

**COVENTRY PLANNING AND ZONING COMMISSION
MEETING MINUTES
REGULAR MEETING OF MONDAY, MARCH 24, 2025**

1. CALL TO ORDER

By: Pollansky Time: 7:01 p.m. Place: Conference Room B & Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Bill Jobbagy, Chairperson		X
	Brian Murray	X	
	Darby Pollansky, Vice Chairperson	X	
	Carol Polsky, Secretary	X	
	Eric Thomas	X	
ALTERNATE MEMBERS:	Steve Reviczky	X	
	Mindy Gosselin	X	
	VACANT		
STAFF:	Jana Roberson, AICP, Director of Planning & Development	X	
	Heidi Leech, Land Use Administrative Assistant		X
	Natalia Yeschick, Recording Secretary	X	

2. ROLL CALL/SEATING OF ALTERNATES

Alternate member Steve Reviczky is seated for Chairperson Bill Jobbagy

3. AUDIENCE OF CITIZENS - None

4. PUBLIC HEARINGS:

a. PZC-25-2 – Proposed modification of the Zoning Map in the vicinity of 1409 Main Street to reclassify the entire 2.05-acre parcel as Village Gateway Zone.

Attorney Timothy Herbst attended via Zoom for the applicant.

Herbst explained his understanding based on the correspondence received by Roberson was that the hearing would be opened and continued to the next meeting, due to the notice requirements with the Town Clerk's office not being met within the ten day window. Roberson responded that is correct, the hearing was not filed within the 10 day window as per statute. However, it has been recorded in the Town Clerk's office this morning. It is proper to leave the hearing open tonight; however, the members of the public are here and they are expecting a hearing. There is no reason why we cannot proceed without closing the hearing tonight. Herbst responded they are comfortable with initiating the once the 10 days has expired because he does not want to invite any type of challenge on a procedural basis. Herbst expressed they would be more comfortable presenting after the 10 day window is met and presenting at the April meeting. Roberson inquired whether they are choosing not to present at this time? Herbst explained they are responding to what was received by Roberson concerning the application. Herbst was told it would be opened and moved to April. Roberson responded should they be seeking the language of the proposal in the Town Clerk's office that they would have been adequately noticed by the time of our April 14 meeting. Since the hearing is open and you are choosing not to present, we will proceed with other comments as part of the public hearing. Pollansky stated realistically the reason for the continuation is because it wasn't filed and in case someone did not see it they would have the opportunity to come to the next meeting, but why should we not openly discuss and have comments this meeting that continue to the next meeting? It may be beneficial and they would have preparation time to respond. Herbst concern is they want to make sure any member of the public receives ample notice and doesn't want to create a situation where a member of the public comes to the April meeting after a presentation is made, questions have been asked by the commission, members of the public have offered comment, and then have a member from the public say it was not in the Town Clerk's office until March 24 and then hypothetically speaking someone could say they do not feel they have been given same and equal treatment with respect to commenting on the application at the March 24 meeting, Herbst would like to avoid that. Pollansky understands that could be reason for an appeal and asked that if someone showed up at the April meeting that was not here tonight and you repeated what you had, would that be a problem? Herbst stated that so long as the hearing is left open and the public can comment tonight and in April and they have the opportunity to address comments at both meetings it should not be an issue. Roberson stated that was the suggestion. Herbst was under the impression based on the emails received by the Town they would not be presenting tonight, but they will go ahead and present. Roberson explained the email suggested opening the hearing tonight and also continued it to the April meeting, and sent Herbst a follow up email saying she strongly suggests Herbst attends the meeting tonight.

Roberson explained the recording will be available for anyone who would like a copy.

Roberson read the legal notice.

Herbst with Zabel Schellenberg, PLLC is here on behalf of A1Z7, LLC. Owner Hari Jalli of A1Z7,

LLC is present via Zoom, however they ended up having audio and camera issues. Herbst spoke on their behalf. Herbst wishes to speak to the commission tonight about the proposed application for change of zone and what we are seeking to accomplish. As indicated, the LLC is the record owner of property and is located at 1409 Main Street. This property consists of approximately 2.05 acres located at the intersection of Routes 275 and 31. On this plan, the property is shown as lot A on a plan that is titled "Improvement location and topographic survey record free split plan prepared for A1Z7 LLC 1409 Main Street." It should be noted the property has two zoning classifications under the Coventry Zoning Regulations. The front of the property is zoned commercial under the village gateway zone (VGZ) and the rear of the property is zoned in the lake residential zone (LRZ) with views of Coventry Lake. We are seeking to accomplish with the zone boundary change is to reclassify the entire parcel under the VGZ. Jalli will warrant and agree as a condition of approval that all ingress and egress for the parcel will come from Main street, not Woodland Road. In looking at your POCD, it is our position that the requested zone boundary designation changes are consistent with goals and objectives of the 2020 plan. The POCD calls for the Economic Development Commission and the land use staff to "selectively promote intensive and appropriate residential and commercial uses, plan a careful strategy to combine new uses including services, retail starter businesses, cluster housing on the Village edges and infill commercial development along Main Street, target new uses that will have regional attraction, including those associated with local universities." The POCD goes on to state that "The community and government must actively support the retention of existing businesses and the development of selected new businesses in robust commercial districts attractive to residents and visitors. This allows residents to enjoy a high quality of life and to care for the community's future." Herbst thinks that is significant because in 2019 the town sought feedback from citizens on the plan in the preparation of this 2020 Plan of Conservation and Development and specifically asked for suggested modifications to the plan for items that should be addressed or included in the plan. The 2019 citizen survey included specific questions regarding residents' opinions regarding commercial business growth in the town and 65% of respondents to the survey indicated that the Town should encourage targeted commercial development to provide jobs, services, and tax revenue. We believe this application is logical and prudent in the context of what the POCD calls for. Given the property's location, it is appropriate and consistent with the goals mentioned. Additionally, we believe the zone change will promote and produce optimal lot development and therefore will result in the growing tax base for the Town of Coventry. We agree based on conversations had with town staff that ingress and egress should not be off of Woodland Road, and are willing to agree to that as a condition. Since the hearing will be open and we will seek public input tonight as well as in April, we want to reserve our right to offer any additional comments that might address questions that come up with the commission or the public at large and present at the April meeting. Pollansky responded absolutely.

Pollansky asked if it would be beneficial to hear about the history of this property? Herbst responded and asked how far he should go back? Pollansky suggested back to when it was residential. Herbst stated that regarding the history of property, it is his understanding that previous to this application it had been zoned residential and the town made zone changes in the area to allow for commercial. When property was acquired, there was a free split which

was the basis of the plan that was shared for the purposes of this zone change. It shows where the cut was made. What we are trying to do now based on where the cut is occurring is to bring that parcel that faces Main Street into full universal conformity into the VZG designation. Roberson responded she does not know as much of the history as someone from the community may, but she can comment on zone boundaries and on the land uses in the vicinity. Pollansky would like to see Roberson's presentation as well before we go to the commission.

Roberson stated the sections of the POCD that were quoted are the relevant ones. The zone boundaries do not have to follow parcel boundaries. That is the case on this lot. It is a parcel that spans two different zones. They are proposing to put the entirety of the parcel in a single zone and that zone be the Village Gateway Zone. Roberson showed a few maps to point out the property location and to further explain the zoning, as well as the proposal. The land use classifications map is from the Assessor's data. At the time this map was prepared in 2019, the parcel was residential. Immediately adjacent to the parcel are commercial properties. Roberson wanted this added to the record for the purposes of a complete application. Included in the application are some pictures of the main frontage. The house on the property has not been occupied for a long time and Roberson is not sure if it is habitable. The existing house is not completely relevant to the zone change proposal. Pollansky asked if the applicant purchased the entire parcel? Roberson responded the applicant purchased the whole parcel and was eligible for a free cut so it is now two parcels. Pollansky confirmed if it is just the frontage that was village gateway, and now they would like the entire proposed parcel to be village gateway. Roberson answered yes. Herbst commented to ask the commission and the general public to consider the fact that we already have a village gateway designation at the front of the property. When you have a two-acre parcel that has a commercial and residential designation, when you look at it in that context, we are of the mindset that it would be logical for these two acres to essentially be 50% commercial and 50% residential. It raises two valid questions: 1) If you already have a bona fide commercial designation at the front of the property where primary ingress and egress is going to be, what would you be able to allow under the existing commercial designation on one acre that would be plausible? and 2) If you were to retain the residential designation of the rear part of the parcel, how would that residential use interface with the commercial used directly in front of it? How would that residential use be accessed? And would it be practical to have that type of dynamic where you have an existing, approved, in effect commercial designation on the front of a property and then you have a residential on the back all within two acres? We are within a strong belief that what we are proposing is practical, not excessive, we are basically taking the two acre parcel and making it all one zoning classification. From a planning standpoint, a development standpoint, having two acres gives any prospective developer, and the town the ability to exercise functions under the special permit approval process to make sure there is adequate parking and things like that.

Walter Borst is an abutting property owner on Woodland. He is trying to get an overall understanding of what the purpose of this is. There is a leg coming down to Woodland. What is the purpose of the rezoning? Herbst responded the narrow piece coming down Woodland is only to take into effect the entire parcel. We believe strongly there should be no ingress or egress onto Woodland, and we would agree to that as a condition of approval. The intent here

is to take a two-acre parcel and bring it into a singular zoning designation that we believe is consistent with the Town's plan of conservation and development. What use will ultimately go there is going to be a function of an application that will also be reviewed and vetted by the planning and zoning commission. Herbst does not want any member of the public to think that if this zone change goes through, the town and the residents will not have the opportunity to review and vet any type of proposed commercial use and based upon the standards in the zoning regulations. The Planning and Zoning Commission is accorded discretion in assessing any application that is brought forward and can either approve or deny anything they feel is inconsistent with the zoning application. Borst responded they would like to give us an idea of what the plan is for the property. Herbst stated the client has no plans for the property at this time.

Pollansky suggested we read out what is allowed in each zone. Prior to reading what is allowed in each zone, Roberson made a point of clarification that the topic of conditions has been mentioned a couple of times by Herbst, and stated he is free to disagree, however Roberson does not believe zone boundary change actions by this commission are ever conditional. You cannot assert conditions to a zone boundary change application, you have three options. You can approve it, you can modify and approve it, or you can deny it. The discussion of conditions, Roberson does not want anyone to get the impression that a zone boundary change can be conditioned. It is Roberson's assertion it cannot be. The application can be modified before taking action on it. Roberson went on to read from Sec. 6.10 of the Zoning Regulations:

Section 6.10 Gateway Zone

Section 6.10.01 Generally Permitted Uses

a. Uses Not Requiring Site Plan Review by the Commission

The following uses are permitted in the Gateway Zone upon the issuance of a zoning permit by the Zoning Agent:

1. Finance, insurance, real estate services
2. Offices
3. Personal services
4. Professional services
5. Art studios/galleries
6. Residential apartment (not on primary street level)
7. Public museums
8. Government services
9. Contract construction services
10. Tattoo studios (Added – Effective 3/7/13)

b. Uses Requiring Site Plan Review by the Commission

The following uses are permitted in the Gateway Zone upon the issuance of site plan approval by the Commission:

1. Business services – data processing
2. Retail trade – up to 5,000 square feet of gross building floor area per lot
3. Municipal public parking
4. Churches and other places of religious worship

Section 6.10.02 Specially Permitted Uses

The Commission may issue a special permit in accordance with Section 7.03 of these Regulations for the following uses in the Gateway Zone:

- a. Taverns and inns
- b. Recreational activities
- c. Educational institutions and services
- d. Retail trade – over 5,000 square feet of gross building floor area per lot
- e. Food service establishment (with or without outdoor seating)
- f. Child and adult day care facilities and nursery schools
- g. Theatres
- h. In a mill structure existing as of January 1, 2005, or in an expansion thereof, the following uses may be permitted: (Revised - Effective 06/15/12)
 1. assembly
 2. factory outlet
 3. light manufacturing
 4. office
 5. residential uses
 6. business services
 7. retail services
- i. Designed Apartment/Condominium Developments, including, but not limited to senior housing, in accordance with Section 5.13 of these Regulations.
- j. Car washes (Added – Effective 07/30/07)
- k. Public Utility Stations and Buildings essential to Public Convenience or Welfare. (**Added – Effective 06/08/15**)

All of these uses are subject to design guidelines. Roberson mentioned as stated previously it is a mixed-use zone, there are a variety of commercial and residential uses that can be permitted there.

Moving to the Lake Residential zone, it is a much shorter list. Roberson went on to read from Sec. 6.4 of the Zoning Regulations:

Section 6.04 Lake Residential (LR) Zone

Section 6.04.01 Generally Permitted Uses

a. Uses Not Requiring Site Plan Review by the Commission

The following uses are permitted in the Lake Residential Zone upon the issuance of a zoning permit by the Zoning Agent:

1. Any use, other than agriculture and two-family dwellings, that is generally permitted without the necessity of site plan approval in the GR Zones.
2. Family Child Care Home or Group Child Care Home.

b. Uses Requiring Site Plan Review by the Commission

At this time, no additional uses are permitted in the Lake Residential Zone by site plan approval.

Section 6.04.02 Specially Permitted Uses

The Commission may issue a special permit in accordance with Section 7.03 of these Regulations for the following uses in the Lake Residential Zone:

- a. Philanthropic, educational, religious, cemetery and eleemosynary uses by non-profit organizations.
- b. Agriculture, including a farm, but not including nurseries and greenhouses, and further provided (i) that any parcel for the raising of animals other than common domestic household pets shall be no less than 80,000 square feet in size, except with a special permit pursuant to Section 6.03.02.j; (ii) that any structure for the sheltering or feeding of livestock, which is not intended or designed for the purpose of storing animal waste are located no less than 50 feet from any property line; (iii) that any structures or open areas for the storage of manure or other animal waste products are located no less than 100 feet from any property line and are adequately and permanently screened from dwellings on adjacent properties, except that fully composted manure may be applied within 100 feet of a property line for soil restoration and fortification; (iv) the application of Best Management Practices shall be implemented for manure storage or plant fertilizer to mitigate runoff of agricultural contaminants; (v) any structure for the enclosure and feeding of swine must be no less than 100 feet from any property line; (vi) that any structure for the enclosure of poultry that is less than 100 square feet in area and less than 10 feet in height may be located no less than 25 feet to a property line and no less than 50 feet to a neighboring residence. The setbacks specified in this subsection shall not apply to fences associated with an agricultural use. **(Revised - Effective 07/23/2021)**
- c. Power-generating facilities, substations, or offices.
- d. Public Utility Stations and Buildings essential to Public Convenience or Welfare. **(Added – Effective 06/08/15)**

Roberson stated home occupations could potentially be approved in the Lake Residential zone, but generally it is considered a residential zone whereas the village gateway zone is a mixed use zone that allows a broader variety of uses.

Leo Papa owns a restaurant down the street from the property. Papa has known the property for over 20 years. Papa believes changing the zoning is a bad idea, and thinks there will be a lot of issues. He mentioned it is designed as is and fit for a single-family house that has been there for over 10 years. Regarding taxes for the town of Coventry, that is not the idea. Papa speculated the owner wants to change it to commercial and sell, and he will do nothing for the town.

Mariana Papa of Mariana Properties, LLC mentioned the strip going to Woodland Road has water that drips from the hill, goes to Lakeview and creates ice. The town has been called for that and they have come and sanded it a couple of times. If they are not there and do not see the ice, it is a big issue. Additionally, Papa asked why the strip is there and why is it separated? There will be something there after the zoning. Papa also has concerns about the visibility of the entrance of the property from Main Street, and compared the visibility at Coventry Corners. She explained the gas pumps at the gas station would be hit if you try to turn around. The plan of getting in and out from Main Street is complicated.

Borst stated they have the same curiosity about the strip on Woodland Street.

Scott Jatkowski of 65 Woodland Road said they received notice by a mailing, and it was posted on both sides on Main Street. Jatkowski still has concerns with the way the tail of the property is coming into Woodland and questions the intention of it. If the owner were to go ahead and put that in place and include that tail, what is to have them not come back and hit the higher side of that parcel?

There was discussion clarifying the parcels and showing the part they would like to add to the Village Gateway zone, and where the frontage of the lot is. Roberson stated the zone boundaries go right through the existing house. The entire part you can see from Main Street is already in the village gateway zone, they just want to push it back to add all of it to the village gateway zone.

Jatkowski's concern is they will take the stem in that parcel and take the other lot, then ask for that to be extended also. Roberson responded that is not the application we are looking at today.

Papa mentioned they see the difficulties of entering and exiting on Main street so there is concern they will instead enter and exit on Woodland.

Jatkowski mentioned with the way the tail is, if all of it becomes that zone they will come back and want the next parcel because it is continuous. It is a slippery uphill slope. Woodland is in that area of residential and it should stay residential. Jatkowski also pointed out the map indicating the current uses is not accurate, as most of the commercial properties shown are now residential. Roberson responded that between now and the continued public hearing we can update that. Jatkowski again expressed concerns of Woodland traffic, and how slippery that area is. He is also nervous of where the tail is and what their intention is down the road. Borst asked if that tail is actually a driveway now? Roberson responded it is not a driveway now.

Jill Wood-Reviczky is curious what the client is planning on doing right now? They are only planning on this change and there's no change for the future? Herbst responded there is no plan at this time for a commercial use. Herbst and his client will be coming up to the continued meeting in April and encouraged the public to attend so he and the owner of the property may address questions. Herbst reiterated there are no plans for specific use on the parcel at this time. Additionally, what is before the commission at this time is a request to change the zone boundary designations. Herbst stated it is premature to speculate about specific uses of the property when what is before the commission is a specific boundary zone change and even if that zone boundary change is approved, the commission and the public will have opportunity to review any specific plan that might come forward after a zone change has been granted. Additionally, in this application and what was quoted in the transmittal letter was us quoting the plan of conservation and development that went through a rigorous process of public input. That plan not only needs to be reviewed and approved by the planning and zoning commission; it also has to be approved by the legislative body. If the legislative body had any disagreements with the planning and zoning commission there are statutory provisions that require the majority of the planning and zoning commission to approve a POCD. What was quoted in the

application and what was relied upon as the basis for advancing this application and making this argument is what is contained in that town document. What is cited in that town document as what the town should do over the next ten years when governing the overall land use plan for the town.

Wood-Reviczky asked if he is a new owner? Herbst responded he has been on the property for approximately 10 years.

Papa asked if it is subdivided? Roberson explained it is called a free split. If they were to divide it again it would be a subdivision. Papa asked if this was subdivided, what is the entrance and exit? Roberson explained there is a driveway on Main Street. The frontage is already in that zone. There is an existing driveway off of Main Street.

Herbst explained it is important to address the Woodland Road issue. That specific swath of land that is included in the overall application and the idea this is going to become an access point off of Woodland Road, the contour of that property has no value from an entry point of view or economic point of view. Herbst cannot emphasize enough that strip of property cannot support what some of the residents are contemplating may happen. Roberson asked Herbst to explain why it is included in the proposal. Herbst responded it is part of the parcel. Jatkowski asked why was the lot line modification done, and where it was done? Roberson responded they have the right to do the lot split and that is already done. That is not particularly the subject of this public hearing. Roberson told Herbst previously of concerns reaching out to Woodland, what was your specific reason for including the access strip out to Woodland? Herbst responded it was part of the parcel, if the commission wants to modify we advise the commission that they can modify. Pollansky responded she sees the point that the tail didn't have to be brought down to Woodland to subdivide a lot off of that unless it would meet the acreage. Roberson stated, do not confuse the lot line adjustment with the zone boundary change. Roberson responded it was included in the plan because they would like the entire lot to be in one parcel. They still own the parcel they split. Roberson expressed she does not think the parcel boundaries are entirely relevant to the discussion of the zone boundaries. We know we are dealing with a situation where the zone boundaries do not always follow parcel lines sometimes for a very good reason and there is no requirement that it follows zone boundaries. Roberson encourages the Commission to think about it in terms of where that zone should be to accommodate what the Plan of Conservation and Development envisions. Pollansky responded that the drawing needs to be clarified. It does create a questionable concern. Gosselin responded we could suggest a modification for that tail to be cut out of the zoning change. Pollansky responded that is the concern and it seems odd regardless. Gosselin mentioned back to Roberson's point that there cannot be conditions put on an application like this. Pollansky reiterated the three options where the commission can approve, disapprove, or make modifications like this. Borst stated the public should have some idea and say of what is going on with the property. Roberson responded that the proposal on the table is a zone boundary change and everyone has a chance to state their opinions. The authoritative body is the planning and zoning commission who will be voting on it. It does not go to Town Council or the public in general. It is the job of this appointed board. Borst responded that there was a

suggestion there was some imperative to do this because there was a plan ten years ago to develop this area. Roberson responded there were some nice statements from the plan included in the application. It is up to the Planning and Zoning Commission to decide if these statements are applicable in this location. There is no reference to this specific location in the POCD. It is up to the commission to determine if these statements are consistent and appropriate in this location.

Papa stated that now you have a bigger lot with mixed-use properties and it is going to increase the traffic as well as accidents and it is very concerning.

Jatkowski mentioned we have blanketed areas that do not include the entire parcel of a lot of Main Street or a lot of these zones, and asked what has happened in the past? If you do not give them what they are asking for, what can they do on the parcel? Roberson responded that part of it is residential and part of it is Village Gateway. The current zoning on Main Street is Village Gateway there is clearly an intention there that it be used potentially in a commercial way. By enlarging the portion of this lot in that zone, it frees them up to be more flexible in terms of future development, whatever form that takes.

Herbst stated that based upon the feedback received tonight, it would be prudent to come up in April and address comments and questions. The owner will make himself available as well.

Thomas would like to see the date the free split was legally filed. Roberson will see when it was recorded. Thomas also mentioned a reference earlier to the town land use classification map that is included as part of the POCD map set issued in 2020. That was part of the formal application, but Roberson submitted the application on the screen. Has the applicant submitted the land use application map? It probably needs to be updated and the applicant should be providing an updated map for our discussion purposes. Roberson responded that she submitted it in the application for the hearing tonight.

Reviczky asked if lot B tags down to Main Street? Roberson responded that it does.

At 8:23pm, Roberson stated the hearing is now being continued to the April 14th Regular meeting with Planning and Zoning Commission.

b. PZC-25-3 – Special Permit application for a new Single-Family Dwelling (tear down/rebuild) on an undersized/non-conforming lot at 90 Avery Shores in the LR Zone; Applicant/Owner: David Blakely.

Blakely is attending via Zoom.

Pollansky will not participate as she is on the board for this association. Gosselin is seated for Pollansky for the purposes of this hearing at 8:24pm.

Andrew Bushnell from Bushnell Engineer is present and explained the plans. Bushnell explained the parcel is a .41 acre parcel with frontage on Avery Shores Drive. It is approximately a 100-150 ft lot. A few years back, the land owners were deeded by the association to the edge of pavement. The pavement is not straight so we will do a closure line to make it as straight as possible. The property line is along the edge of the pavement. In this case, it is a concrete retaining wall along the shore line with concrete stairs. There is an existing shed that will remain. The existing house will be removed. The existing tent garage that will be removed to help mitigate the pervious area coverage. There is an existing gravel driveway from Avery Shores down. Part of the improvements will be pavement on the driveway that will allow storm water infiltration. Right now, it is more of a grass area. There will be stairs from the parking area, and a walkway from there. Bushnell pointed out the new house with a covered porch, deck with permeable pavers underneath, as well as a proposal for a covered sunroom. The existing well will be abandoned, and a new well has been sited which has been approved by the Eastern Highlands Health District. The existing house is connected to the sanitary sewer grinder pump, we intend on keeping that pump in the same spot and connecting the new house to that pump. The grade of the lot is general grade from Avery Shores to the lake. As part of grading, we have cross sloped out an existing gravel driveway, and we will have to add some fill around the house to get it to grade to be able to enter the front side of the house. The grading will adjust the grades of the driveway a little bit adding a couple of feet of fill. Grading the driveway so it slopes to the west. There is a trail that terminates into a 10 inch by 10 inch by 8 inch deep storm water plunge pool that will serve a dual purpose to catch runoff off the driveway in case there is sediment from the driveway will sit in that plunge pool before it reaches the lake. It will also gather stormwater from the roof of the house, gutters, and downspouts to help mitigate the increase in pervious lot coverage. There is a slight increase in pervious lot coverage. The total lot coverage now is 11.98%, the proposed is 12.1%. We are allowed up to 15% in the lake zone as long as there is mitigation, the plunge pool is the mitigation solution. The house will be moved further from the lake and closer to the road, and we did obtain approval from the Inlands Wetlands Agency for this proposed work. We will use the same existing overhead utilities that are overhead now, however we proposed to go underground with them.

Roberson handed out an addendum that has the comments from the Town Engineer. Most of the Engineer's concerns were initially brought up during the wetlands application. That process has already happened and I am sure that there were changes back and forth between the Town Engineer and Bushnell. One issue Roberson brought up is the existing curb cut is 30 feet wide now, which is excessive to what our driveway regulations permit. With the retaining wall as it is proposed it looks as if the curb is going to be cut wider, that is not what is shown on the plans. There is curbing on Avery Shores, the area where the boat trailer is parked, they would like to continue to use this as a parking area. They cannot break through the curb and make the curb cut wider than it is, you can't do that and comply with the zoning regulations. There is a little bit

of a stone wall, Bushnell proposed fencing to give it a separation from the road.

Thomas stated there is reference to removing two trees on the property, however look at the site plan it shows there are five trees that are going to be removed. How many trees are being planned to be removed? Blakely responded there are two big trees on the west side in the bottom left hand corner. Those trees are very old, very tall, and always raining down limbs. It is more of a safety issue for us. Thomas responded the narrative refers to two trees, however the application site plan shows indication of five trees on the plan that are to be removed, what is the discrepancy and if more than a couple of trees are safety hazards that are planned to be removed. I would like to see an explanation of that and possibly request consideration of replacements. Blakely responded they will be adding trees to the property, not exactly sure what type but they would like to live there for a year or so to determine the best area to put a tree to shade the house and the areas where they will spend most of their time. Thomas supports that thought process and suggested using native trees and not ornamental trees. It will also benefit runoff that goes to the lake. Gosselin stated this property had more trees on it years ago that were cut down that were not mentioned to the Inlands Wetlands Agency or had any permits pulled. Talking about replacing these trees would be beneficial to this property. Polsky mentioned we have a list of native trees that we recommend for the area we can share with you. Roberson will share the list of trees with Blakely and Bushnell.

Mary Anne Hansen of 74 Avery Shores. This has been her family's property for four generations. There has been nonstop construction around the lake for 20 years, since the sewers were put in. The sewers have now reached capacity and the wells are starting to go dry. So, regarding 90 Avery Shores, Hansen has three points. First, the temporary car tent was used as current lot coverage, it doesn't seem appropriate a temporary tent is used as lot coverage. Second, the new well location is within 75 feet of their well, as mentioned the wells are starting to go dry, I am not sure if that is a problem but perhaps the well can be put in another location. The property to the west, their well is across the street. Not sure why this well has to be so close to my well. Third, the proposed drain on the east side, can it be pointed away from my property? That looks like a mosquito trap. Other options would be to make an infiltrator there? Another option is to put the drain directly through the wall and into the lake. Bushnell stated that is the footing drain, not the roof covers. It is the drain that goes around the exterior of the basement. Roberson stated it is just seeping water, it doesn't really have any flow. Last, the property across the street was sold and they haven't been notified. There are concerns about the height of the new house. Roberson stated there are architectural plans.

Blakely responded it is a single level ranch style house with an open basement, essentially the same as it is right now.

Hansen asked if the other neighbor had been notified of this. Blakely responded he used the application that was recommended by the town and used that to generate the list of who to notify, at the time it was saying Hansen still owned that property. Either it was not up to date or the sale happened recently. Hansen responded it was transferred on September 20 and in October was put on the books. Blakely responded that the Town application has to be updated.

Thomas stated the GIS data is not updated regularly. Roberson asked what the address is of the property Hansen sold? Hansen responded it is a vacant property on the corner of Avery Shores and Ross Avenue. When Bushnell looked at the abutters list, it shows Hansen owning both properties. Roberson stated there is a statute where you can use the assessors records, and this is what was used. Blakley uploaded the abutters list to the application. Thomas asked if Hansen received a notice for both properties, Hansen responded she only received a notice for 74 Avery Shores. Bushnell pointed out that the mailing address would be the same since Hansen was the property owner for both properties. Roberson asked if Hansen mentioned to the other property owner, Hansen did tell them there was a meeting tonight however they are in Florida and were unable to attend. Roberson stated we do want all of the neighbors to be notified. The legal requirements were met for notice.

Reviczky expressed that if they were a neighbor who owned a piece of property and was out of State while the Town was having a public hearing on the future use of an abutter and not being notified, he would be mad. Roberson responded that the rules give 35 days to hold a public hearing, so we can continue this hearing and reach out to the other property owner directly. Polsky asked how the commission feels about keeping the hearing open for that? Murray is in favor of keeping it open and having everyone notified, as is Thomas. Thomas is wondering how many other properties potentially have been sold since January 27 that haven't been notified? Blakely asked, is the new land owner aware of this, as Hansen mentioned they did speak with the new land owner, and if the new land owner had any concerns she could have easily called into the Town with her concerns or asked for the Zoom link? Hansen responded stating she texted with the new land owner and asked if they heard about the meeting, the new land owners said no they did not. Hansen did not tell the new land owner the details of the application, but did make them aware of the meeting. Roberson let everyone know the Zoom link for the meeting is always on the agenda, and anyone can sign up to get notifications. Public notice is an important aspect of this process and the commission is within their authority to keep the hearing open. Gosselin agreed to keep the hearing open. Polsky mentioned we will need to get the new landowners information. Hansen stated they can provide the new landowners phone number. Roberson stated that if the sale is on record we will be able to find the contact information.

Blakely is concerned that the procedure was followed with the tools provided by the Town and even had a back channel to notify the individual, it seems everything was done correctly and is worried about what else may be hidden that they do not know about. Roberson asked how long ago the sale was. Hansen responded the sale was in September 2024, but there was a delay in recording it until the week after October 1, 2024. Roberson stated it should have been on record.

Hansen asked if something can be done about the drain that is directed to her side? Gosselin responded that there would still be disturbance running down to Coventry Lake. The ground to put in that drain would have to be disturbed and it would have to go back to the Inlands Wetlands Agency and it would be creeping towards Coventry lake. Hansen asked if it can be redirected away from her property? Roberson responded that any changes to the site plan

within the upland review area should go back to Inland Wetlands although the wetlands agent can review it to determine if it's a minor adjustment. Thomas asked Bushnell to explain the calculations made to dimensions of the receiving outfall. Bushnell explained it is a standard outfall used, there is no way of determining that flow. Bushnell asked Blakely about moving the footing drain away from Hansen's property a bit more. Blakely responded that it can be done but it is also graded away from her property. Blakely continued to explain that it will be a drip of water, not a deluge of water and questioned what would we actually be buying, we would have to redraw the plans and go through the approval process again. This was designed in accordance with state and Federal regulations, we can move it but is it worth it? Blakely asked what Hansen's concerns are? Hansen responded there are concerns about the water and mosquitos. There are also two delicate cherry trees and does not want runoff onto her property. Hansen expressed that they feel it is a minor change. Blakely responded it is not a minor change as it costs time and money. Polsky asked if the runoff is minimal? Blakely responded it is from a footing drain. Gosselin states that moving it a foot straight out wouldn't make much of a difference. Hansen responded there is a lot of water coming from that property, Gosselin responded the water coming from the footing drain is coming from around the foundation. Bushnell mentioned it is minimal and that once it comes out it will run perpendicular with the contour. The idea of putting the stone at the end is to get it to infiltrate into the ground before it gets to the lake and to avoid a wet spot, and if it does get past that it would run perpendicular to the contour and not go onto Hansen's property. Roberson mentioned there is no anticipation of pooling that would be breeding ground for mosquitoes.

Hansen asked about the well potentially being a problem being within 75 feet of their well. Bushnell responded no, there is no way to know if that is an issue. Hansen asked if their well goes dry would they have a lawsuit? Bushnell responded probably not. Thomas brought up the 75 foot well radius in the proposed area. Bushnell explained that it is a health department thing and a source of pollution. Thomas said that is not a separating distance between other wells. Gosslein stated the Health Department already approved the plan. Thomas stated it is not a requirement to show abutting property's wells. Bushnell responded the requirement is 10 feet from the property line with the well.

At 9:05pm the hearing is going to be continued to get the other neighbor the notification for the April 14 meeting.

At 9:08pm Pollansky is seated for Gosselin.

5. OLD BUSINESS

a. PZC-25-2 – Proposed modification of the Zoning Map in the vicinity of 1409 Main Street to reclassify the entire 2.05-acre parcel as Village Gateway Zone.

b. PZC-25-3 – Special Permit application for a new Single-Family Dwelling (tear down/rebuild) on an undersized/non-conforming lot at 90 Avery Shores in the LR

Zone; Applicant/Owner: David Blakely.

c. 8-24 Referral - Capital Improvement Program Proposed Budget FY 25-26, finalize comments.

Roberson wrote out a draft motion for what the Town Council should prioritize.

Thomas suggested an update to number 1, item 2) should read “the village water tank project”

MOTION:

The Coventry Planning and Zoning Commission recommends that the Town Council pursue the Capital Improvement Program Budget for fiscal years 2025/2026 through 2029/2030.

The Commission suggests that the Town Council prioritize the following:

- 1)** Projects to update and improve existing water and sewer infrastructure including, in order of priority: 1) the sewage treatment plant, 2) the village water tank project, and 3) the Bolton sewer extension,
- 2)** Projects to maintain and enhance roads, bridges and culverts,
- 3)** Projects that add to or improve upon existing open space,
- 4)** Projects to improve the water quality of Coventry Lake,
- 5)** Projects to improve the quality and usability of parks, such as Patriots Park and Miller-Richardson Park,
- 6)** Projects to improve the quality of public data such as the GIS tax maps.

Motion by: Polsky

Seconded by: Murray

Discussion: None

Voting:

For: Pollansky, Polsky, Murray, Thomas, Reviczky

Against: None

Abstain: None

Motion unanimously approved.

Changes to the Agenda

MOTION: Move to add the following items to the agenda:

Under Old Business, add items:

d. Discussion of Conditions for PZC-24-12, and

e. Extension of time for filing mylars for resubdivision PZC-24-13 (Farr).

And under 7. Adoption of Minutes, add minutes of January 27, 2025 to section a.

Motion by: Pollansky

Seconded by: Thomas

Discussion: None

Voting:

For: Pollansky, Polsky, Murray, Thomas, Reviczky

Against: None

Abstain: None

Motion unanimously approved

d. Discussion of Conditions for PZC-24-12

Roberson asked Jackson to explain the issue regarding dates. Jackson responded there was confusion around the site clearing and grubbing listed on item 2a of the certification approval letter. The certification approval letter does not capture the detail outlined in the NDDDB report for the bats, and the herpetologist's report. On the last page of the NDDDB report regarding bat protection recommendations, it says "do not remove trees greater than 3 inches in diameter between May 1 and September 1. On Jackson's site development notes on sheet three, she had separated out the tree cutting from the site clearing and grubbing. Item 4 of the site development notes on sheet three says "tree cutting shall be performed between September 1 and April 30 per the information from the NDDDB assessment dated November 21, 2024." What is stated in the acceptance letter says "site clearing and grubbing should not begin until after February 15, and land clearing activities should be restricted to the period from February 15 to May 1, the active season for reptiles, to prevent impacts to overwintering reptiles." However, in the herpetologists report, section 2b, the first bullet point says "site clearing and grubbing should be restricted to a period April 1 through November 1." On Jackson's notes on number 5, that is where she says site clearing and grubbing, meaning digging in the ground, would be performed between March 1 and November 1. Jackson would like to make the distinction between cutting of trees to protect the bats, and clearing and grubbing for protection of the reptiles.

Roberson responded that our condition 2a is not accurate and asked if Jackson would like this to be amended.

Pollansky confirmed the tree cutting is the issue. Jackson responded the other issue is the May 1 date. Herpetologist said November 1.

Pollansky suggested replacing 2a with 4 and 5 off of the site plan notes.

Roberson asked Jackson if the mylars were printed. Jackson responded they are not printed but they are working on them.

Thomas asked Jackson if this was cleared with the herpetologist? Jackson responded it was taken from the herpetologist's report.

Roberson mentioned she can reissue a letter if action is taken.

MOTION: The language of the conditions of PZC-24-12 will reflect that 2a is now going to be replaced with numbers 4 and 5 of the Site Development and General Notes off of the plans submitted.

Motion by: Pollansky

Seconded by: Murray

Discussion: None

Voting:

For: Pollansky, Polsky, Murray, Thomas, Reviczky

Against: None

Abstain: None

Motion unanimously approved.

e. Extension of time for filing mylars for resubdivision PZC-24-13 (Farr)

Pollansky asked how many times can they ask for an extension? Roberson responded they start with 90 days. They can get two extensions each equaling 90 days for a total of 180 days. Roberson also mentioned a 180 day extension could be issued now if the commission wanted to.

Reviczky asked what the issue is? Roberson responded the issue is the pins.

Pollansky asked what the expiration date is? Roberson responded that our approval was at the January meeting. Pollansky stated we should have that date for record keeping purposes, and we can amend the motion next time with the date. Roberson will get the date.

MOTION: Move to extend the filing deadline for the Farr Resubdivision on Babcock Hill Road (PZC-24-13) an additional 90 days.

Motion by: Murray

Seconded by: Polsky

Discussion: None

Voting:

For: Pollansky, Polsky, Murray, Thomas

Against: Reviczky

Abstain: None

Motion approved.

6. NEW BUSINESS

a. PZC-25-4 - Special Permit application for a new Single-Family Dwelling on an undersized/non-conforming lot at 272 Pine Lake Drive in the LR Zone; Applicant: Andrew Laroche, Owner: Lakefront Lifestyle, LLC. *Public hearing scheduled for 4/14*

Murray will recuse himself from that hearing, and requested there be alternates.

Thomas suggested there might be value in having a site visit so we can have information in advance of the hearing.

7. ADOPTION OF MINUTES

a. Minutes of 2/24/25, 3/10/25, and 1/27/25

Roberson is assisting Yeschick with the official style. We will put the adoption of minutes on hold.

8. COMMUNICATIONS - None

9. REPORTS

Roberson spoke with Leech about Pollansky's request for reports and they are gearing up for that. Pollansky responded once we have all of the documentation it helps with the next steps.

10. ENFORCEMENT

11. ACKNOWLEDGMENTS

12. ADJOURNMENT

Meeting adjourned by Pollansky at 9:37.

Respectfully Submitted,

Natalia Yeschick

Natalia Yeschick, Recording Secretary

PLEASE NOTE: These minutes are not official until approved by the Planning and Zoning Commission at the next Commission meeting. Please see the next Commission meeting minutes for approval or changes.