minutes that the Town would be relying on U-Haul to maintain neatness, the Milano’s included photographs of a U-Haul site in Orange.

Mr. Sciortino said that Milano Properties probably would not benefit from U-Haul coming to Guilford and that he felt he had done everything he could to get away from a trademark building. Later in the meeting, Mr. Sciortino said the Orange site was the worst one that U-Haul had and that the property was much smaller than the Guilford site.

Mrs. Girioni asked Mr. Kral to clarify Zoning Code Chapter §273-58 regarding prohibiting signs on trucks when they were being used mainly for advertising. Mr. Kral replied that this question had never really come up before and that he did not believe it would be enforceable. Mrs. Girioni said she was not saying there could not be logos on the trucks but that 7 of them should not be displayed instead of having signage on the building. Mr. Kral said again that he did not believe the Town would have the authority to enforce this but it could be checked with Town Counsel.

Regarding the 50 foot set back requirement under Zoning Code Chapter §273-120, Mr. Kral said the application was a continuation of an existing non-conforming use. Mrs. Girioni felt it was an expansion of a non-conforming use. Mr. Kral replied that it was essentially the sale and display of motor vehicles, similar to the previous use. Obviously one would want to minimize the amount of display on the vehicles but he said he was unsure how this could be done legally. Mrs. Girioni asked how far back the vehicles were on the proposed site plan. Mr. Thompson measured the distance and estimated 28 feet. Mrs. Girioni suggested that it would be prudent to check the legality of the proposal in case of a future lawsuit. Mr. Sciortino pointed out that the vehicles would move so they were not static. Mr. Kral reiterated that the Town had no authority over advertising on vehicles, that he thought the setback would be further away from the property line than the previous tenant was, and that this proposed use was not much different from the previous use. Mrs. Repetti stated that the problem could be helped by putting the parking on the side and the back of the building. However, Mr. Sciortino replied that this would not work for U-Haul and that the vehicles had to be in the front area. Mrs. Girioni again read from Zoning Code Chapter §273-120 (26c): “No motor vehicles shall be parked, stored or displayed within 50 feet of the front property line, 25 feet of the side property or 25 feet of any residential zone district line, and the use shall be suitably screened to the satisfaction of the Commission.” Mr. Thompson said if there was an ongoing use which had allowed storage in a certain manner then he did not think the applicant could be told to change the display, adding that this was a gray area. However, if there were substantive changes that would be a different matter. Mr. Kral pointed out that Mrs. Girioni was saying it was a different use. Mr. Thompson replied that this needed to be resolved. He asked how the previous owner had received approval. Mr. Kral replied that he believed they had just begun operating without any approval being sought,

agreeing that the legalities would have to be resolved. Mr. Thompson said the resolution of these issues would affect how the Committee made its decision. Mr. Kral noted that the applicant had been told that his proposal was a continuation of the existing use. If this was not so then this would be a significant change. Mrs. Girioni asked Mr. Sciortino the purpose of the 7 display vehicles and he replied advertising. Mrs. Girioni pointed out that this was prohibited under the Zoning Code and so this legal question should be addressed. She added that lack of clarification affected the Committee's decision.

Ms. Patriquin said the legalities should be deferred to PZC but that the Committee could review other matters. She felt the proposal met the criteria for not being a trademark building. Mr. Kral said again that he did not feel PZC could control advertising on vehicles, he felt the proposal was an extension of the current use, and that he did not have the authority to contact Town Counsel about the legal issues. Mr. Kral said Milano Properties could present its legal argument and PZC would then have to resolve this, perhaps referring it to Town Counsel. Economic Development Specialist Brian McGlone noted that there were other businesses in Guilford that had trucks with logos parked on their property.

Mr. Cunningham asked if there was a landscape plan. Mr. Sciortino replied not yet. Mr. Cunningham did not feel that the parking was the biggest issue. Instead he said the nature of the landscape plan was how one would look at the property and interpret it. There should be a landscape plan that followed the lines of the buildings. Mr. Sciortino showed a listing of proposed trees. Ms. Patriquin queried any changes to the project. Mr. Sciortino replied that trucks would be placed in a parking area towards I-95. Mr. Cunningham asked if the storage building could be moved towards I-95. Mr. Sciortino replied that it had been moved a bit but for fire department requirements. Mr. Cunningham then asked who had sized the basin and what water would be going into it. Mr. Sciortino replied that he did not know but could find out. Mr. Cunningham asked him to ascertain who sized the basin originally, what water would go into it and could the shape be changed so that the building could be moved further to the north and away from the Boston Post Road. Mr. Cunningham then asked Mr. Kral with a new building on site could the Town determine what water went into the basin. Mr. Kral replied that he did not know the answer to this. Mr. Cunningham said that it looked like a big basin. Mr. Charney asked if the architectural treatment extended around to the east face. He also asked if there would be a commitment that the street trees would definitely be installed since this had not always happened on other applications. Ms. Towers said she assumed that large street trees would be used which she recommended, and she suggested that they be moved forward with more continuous screening behind them and in front of the trucks. Ms. Patriquin asked if there was a sidewalk and the answer was no. Mr. Thompson asked if a sidewalk could be installed on State land. Mr. Kral thought this could be done. Mr. Cunningham said he would recommend that in this instance. He also suggested that the site plans should be in a bigger scale and that a section of street trees, trucks, etc., be provided. He further said that a landscape plan was needed specifying the trees to be used which the Committee could review to determine that the right tree was being used in the right location. Mr. Weissenborn asked if a stone wall should be considered similar to the one at Bishop's. However, Mr. Cunningham said this would involve financial issues. He then said the landscaping should be a blend of evergreen and deciduous plants.

Mr. Kral stated that the Committee reviewed plans and made recommendations which the applicant added to the plans which were then submitted to PZC, then the staff ensured they were implemented. If the applicant does not wish to follow the recommendations he can make his case to PZC as to why he should not follow the recommendations. However, he felt this applicant was willing to follow the Committee's recommendations. Mr. Kral said some people might like to see some other development other than an automotive use but if this proposal continued then one should try to make this plan as good as possible. Ms. Patriquin felt having order on the site would help. Location of mechanicals was briefly reviewed. Ms. Patriquin asked if the condensers on the west side of the building were screened and Mr. Sciortino replied no. Ms. Patriquin asked if screening could be installed. Mr. Thompson said his biggest concern was the massing of the storage building and agreed with Mr. Cunningham that the further back it could be moved the better. Another concern was lighting at night. Mr. Sciortino said the lights would be beaming during the day but at night they would be on a timer and much softer. He showed a sample of the proposed brick and a photograph of the proposed color – brown. Mr. Weissenborn queried the daytime lighting. Mr. Sciortino replied that there would be lighting in the two towers – inside the building which would point up illuminating the ceiling. Mr. Thompson requested a photometric of the night lighting. Mrs. Repetti reminded Mr. Sciortino that Guilford was part of the Dark Skies initiative. Ms. Patriquin requested a final landscape plan and a material palette for the next meeting. Referring to the canopy on the new building Mr. Weissenborn suggested using the same storefront system on the ground floor, to be more like the other towers. Regarding signage Mrs. Repetti recommended this be reduced on the Route One side but could be increased on the I-95 side. Signage allowance for each building is 75SF.

Mr. Kral left the meeting at 5:10p.m.

**506 Whitfield Street, Map 29, Lot 100, Zone C-2: Site Plan Revision – landscaping and paving:**

Mr. Thompson and Mr. Cunningham recused themselves to make this presentation. Mr. Thompson showed a site plan, noting that this was a modification of an existing approved plan and that there was no change of use or building form. The proposal was to improve the town road at the back and grade the parking lot, turn the access road to pedestrian only with Stony Creek granite stone dust while keeping it ADA compliant, put in a curb cut on the opposite side so there was ADA access from the sidewalk. Mr. Thompson said there were a lot of utilities in the ground in the rear area but he was looking to add a simple pergola and gazebo which would not affect the view shed but would soften the area. Mr. Cunningham showed a plan indicating the septic tanks. Trees will be in a soil area and will not impact the septic tanks. There will be granite slab steps leading up to the pergola. Mr. Cunningham said he would like a trellis system viewing out to the water with grape vines in large planters. He noted that if the gazebo could not be erected in the proposed location it would be moved to the east side of the area. Mrs. Girioni wondered what would prevent cars from going down the private access. Ms. Towers suggested extending the curbing across. She queried lighting. Mr. Cunningham said he might want to add one new fixture. Mr. Thompson circulated photographs of the proposed pergola and gazebo – a simple pavilion idea, nothing too fussy. Mr. Charney asked if the pavilion columns could be stone. Mr. Thompson agreed and felt this would be pretty. Ms. Towers said she would be concerned about the walkway off the lot to the pergola and she suggested switching it around so it came off the street instead. Mr. Thompson said he would ask the owners how much they wanted a privacy buffer or if they even cared about the public accessing the gazebo area.

Mrs. Girioni made a motion that the Committee recommends PZC approve this modification with the recommendations outlined above and that the applicant return with final details on the pergola, planting materials and lighting. Mr. Weissenborn seconded the motion and it was carried unanimously.

**Approval of Bills:** Ms. Towers made a motion to approve the following bill: Katharine Stewart, secretarial services. Mrs. Repetti seconded the motion and it was carried unanimously. The meeting was adjourned at 5:40p.m.

The next meeting of the Design Review Committee will be held on Wednesday 9<sup>th</sup> November, 2016 at 4:00p.m. in the Guilford Community Center.

Respectfully submitted,

Katharine Stewart  
Recording Secretary