

Zoning Map Amendment – Updated Comments

Application: Zoning Map Amendment
Address: Portion of Shuttle Meadow Country Club, 51 Randeckers Lane:
MBL 1-4/10/1 and 0 Wigwam Road 1-4/10/93 north of West Lane
Applicant: Richard Pentore, Esquire for Shuttle Meadow Country Club
Owner: Shuttle Meadow Country Club, Inc
Proposal: Rezone Parcel from R-43 to PR-2

STAFF COMMENTS UPDATED TO 5-6-2020 *(also refer to comments dated to 1-23-20 & 2-3-20)*

The public hearing was opened and testimony was heard at the January 23, February 6 and February 20, 2020 PZC meetings. It has been continued to this meeting (without further comment) due to the Sewer Service Area issue. (Minutes of this matter from those meetings are attached.)

Sewer Service Area:

The proposed area to be rezoned is outside of the currently adopted Sewer Service Area, and shown as “Sewer Avoidance Areas”. The applicant has approached Berlin Water Control, who has the sole power to update the Sewer Service Area Map. At their meeting on March 24, 2020 the Berlin Water Control indicated they would be in favor of expanding the service area subject to conditions. (See attached letter dated April 6, 2020 and Memorandum dated March 24, 2020).

Consistency with the 2013 Plan of Conservation and Development (POCD)

The Sewer service area map is adopted as part of the Berlin POCD. A change to the Sewer Service Area Map would also require updating the POCD. Berlin will be working on a POCD update for 2023. If the map is amended, the POCD should be amended as well. This can be done soon after the map is amended by Berlin Water Control or at next POCD Adoption, scheduled for 2023. Not being consistent with the POCD could affect State funding per the Clean Water Act.

Rezoning to allow for the anticipated multi-family project that was presented to limit the development area and include open space protections and dedication with linkages and access for the existing adjacent open space and trails appears to be consistent with open space protection goals in the POCD. The Conservation Commission has indicated support for clustering development to reduce impact on the natural environment. And indicated that the opportunity for a dedicated parking area for access to the trails in this area would be an asset.

Zoning:

The Commission should make a finding if the purpose of the zone will be met by the rezoning. The purpose of the PR zones is stated as: "... to provide appropriate locations for a range of residential densities where adequate facilities and services are present".

Should the property be rezoned to PR-2, and sewer service not become available, approvable uses would be limited to those listed and not requiring public water and/or sewer. The underlying zone would become R-21. Lot design for a traditional R-21 subdivision would lot sizes that would support septic and well fields as required.

The property is bounded to the east by the R-21 zone, which also extends to the south of West Lane. Six (6) properties along the southeast curve of West Lane onto Wigwam Road are not included in the rezoning and would remain R-43. To the west by Town owned Ragged Mountain Park, in the MR-1 zone. The north is proposed to remain golf course in the R-43 zone.

Zoning Map Amendment – Updated Comments

Application: Zoning Map Amendment
Address: Portion of Shuttle Meadow Country Club, 51 Randeckers Lane:
MBL 1-4/10/1 and 0 Wigwam Road 1-4/10/93 north of West Lane
Applicant: Richard Pentore, Esquire for Shuttle Meadow Country Club
Owner: Shuttle Meadow Country Club, Inc
Proposal: Rezone Parcel from R-43 to PR-2

STAFF COMMENTS UPDATED TO 2-3-2020

Consistency with the 2013 Plan of Conservation and Development (POCD)

Rezoning to the Planned Residential zone which requires public sewer for anticipated multi-family development is not consistent with the POCD. The proposed area to be rezoned is outside of the currently adopted Sewer Service Area, and shown as "Sewer Avoidance Areas".

The Sewer Service Areas Map is adopted as part of the Plan of Conservation and Development (POCD Map Index #17), which was adopted by the Planning and Zoning Commission effective September 1, 2013. Prior to integration into the POCD, the Sewer Service Area Map was approved by the Berlin Water Control Commission (WCC) on September 7, 2011, as shown on the attached map signed by WCC Chairman, Bruce Laroche, and approved by the State. It is my understanding that the State determines consistency with State plans, including the State Plan of Conservation and Development and uses the map to determine eligibility for State programs including funding.

Planned Residential districts regulations(BZR §V.C.) call for multi-family developments, such as that described by the applicant, to be developed in accordance with BZR §VIII.D. "Site Plan requirements for multifamily developments in planned-office-residential (POR), planned residential (PR) and mountain reserve 2 (MR-2) districts". Within that section, BZR VIII.D.1. Design requirements, subsection f, calls for the "development shall be served by public sanitary sewer and public water." Other Special Permit uses in the proposed zone that are subject to BZR §XI. Special regulations and require public sanitary sewer and water include child care centers and adult housing.

Conflict with the POCD and the sewer map should be resolved prior to rezoning. Any changes to the map must be authorized by Berlin Water Control Commission, reviewed by the State and would then require an amendment to the Berlin POCD.

Updated information 1-23-2020 shown in italic

Zoning Map Amendment

Application:	Zoning Map Amendment
Address:	Portion of Shuttle Meadow Country Club, 51 Randeckers Lane: MBL 1-4/10/1 and 0 Wigwam Road 1-4/10/93 north of West Lane
Applicant:	Richard Pentore, Esquire for Shuttle Meadow Country Club
Owner:	Shuttle Meadow Country Club, Inc
Proposal:	Rezone Parcel from R-43 to PR-2

PROPOSAL

Richard Pentore, Esquire for Shuttle Meadow Country Club is seeking approval for a map amendment to the Berlin Zoning Map. The amendment would rezone 132.8 acres which comprise portions of 51 Randeckers Lane MBL 1-4/10/1 and 0 Wigwam Road 1-4/10/93 north of West Lane from the existing R-43 zone to the PR-2 zone, which has underlying single family zoning requirements of R-21.

STAFF COMMENTS

- 1- The applicant should confirm the request is as stated on the application for PR-2. ~~The submitted zone change map, which continues to be under analysis, does not specify which PR zone is requested.~~ *A revised zone change map has been provided that clarifies the rezoning request is from R-43 to PR-2 and quantifies the area to be rezoned.*
2. The applicant should describe ability to bring sewer and water utilities into the property to service potential development allowed in the zone.
3. The applicant should describe the property including topography, wetlands, environmental features and potential areas of development
4. The Commission should consider if the zone change is consistent with the Plan of Conservation and Development.
5. The commission has 35 days to close the public hearing and may want to consider leaving the public hearing open .

Background

At its meeting on October 3, 2019 the Planning & Zoning Commission reviewed the concept plan presented by Donald Klepacki for a planned residential development in this portion of the golf course property. See attached minutes.

Property Description

Shuttle Meadow Country Club Inc. owns over 250 acres of contiguous property. 132 acres

adjacent to and north of West lane is proposed to be rezoned. The land is undeveloped and does not include improved golf course portions of their parcels.

The property is bounded on the west by Town of Berlin open space with improved trails. Ragged Mountain Trail maps attached, show trail proximity.

There is existing water service in West Lane. Existing sewer service terminates before reaching the subject land.

Rezoning

The property is currently zoned R-43 and the applicant proposes to rezone it to PR-2.

Permitted uses in the PR-2 include single-family detached dwellings, which have the area and bulk requirements of the R-21 zone; Open space -public and private and public parks; and, Farms, subject to BZR §XI.C. Agriculture.

The multi-family concept plan previously shown to the Commission would be a Special Permit use in the proposed zone and subject to the requirements of BZR §VIII.D. Enclosed please find the PR regulations which details the other Special Permit uses for the zone.

Concept Plan

No new information or concept plan is included with this submission.

Consistency with the 2013 Plan of Conservation and Development (POCD)

Public water and sewer service is required to service developments in the zone under the Planned Residential Regulations BZR §VIII.D.f.

The area subject to the proposed rezoning is outside the sewer service area as shown on the 2013 POCD. Extension of sewer service would require application to the State (DEEP) to amend the map and authorize extensions. Town staff cannot speculate on the process, timeline or likelihood of approval.

The Shuttle Meadow property is specifically referenced on POCD page 3-26 as an area to "Explore the potential for protection of a large open space parcel that Shuttle Meadow owns next to Ragged Mountain"

(Additional comments pending)

January 22, 2020
Updated January 22, 2020 (Police & Inland Wetlands)
Updated January 28, 2020 (Board of Police Commissioners)
Updated February 27, 2020 (Town Engineer)

**TOWN OF BERLIN
PLANNING & ZONING DEPARTMENT - STAFF COMMENTS**

APPLICATION: Zone Change Request – From R-43 to PR-2
APPLICANT: Attorney Richard Pentore
LOCATION: A portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10,
Wigwam Road
AGENDA DATE: January 23, 2020

To the Applicant:

- *These are the comments received to date, additional comments may be forthcoming.*
 - *Please submit any written response to Maureen Giusti, Acting Town Planner/Zoning Enforcement Officer at mggiusti@town.berlin.ct.us or revised plans directly to the Planning & Zoning Department in Room 121. We will forward your comments or distribute materials to the relevant departments.*
-

Fire Marshal

No comment

Water Control

Relative to this application, I don't have any issues with the application itself. I do want to let you know that the Berlin Water Control Commission was granted Exclusive Service Area(ESA) for the Town of Berlin not with the boundaries of the 2 Districts namely Kensington and Worthington Fire Districts. Therefore, we would like service this proposed subdivision with water/sewer if the zoning is changed. We would want to make arrangements through Kensington Fire District, but we feel these would be our customers.

Inland Wetlands

No comment

Police Chief

No comment

Board of Police Commissioners

No comment

Town Engineer

No comment

e-mailed to Attorney Pentore – February 27, 2020

about:blank

January 14, 2020

**PLANNING & ZONING DEPARTMENT
PROJECT REVIEW SHEET**

APPLICATIONS: Zone Change - Residential 43 to Planned Residential 2

APPLICANT: Shuttle Meadow Country Club, Inc. - 51 Randueckers Lane


LOCATION: Portion of Lot 1, Block 10, West Lane
Lot 93, Block 10, Wigwam Road

AGENDA DATE: January 23, 2020

Department/District:

<input type="checkbox"/> Town Planner	<input type="checkbox"/> Building Official
<input type="checkbox"/> Assistant Town Planner/ZEO	<input type="checkbox"/> Berlin Water Control
<input type="checkbox"/> Engineering	<input type="checkbox"/> Health District
<input type="checkbox"/> Kensington Fire District	<input type="checkbox"/> Fire Marshal
<input type="checkbox"/> Worthington Fire District	<input type="checkbox"/> Board of Police Commissioners
<input type="checkbox"/> Board of Education	<input type="checkbox"/> Inland Wetlands
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Police Chief

☒ No Comment☐ Comments:

 1/23/20
Signature/Date

SHUTTLE MEADOW

January 9 th	Schedule PH (January 23 rd)
January 23	Testimony
Feb 6	Testimony
Feb 20	Testimony
March 5	Request to continue to April
March 19	Meeting Canceled
April 2	
April 16	

- b. Zone Change Application of Attorney Richard Pentore on behalf of Shuttle Meadow Country Club, Inc. to change the zone of a portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10, Wigwam Road, from Residential-43 to Planned Residential-2

Attorney Richard Pentore, Berlin, presented the application. He stated some clarification to the map will be submitted. He asked that the hearing be left open to allow the submittal. The revised map will clarify the exact acreage, and the parcels will not change. His presentation outline, as follows:

Richard H. Pentore, Esq.
Presentation Outline
Application for Zone Change
Shuttle Meadow Country Club, Inc.
Berlin Planning & Zoning Commission

January 23, 2020

Application: Application for a zone change from R-43 to PR-2 on a portion of Lot 1 and on Lot 93, Block 10, Randeckers Lane, West Lane and Wigwam Road

Purpose of Zone Change: To allow for a Special Permit application for residential development under the PR-2 zone. Due to the location of wetlands, trails, and other topographical features, the PR-2 zone will allow, upon review by the Wetlands Commission and Special Permit by the PZC, a development that will allow for significantly less "overall" land coverage and will also allow for significant separation from existing single family homes on Harvest Hill Road, Glenview Drive, and West Lane.

January 23, 2020 (2)

Current zone:

Currently the property is zoned R-43. All abutting residential properties have been developed under the R-21 zone. PR-2 will allow for development with densities comparable to the R-21 zone. The remainder of Lot 1 on which the golf course is located will remain R-43.

Features:

The parcel to be changed consists of approximately 146.7 acres and is portion of Lot 1 and Lot 93. Parcels are south and west of the existing Shuttle Meadow Country Club golf course, the land of which is sited on the remaining portion of Lot 1 and is not part of this application. The property is currently zoned R-43, however all adjacent properties are in the R-21 zone. The proposed development will be served by public sewer and water. Approximately 30 acres of the total acreage of 146.7 will be used for the proposed development under the PR-2 zone.

PR-2 zone would allow the following development options:

1. **Preservation of Open Space.** The development will allow the creation of some 116 acres of Open Space, which includes 48 acres of wetlands. The Berlin Land Trust will also be the recipient of some of the Open Space created by the proposed development.
2. **Preservation of Trail Access to Ragged Mountain Trail.** The PR-2 zone will allow the development to be separated from the westerly boundary of the property and allow for access to the Ragged Mountain Trail.
3. **Separation of Units from existing single family homes.** Development under the PR-2 zone will allow the developer to have much greater separation of the new units from existing single family homes. Units will be located approximately 1,000 feet in from West Lane. There is no planned roadway access to the site from Harvest Hill Road and the units will be located southwesterly from the end of Glenview Drive.

HOA: The proposed development will be a planned community, roadways will not be public and will be maintained by the Homeowner's Association. Approximately 3,625 feet of private roadway is planned for the development. The proposed development will not be age-restricted.

POCD: Goal #4 of the POCD states that the town should continue to provide ownership options that support housing choices for people of diverse ages and means. The proposed development would provide a range of housing, with attached and detached single family units, that would appeal to a wide variety of potential homeowners, many of whom are not seeking homes on lots, but would welcome the overall ambience of the proposed development without negatively impacting existing surrounding single family neighborhoods.

Other POCD residential objectives:

- 1. Development of long term quality with a variety and range of housing choices and value;
- 2. To preserve or create open space worthy of protecting and consistent with the overall goals of the plan;
- 3. Encourage housing options for mature families (empty nesters) and seniors who no longer desire single family housing but who prefer to live in town in planned environments;
- 4. With regard to multi-family housing near existing single family areas, the plan would allow such development where "there are special circumstances that would eliminate the potential adverse impacts on the neighborhood".
- 5. Create neighborhood environment with activity centers, recreational areas, and pedestrian circulation.

Summation/Arg.

The proposed development under the PR-2 zone would be in harmony with the POCD in that it would create useful open space and protect access to the Ragged Mountain trail. It would also provide a range of housing options (detached and attached units) that would appeal to both "empty-nesters" and young professionals who may be looking for this type of housing choice in a prime setting. We believe that the proposed development of the site under the PR-2 zone is in compliance with the objectives of the POCD. We believe that this satisfies a wide range of POCD criteria, and is in step with current housing trends.

Presenters:

Atty. Richard H. Pentore
Stephen Giudice, L.S. Harry E. Cole & Son
Scott Hesketh, F.A. Hesketh & Associates, Inc.

Stephen Giudice, L.S., Harry Cole & Son, Plantsville, CT stated his office has prepared the map for the application. He stated an R-21 or R-43 zone could result in larger home sites with more infrastructure and not as much preservation of land. The project which would be permitted by the zone change would have a private roadway and a smaller carbon footprint. The site would be developed towards the center of the property and allow a better buffer.

Scott Hesketh, F. A. Hesketh & Associates, Inc., East Granby, stated his traffic study report has been submitted. He stated, as currently zoned, 38 residential units could be constructed; as proposed with the zone change, 28 single units and 48 duplex units would be possible. The R-43 zone homes could generate 427 trips on a daily basis – with at 32 a.m. peak and 40 at p.m. peak. The PR-2 zone could generate 673 trips – 49 at a.m. peak and 61 at p.m. peak. The study estimates one trip every three minutes during peak hours. It is their opinion the increase in trips would be minor and can be accommodated by local roadways.

Attorney Pentore stated there is no other proposed access other than West Lane; the PR2 zone is similar to the R-21 densities; the surrounding area is developed with the R-21 zone, and the single family frontage in the PR-2 zone is the same the R-21 zone.

Commissioner Rogan read the following letters stating support for the proposed zone change:

- Susan A. Rathgeber – 98 Mooreland Road, Kensington, CT
- Thomas Peloquin- 95 Candlewood Lane, Southington, CT
- John B. and Barbara P. Meskill – 4 Randeckers Lane, Kensington, CT
- Mark Bertolami – 93 Mooreland Road, Kensington, CT
- Nancy Brennan – 67 Lookout Mountain Drive, Manchester, CT

Julie Maguder, 93 Round Hill Road, stated concern for the wildlife and wetlands. She disagreed with Mr. Hesketh's opinion the increase in car trips would be one every three minutes during peak hours. She stated her opinion there would be significant increase in traffic, an impact on schools, and impact on town services.

Dolores Nye, 4 Vineyard Drive, stated she was opposed to an increase in taxes for the addition cost for services in Berlin.

Rich Raisner, 18 Glenview Drive, stated concern for the wildlife refuge. He asked why the zone change applies to the whole parcel, stating a concern for potential further development of the site than what is currently planned.

John Analowski, 76 Wood's Edge, stated concern for an increase in traffic, noting West Lane is a narrow road. He asked if this potential project would be Phase I of further development.

John O'Brien, 12 Vineyard Drive, stated the Berlin Police should do a traffic study.

Nigel Formica, 49 South Slope Drive, asked if the density increased would the entire parcel be changed. He also stated concerns for the West Lane traffic.

Dennis Kern, 57 Cider Mill Road, president of the Berlin Land Trust, asked if the zone change is

approved can the conceptual plan change. He asked, if approved, could the plan be conditioned upon 76 units. There are extensive trails on the site. Regarding the 38-acre portion, he stated it is important that the conservation property be protected by ownership or conservation easement. He noted one trail, Blue Blaze, has a portion which goes onto the Shuttle Meadow property and is protected as required by the Connecticut Forrest and Park Association. He stated if approved, conditions should be placed on that approval.

Raymond Archacki, Jr. 65 Spicewood, stated he had been asked by the Berlin Land Trust to review the trails. He distributed information regarding the trails.

Sean King, 48 Woodhaven Drive, stated concerns for potential development which would negatively impact the wildlife, the runoff of pesticides and their effect on wetlands, and increased costs to the town.

Bart Bovee, Berlin, stated support for the potential project. He said he had worked with Shuttle Meadow Country Club for approximately ten years and the proposed project is a unique opportunity for the town. There will be lots of open space, protection for trails and the proposed plan would enhance the area.

Kevin Lavender, 48 Glenview Drive, asked if the zone is not changed, will houses be built. He stated his concerns for traffic on West Lane and the potential for impact to the water shed.

Attorney Pentore stated typical developments as the proposed project, such Silver Ridge and Westview residential developments, do not attract families with school age children. He stated he will provide statistics to the commission. He stated they will work with the Berlin Land Trust.

Stephen Giudice stated the zone change would allow development that would have more open space than a traditional subdivision, less impervious surface, protection from runoff, and more flexibility for low impact development of wildlife. The units will be marketed towards empty nesters. If approved, the open space will not be developed, conservation easements will be in place. Surrounding areas are zone R-21. The conceptual plan will allow approximately 80 percent of the site to remain undeveloped and will not change the quality of life.

Ms. Giusti stated she will research if it is possible to put conditions on an approved zone change. She noted the Conservation Commission comments stated the commission generally encourage clustering over sprawl development; promote off road parking; support trail links and public access. They reserve further comments for the actual proposed development. She noted the Plan of Conservation and Development addresses sewer service areas. A map from 2012 shows the Shuttle Meadow property is outside sewer service. Changes to the service area would need to go through DEEP approval. She stated she would like the applicant to respond how services would be provided as required in the PR-2 zone.

Chairwoman Veley stated the applicant has requested the public hearing remain open. Commissioner Wollman moved to continue the public hearing. Commissioner Jorsey seconded the motion.

VI Public Hearings

- a. Special Permit/Site Plan Amendment Applications of Shawn Chaudhary, Tri State Realty Group, LLC, for a Change of Use from manufacturing to an automobile dealer at 60 Woodlawn Road in the BT-1 zone

Ms. Giusti stated the public hearing for this application opened on November 7, 2019 and was partially heard and continued with appropriate extensions.

Mr. Shawn Chaudhary, stated there are three units totaling 12,000 s.f. at this site, and the unit for this application is #74 which is 3,000 s.f. Of that area, the repair area will be 1624 s.f.; the customer area will be 892 s.f. and a small office will also be in the front area. One lift is proposed. The business will buy cars and ready them for re-sale. The entire site has 60,900 s.f.; the auto use business has 23,446 s.f. They will use 21 spaces to displays cars for sale, 3 spaces for repair, 3 spaces for employee parking, and 4 spaces for customers. Zoning Board of Appeals approval has been received, and ZBA concerns for a turning radius correction and cleanup of vegetation have been addressed.

Ms. Giusti stated Zoning Board of Appeals approval, with conditions, was received on December 19, 2019. They will have only operable cars for sale; the turning radius has been corrected; there has been a considerable amount of cleanup work; improvement to the pavement is planned; the conversion of Unit 74 will mean the former manufacturing use will be abandoned and may not return; if another bay is added, adjustments would need to be made to the parking and allowed sales vehicles; and she recommends parking spaces be striped and signed for customers only use.

Commissioner Jorsey stated the island on the property should not be used for the display of cars.

Commissioner Rogan moved to close the hearing.

Commissioner Jorsey seconded the motion which carried unanimously.

- b. Zone Change Application of Attorney Richard Pentore on behalf of Shuttle Meadow Country Club, Inc. to change the zone of a portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10, Wigwam Road, from Residential-43 to Planned Residential-2

Attorney Richard Pentore, on behalf of the applicant, stated some clarifications for the record. The amount of acreage is 132.8 acres. He stated questions had been raised about the potential number of school age children should a residential development be constructed on the site. He stated the proposed developer, Mr. Donald Klepacki, had developed Silver Ridge with 130 units and Westview Highlands with 70 units, and the approximate number of students for both sites is twelve. Regarding sewer service for the property, two water authorities have indicated they would be interested in serving the area and should that happen, the DEEP would become

involved in the approval and the Plan of Conservation and Development maps would need amendment. He stated a conditioned zone change is not allowed, and the applicant is requesting the public hearing be closed and the commission not act upon the application. The time frame of the 65 days in which the commission has to act will begin and may be extended another 65 days to allow time for the sewer service issue to be addressed. The applicant would prefer this rather than withdrawing the application.

Ms. Giusti stated the existing sewer map is under the authority of the Berlin Water Control Commission and if a service area is changed, the Commission forwards it to the State for consistency of the plan with the State's plan. She stated this application has used some of its 65 extension and the public hearing without additional extension time must close by February 27, 2020.

Speakers

Attorney Dennis Kern, 57 Cider Mill Road, on behalf of the Berlin Land Trust, submitted a letter for the record. He stated the Trust is generally in favor of the application which could allow cluster development of residential units and allows open space. Concerns include the potential for a change in the plan; the trails which could be changed, especially the Blue Trail which passes through Lot 93; and the conservation aspect and a preference to have areas saved by deed rather than easement. He stated the Trust had met with the developer and agreements, as stated in his submitted letter, had been reached. They included agreement that the acreage of the development should not be increased and the units limited to 76; the land shown on the conceptual plan as open space will be deeded; All land not proposed for development shall be protection by a conservation easement satisfactory to the Town; and Shuttle Meadow will protect the current Blue Blazed Loop Trail.

Commissioner Rogan read a letter of opposition to the zone change from John Aniolowski, 76 Woods Edge Court.

Mr. Scott Hesketh stated he is the author of the traffic report for the proposed project, and stated the current trips are 49, 61, and 76 during peak hours. He is estimating an increase during peak hours of 17, 21, and 26 over the current numbers.

Mr. Bart Bovee, speaking on behalf of the applicant, stated the State DEEP, nor anyone else, has a map that states this property is undesirable for sanitary sewers. He explained the process of changing the service areas is initiated by the servicing district's sending a map showing a change of service area and the method to service that area to the DEEP. At this time, the club house has service and the southerly piece does not. The current map doesn't say the area can't be serviced, only that it is not serviced.

Commissioner Zigmont moved to close the hearing.

Commissioner Rogan seconded the motion.

Discussion

Commissioner Jorsey stated the question about the sewer service is unresolved and the hearing should be left open to allow more input.

Chairwoman Veley agreed with Commissioner Jorsey's opinion.

Commissioner Zigmont withdrew his motion.
Commissioner Rogan withdrew his second.

Commissioner Zigmont moved to continue the hearing to the February 20, 2020 meeting.
Commissioner Rogan seconded the motion which carried unanimously.

- c. Special Permit Application, pursuant to Section XI.AA. of the Berlin Zoning Regulations, and Site Plan Application, of Estates of Berlin, LLC for completion of Phases 1-4 and Phase 5 residential development for proposed construction of 57 townhouse type units, Beckley Farms, Beckley Road

Mr. John Wagenblatt, P.E., LRC Group, stated the original project started in approximately 2002-2004 was abandoned. The current owner reinstated the project in 2011. The approvals, as well as extensions, for the Site Plan and Special Permit will expire in March, 2020. There have been no changes to the approved plan. He reviewed the status of the phases:

- Phase 1 – 25 out of 27 units are complete
- Phase 1A – 100% complete
- Phase 2 – 100% complete
- Phase 3 – One more unit to complete
- Phase 4 – Infrastructure complete – 12 units pending
- Phase 5 – Townhouses are proposed

Regarding staff comments, the Water Control Commission's comment to loop the water main in Phase 5 will be done. In order to address the expiring IWWC approval, the applicant received a new re-approval of the project from the Inland Wetlands and WaterCourses Commission in October, 2019.

Mr. Mark Dubois, Beckley Farms resident, spoke in favor of the agenda item.

Commissioner Rogan referenced the Police Chief's staff review comment that "there is an active firing range immediately east of proposed location. Buyers must be notified by developer/seller".

Mr. Chuck Respler, Estates of Berlin, stated documentation of the firing range is included in the condominium documents.

Commissioner Zigmont asked if any of the units are have "affordable" designations.

Mr. Respler said when they took the project over, the homes were "Florida style" homes which were changed to townhouse style homes. They were never "affordable". The development is now an active adult community with residents 55 years and older.

camouflaged with shrubbery.

Commissioner Jorsey moved to approve Mr. Nappi's façade application.
Commissioner Biella seconded the motion which carried unanimously.

IV Public Hearings

- a. Zone Change Application of Attorney Richard Pentore on behalf of Shuttle Meadow Country Club, Inc. to change the zone of a portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10, Wigwam Road, from Residential-43 to Planned Residential-2 (Public Hearing opened on 1/23/2020)

Ms. Giusti stated the applicant has met with Berlin Water Control and Engineering staff to discuss the process for amending the sewer coverage map. In accordance with state statutes, this public hearing must close on January 27th; however, the applicant does have 52 remaining extension days.

Attorney Pentore stated the applicant would like to utilize necessary extension time for the public hearing to remain open. The meeting referenced by Ms. Giusti resulted in an agreement to proceed with amending the sewer coverage map and forwarding the request to the Department of Environmental Protection. He stated the State of Connecticut Office of Policy and Management maps show the subject area as a "Priority Funding Area" and not a "Legally Protected Area". The applicant will work on getting the town's sewer map amended and discussions will continue with the Land Trust. The question of amending the 2013 Plan of Conservation and Development Plan remains and will be addressed by the applicant at the next Planning and Zoning Commission meeting. Attorney Pentore submitted a written request asking that the public hearing remain open.

Mr. Bart Bovee, 85 Steepleview Drive, Berlin, CT, stated the applicant will continue with Town staff to address remaining issues.

Commissioner Rogan moved to continue the public hearing to the March 5, 2020 meeting.
Commissioner Jorsey seconded the motion which carried unanimously.

- b. Special Permit Application, pursuant to Section XI.AA. of the Berlin Zoning Regulations, and Site Plan Application, of Estates of Berlin, LLC for completion of Phases 1-4 and Phase 5 residential development for proposed construction of 57 townhouse type units, Beckley Farms, Beckley Road (Public Hearing opened on 2/6/2020)

Mr. John Wagenblatt, LS, Principal, The LRC Group, Cromwell, CT, stated he has received town staff comments and the applicant is in agreement with them. He reviewed the completed work in the phases of the project and stated the submitted plans show little changes from the previously approved plans.

Mr. Jeff Resplar, Estates of Berlin, LLC, reviewed the safety fence that will be on top of the engineered retaining wall which will vary in height from 12 to 18 feet. The vinyl fence will be

VI Commission Business

- a. Concept plan review for a planned residential development at Shuttle Meadow Country Club, West Lane

Mr. Kozikowski stated the commission may, under state statutes and its zoning regulations, review a concept plan without commitment or voting.

Mr. Donald Klepacki, representing the Shuttle Meadow Country Club, stated the club had just celebrated its 100th Anniversary. The club's intention was to create a new nine- hole course on their property; however, the club now needs some infrastructure improvements and the consensus of the membership is to develop some residential units, similar to the Silver Ridge site which he developed. The map showed 146 acres proposed for the development. One hundred sixteen acres would be left open; there would be 48 attached units (16 – 3 unit buildings and 28 unattached for a total of 76 units. The density would be approximately ½ unit per acre. There are some topographical constraints and wetlands. Zoning for the property will have to be addressed. They have met with the Land Trust and had received a fairly positive response. A goal is to have the development tie into the Shuttle Meadow golf course. A private road would be constructed and an Association established.

Mr. Bart Bovee, P.E., stated water and sewer are available. A parking lot is proposed. A storm water management plan will be installed and there will be no increase in runoff. The concentration of the development will be in the center of the site.

Mr. Kozikowski noted the plan would require re-zoning and a special permit.

- b. Discussion regarding facade materials permitted in the Farmington Avenue Design Guidelines

Mr. Chris Edge, Director of Economic Development, stated SalCal Real Estate Company, 488 New Britain Road, had received a façade grant. The approval was conditioned on hardy plank being used for the siding. Mr. Edge distributed 3 examples of Mastic siding which has over 35 color options, will not fade, and is more cost effective. The commissioners had a favorable opinion of the product.

VII Commissioner Comments

VIII Adjournment

The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Frances Semnoski
Recording Secretary



TOWN OF BERLIN
WATER CONTROL COMMISSION

240 Kensington Road • Berlin, CT 06037
Office (860) 828-7065 • Fax (860) 828-7180

April 6, 2020

Attorney Richard H. Pentore
785 Farmington Avenue
Kensington, CT 06037

RE: Shuttle Meadow Country Club, Inc.
Request for Sewer Service
Lot 10-1, West Lane

Dear Attorney Pentore;

Please find enclosed, an action taken relative to the subject above, that was taken by the Berlin Water Control Commission on March 24, 2020.

The motion was signed by the Commission Chairman, Bruce Laroche. If you have any questions, please contact me.

Sincerely,




Ray Jarema, P.E.
Water Control Manager

Enclosure

cc: Michael S. Ahern, P.E.- Public Works Director
Maureen Giusti- Interim Town Planner
Bruce Laroche- BWCC Chairman

 COPY

Memorandum

To: Water Control Commissioners
From: Ray Jarema 
Date: March 24, 2020
Subject: Expansion of Sewer Service Area for Lot 10-1 West Lane

Background:

Shuttle Meadow Country Club, Inc. & Laudon Associates is proposing a subdivision in an area originally designated for Shuttle Meadow Country Club Golf Course expansion. This area (Lot 10-1) must have a Planning and Zoning zone change, but also must be designated as a Sewer Service Area, currently it is not.

Therefore, Berlin Water Control Commission (BWCC) is in favor of expanding the Sewer Service Area contingent on the following:

- 1) BWCC proposes to provide water and sewer service through the Kensington Fire District.
- 2) If the Kensington Fire District indicates that it does not want to have an Agreement of Service with BWCC, then the BWCC rejects the expansion of the sewer service in this area.

The Berlin Water Control Commission will revise the sewer service map and forward it to the Office of Policy Management (OPM) and the Department of Environmental and Energy Protection (DEEP) for their approval and concurrence.

Commissioner BRUCE LAROCHE made a motion to revise the Sewer Service Area Map, seconded by Commissioner JAMES PICCOLI.

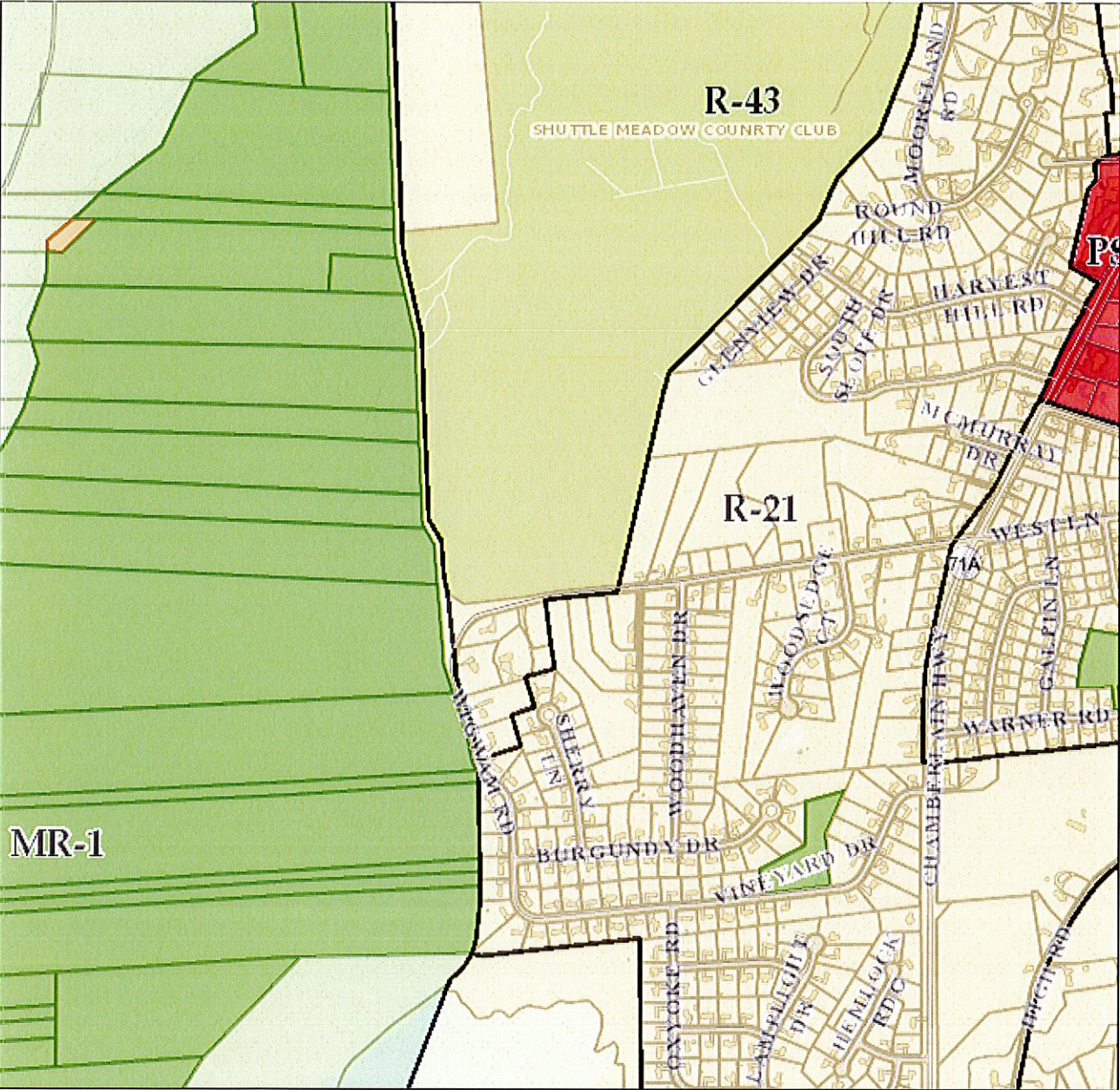
Motion: passed/failed


Bruce Laroche
BWCC Chairman



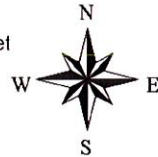
Current zoning 5-7-2020

Date Printed: 5/6/2020



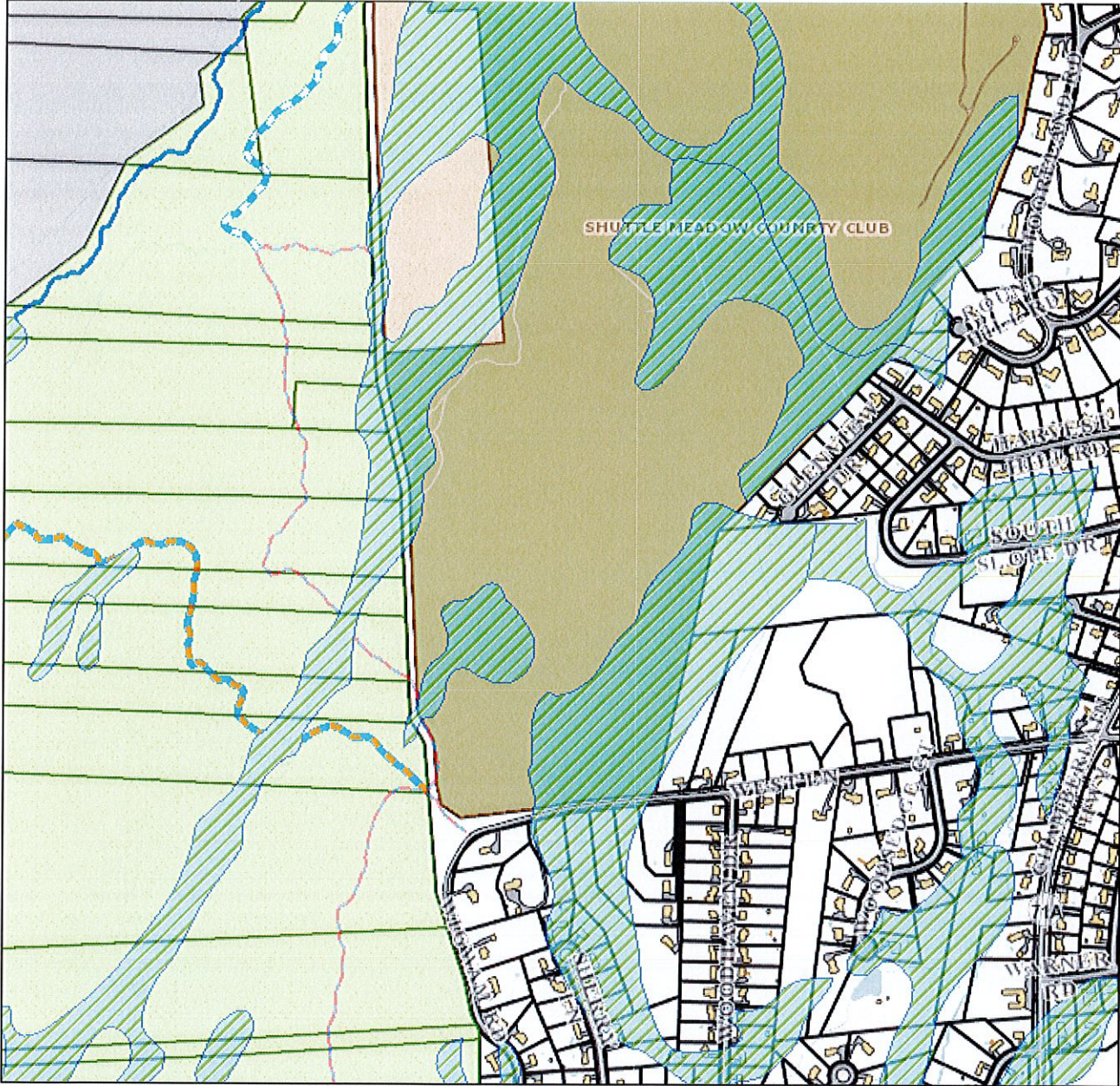
MAP DISCLAIMER - NOTICE OF LIABILITY
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 1000 feet





Date Printed: 5/5/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 800 feet



Town of Berlin Open Space

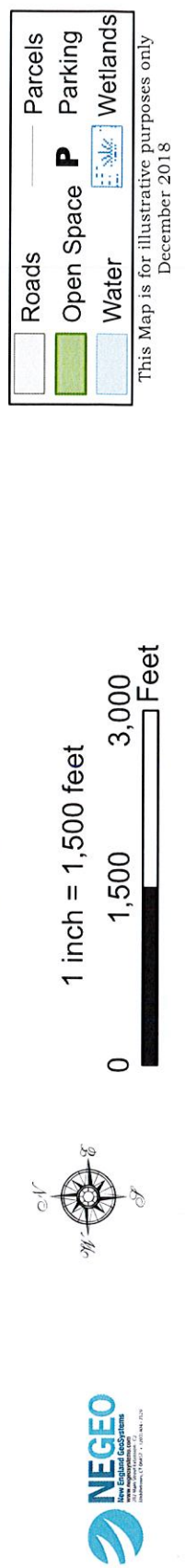
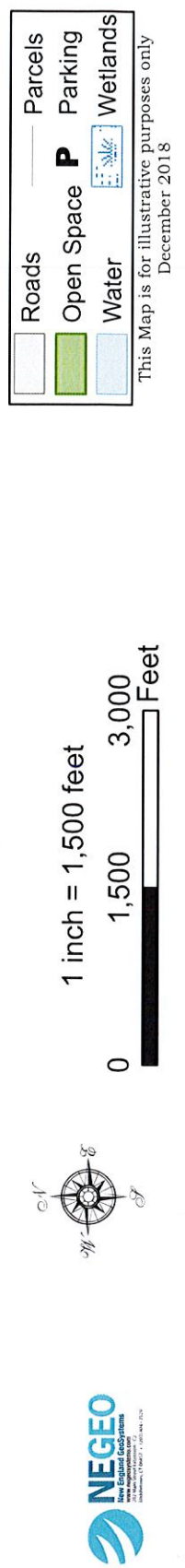
Trails

- Blue/White Trail
Total Length: 0.51 Miles
- Blue/Orange Trail
Total Length: 0.68 Miles
- Blue/Yellow Trail
Total Length: 0.85 Miles
- Metacommet Trail
Total Length: 2.54 Miles
- Blue/Red
Total Length: 3.1 Miles

Trail Ratings

- E - Easy
- M - Moderate
- D - Difficult

Ragged Mountain Park Map



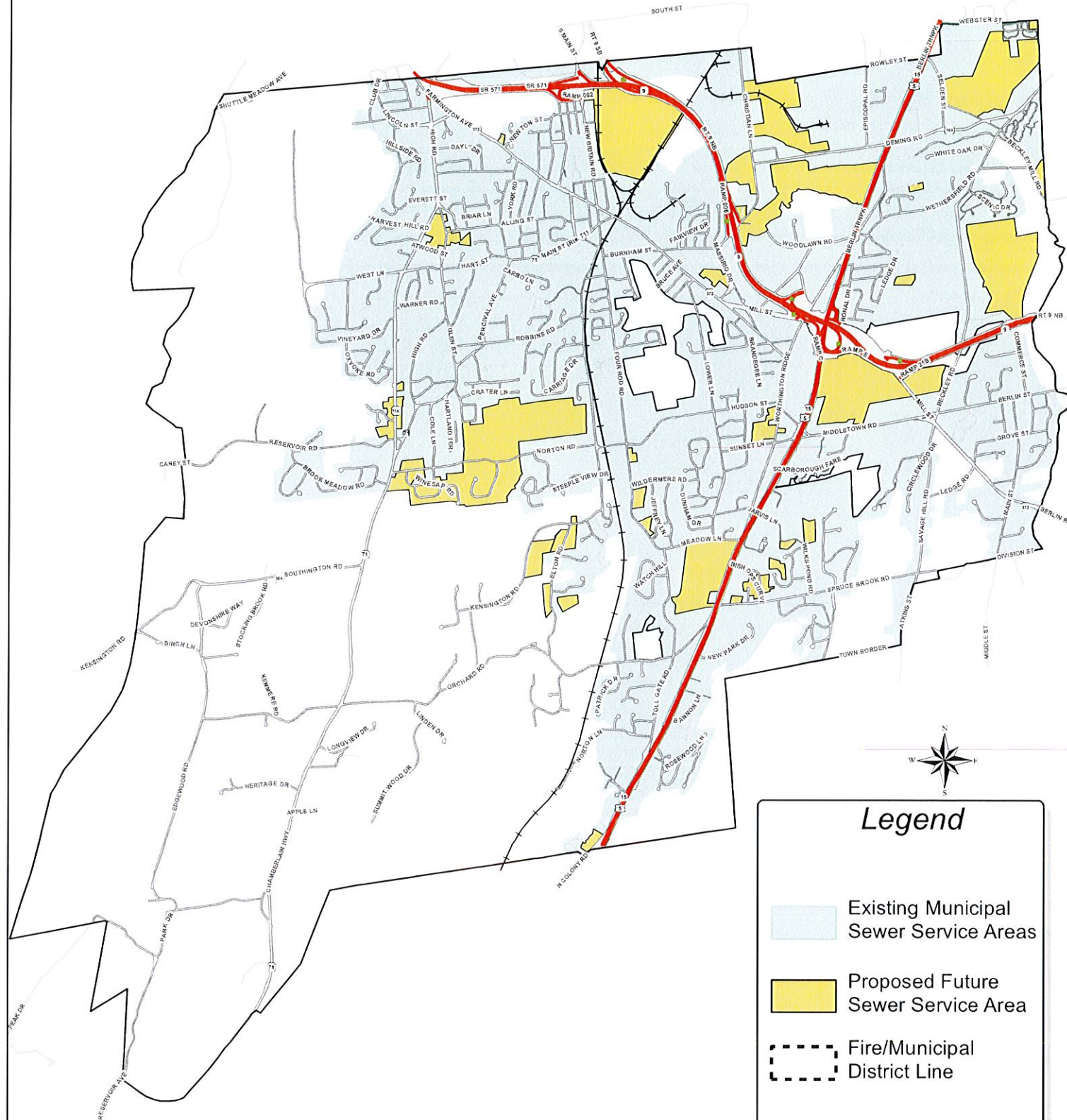
December 2018

December 2018



Town of Berlin, Connecticut

Sewer Service Areas

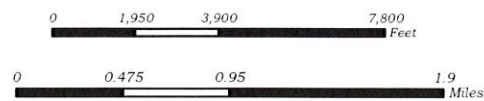


Legend

- Existing Municipal Sewer Service Areas
- Proposed Future Sewer Service Area
- Fire/Municipal District Line

Map Produced: June, 2012

DISCLAIMER:
THIS MAP IS PREPARED FOR THE INVENTORY OF REAL PROPERTY WITHIN THE TOWN OF BERLIN AND IS COMPILED FROM RECORDED DEEDS, PLATS, TAX MAPS, SURVEYS, PLANIMETRIC MAPS AND OTHER PUBLIC RECORDS AND DATA. USERS OF THIS TAXMAP ARE HEREBY NOTIFIED THAT THE AFOREMENTIONED PUBLIC PRIMARY INFORMATION SOURCES SHOULD BE CONSULTED FOR VERIFICATION OF THE INFORMATION CONTAINED ON THIS MAP. THE TOWN OF BERLIN AND ITS MAPPING CONTRACTORS ASSUME NO LEGAL RESPONSIBILITY.



Source:
Sewer service data was extracted from CAD drawings supplied by the Towns Engineering dept.

Coordinate System: NAD 1983 StatePlane Connecticut FIPS 6600 Feet
Projection: Lambert Conformal Conic
Datum: North American 1983

FOR THE INFORMATION CONTAINED HEREIN



PLANNING AND ZONING COMMISSION
ZONE CHANGE REQUEST

APPLICANT Name Shuttle Meadow Country Club, Inc.
Address 51 Randeckers Lane
Kensington, CT 06037
Telephone _____ Fax _____

OWNER (IF NOT THE APPLICANT)

Name same
Address _____
Telephone _____

WITH THE SIGNING OF THIS APPLICATION, I GIVE MY CONSENT THAT ANY TOWN OFFICIAL AND/OR EMPLOYEE THAT THE TOWN DEEMS NECESSARY MAY ENTER MY PROPERTY TO VERIFY INFORMATION SUBMITTED FOR THIS APPLICATION.

Signature By: [Signature] Date 10/24/19
Richard H. Pantore

I hereby make application dated 10/24/2019 requesting a zone change from the currently designated zone of R-43 to PR2 at

Portion of Lot No. 1 Block No. 10 Located on the West Lane

☒ north ☐ south ☐ east ☐ west side of West Lane
☐ street ☐ road ☐ avenue ☐ other (_____)

400 feet distant ☐ north ☐ south ☐ east ☒ west side

from the intersection of Woodhaven Drive

☐ street ☐ road ☐ avenue ☐ other (_____) with
* West Lane ☐ street ☐ road ☐ avenue ☐ other (_____)

• Is the subject property within 500' of another municipality? no

Attach fifteen copies of the map of the property and fifteen copies of the deed description.

Berlin Planning and Zoning Commission

Zone Change Request

Page 1 of 2

Town of Berlin

Received

OCT 25 2019

Planning & Zoning Department
Berlin, Connecticut

* Also includes the property known as Lot 93, Block 10 Wigwam Road.

CORRESPONDENCE SHOULD BE DIRECTED TO

Name Atty. Richard H. Restore
Address 785 Farmington Avenue
Hessington, CT 06037
Telephone 860 829-9741 Fax 860 829-9743
Email rrestore@restorelaw.com

FEE: \$250 plus \$60 for the State of Connecticut Solid Waste Management Fund
Note: One check made payable to "Town of Berlin" in the proper amount may be submitted.

Town of Berlin
Received
OCT 25 2019

Planning & Zoning Department
Berlin, Connecticut

Zoning Change Request Fee Paid

\$ 250.- fms
Received by

State of Connecticut Solid Waste Management Fund Fee Paid

\$ 60.- fms
Received by

DESCRIPTION OF PROPOSED ZONE LINE CHANGE FOR SHUTTLE MEADOW
COUNTRY CLUB

Starting at a point on the northeast intersection of the Highway line of Wigwam Road and West Lane, said point is the point and place of beginning. Thence along the northerly highway line of West Lane 1100'+/- to the approximate corner of the Town of Berlin Assessors Map 7-4-10-92A; Thence in a northeasterly direction 2350'+/- to the approximate corner of the Town of Berlin Assessors Map 8-1-10-158 and 8-1-10-159; Thence in a northwesterly direction 2335'+/- to the intersection of the east property line of the Town of Berlin Assessors Map 1-4-10-93; Thence in a northerly direction 700'+/- along the east property line of the Town of Berlin Assessors Map 1-4-10-93; Thence in a westerly direction 520'+/- to the easterly highway line of Wigwam Road; Thence in a southerly direction along the east highway line of Wigwam Road to the point of place of beginning.

Town of Berlin
Received

JAN 13 2020

Planning & Zoning Department
Berlin, Connecticut



RICHARD H. PENTORE

ATTORNEY AT LAW

785 FARMINGTON AVENUE

KENSINGTON, CONNECTICUT 06037

TEL. (860) 829-9741 FAX (860) 829-9743

E-MAIL rpentore@pentorelaw.com www.pentorelaw.com

Via email mgiusti@town.berlin.ct.us

And mail

May 4, 2020

Maureen Giusti
Director of Development Services
Town of Berlin
240 Kensington Road
Berlin, CT 06037

Re: Shuttle Meadow Zone Change

Dear Maureen:

I have reviewed the contents of your email of yesterday. You have requested that my client show the ability to have the property served by sewer and that the property to be served was not under any restrictions that would prevent it from being served.

To that end, the Water Control Commission has indicated that they would serve the property, and would subsequently file a map showing the service area with the State. The property appears to be in the Water Control Commission's "service area". Any service of the property would have to be done through mains owned by the Kensington Fire District. In other instances of service being made by one authority through mains of another, there are reimbursement agreements between the two authorities. Since service is not imminent, no agreement has been entered into at the present time. My client has no control over the time frame between the two authorities for making the agreement.

The conditions that were delaying a final vote on the zone change have been complied with by the action of the Water Control commission. The property is serviceable for sewer and such service does not violate any restricted sewer area on the maps on file with the State OPM. There is nothing in the action by the WCC indicating that this area cannot be served. It would be unfair to my client to further delay the zone change approval process for a matter that is between the two authorities and which may not be resolved until final site plans are approved. In fact, any agreement

between the authorities may be affected by the final site plans, layout and number of units allowed.

My client, Laudon Associates will still require permits such as Wetlands and a Special Permit from the PZC prior to instituting any construction or site work on the property. Once the final special permit/site plans are ready for approval, an agreement between the authorities can be arrived at, and any construction or special permit could be conditioned on that issued being resolved between the authorities.

Thank you.

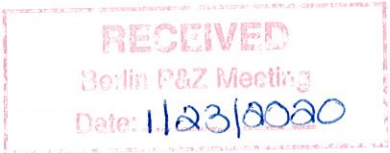
Very truly yours,



Richard H. Pentore

RHP
Cc: Client

Richard H. Pentore, Esq.
Presentation Outline
Application for Zone Change
Shuttle Meadow Country Club, Inc.
Berlin Planning & Zoning Commission



January 23, 2020

Application: Application for a zone change from R-43 to PR-2 on a portion of Lot 1 and on Lot 93, Block 10, Randeckers Lane, West Lane and Wigwam Road

Purpose of Zone Change: To allow for a Special Permit application for residential development under the PR-2 zone. Due to the location of wetlands, trails, and other topographical features, the PR-2 zone will allow, upon review by the Wetlands Commission and Special Permit by the PZC, a development that will allow for significantly less “overall” land coverage and will also allow for significant separation from existing single family homes on Harvest Hill Road, Glenview Drive, and West Lane.

Current zone: Currently the property is zoned R-43. All abutting residential properties have been developed under the R-21 zone. PR-2 will allow for development with densities comparable to the R-21 zone. The remainder of Lot 1 on which the golf course is located will remain R-43.

Features: The parcel to be changed consists of approximately 146.7 acres and is portion of Lot 1 and Lot 93. Parcels are south and west of the existing Shuttle Meadow Country Club golf course, the land of which is sited on the remaining portion of Lot 1 and is not part of this application. The property is currently zoned R-43, however all adjacent properties are in the R-21 zone. The proposed development will be served by public sewer and water. Approximately 30 acres of the total acreage of 146.7 will be used for the proposed development under the PR-2 zone.

PR-2 zone would allow the following development options:

- 1. **Preservation of Open Space.** The development will allow the creation of some 116 acres of Open Space, which includes 48 acres of wetlands. The Berlin Land Trust will also be the recipient of some of the Open Space created by the proposed development.
- 2. **Preservation of Trail Access to Ragged Mountain Trail.** The PR-2 zone will allow the development to be separated from the westerly boundary of the property and allow for access to the Ragged Mountain Trail.
- 3. **Separation of Units from existing single family homes.** Development under the PR-2 zone will allow the developer to have much greater separation of the new units from existing single family homes. Units will be located approximately 1,000 feet in from West Lane. There is no planned roadway access to the site from Harvest Hill Road and the units will be located southwesterly from the end of Glenview Drive.

HOA: The proposed development will be a planned community, roadways will not be public and will be maintained by the Homeowner's Association. Approximately 3,625 feet of private roadway is planned for the development. The proposed development will not be age-restricted.

POCD: Goal #4 of the POCD states that the town should continue to provide ownership options that support housing choices for people of diverse ages and means. The proposed development would provide a range of housing, with attached and detached single family units, that would appeal to a wide variety of potential homeowners, many of whom are not seeking homes on lots, but would welcome the overall ambience of the proposed development without negatively impacting existing surrounding single family neighborhoods.

Other POCD residential objectives:

1. Development of long term quality with a variety and range of housing choices and value;
2. To preserve or create open space worthy of protecting and consistent with the overall goals of the plan;
3. Encourage housing options for mature families (empty nesters) and seniors who no longer desire single family housing but who prefer to live in town in planned environments;
4. With regard to multi-family housing near existing single family areas, the plan would allow such development where "there are special circumstances that would eliminate the potential adverse impacts on the neighborhood".
5. Create neighborhood environment with activity centers, recreational areas, and pedestrian circulation.

Summation/Arg.

The proposed development under the PR-2 zone would be in harmony with the POCD in that it would create useful open space and protect access to the Ragged Mountain trail. It would also provide a range of housing options (detached and attached units) that would appeal to both "empty-nesters" and young professionals who may be looking for this type of housing choice in a prime setting. We believe that the proposed development of the site under the PR-2 zone is in compliance with the objectives of the POCD. We believe that this satisfies a wide range of POCD criteria, and is in step with current housing trends.

Presenters:

Atty. Richard H. Pentore
Stephen Giudice, L.S. Harry E. Cole & Son
Scott Hesketh, F.A. Hesketh & Associates, Inc.

Berlin Land Trust

Shuttle Meadow Development Report

 FILE COPY



Prepared By: Raymond Archacki, Jr – Board Member

Dates: January 21st and 23rd, 2020

Location: Shuttle Meadow Property North of West Lane Berlin CT

On behalf of the Berlin Land Trust (BLT) I was asked to review the existing recreational trails on a parcel of land owned by Shuttle Meadow Country Club off of West Lane in Berlin. This parcel is located near the popular Ragged Mountain conservation area that is crisscrossed with miles of marked and un-marked trails.

Using the AllTrails app on my iPhone I was able to determine there are about 4 miles of existing trails on the entire parcel, of which about 2 miles lie in the “development” area. I mapped the trails and walked about 3.6 miles on Tuesday afternoon January 21st with my son. It was 3-days after a fresh snowfall and the trails showed active use judging by the prints from boots, dog paws, snowshoes and even a “fat-tire” bike track that looped around one of the trails. I was able to record the hike and then analyze and map it on my PC. Several pictures are also attached.

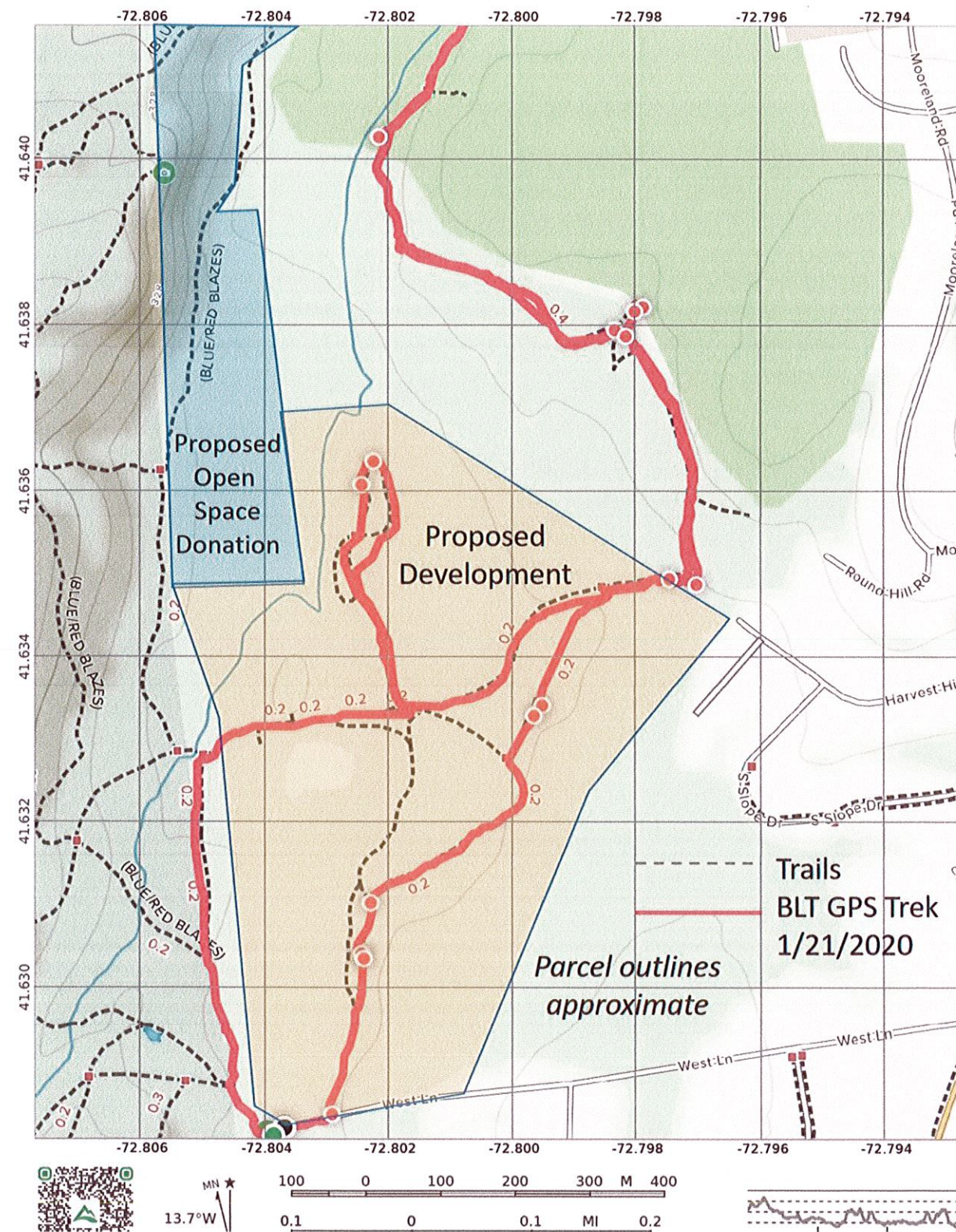
As shown on the attached map, where I was able to approximate the development and open space areas from the development plans, it appears about 2 miles of existing wide-open trails would be lost due to the development footprint. These trails are relatively level and much easier to hike than some of the more challenging mountain trails in the area.

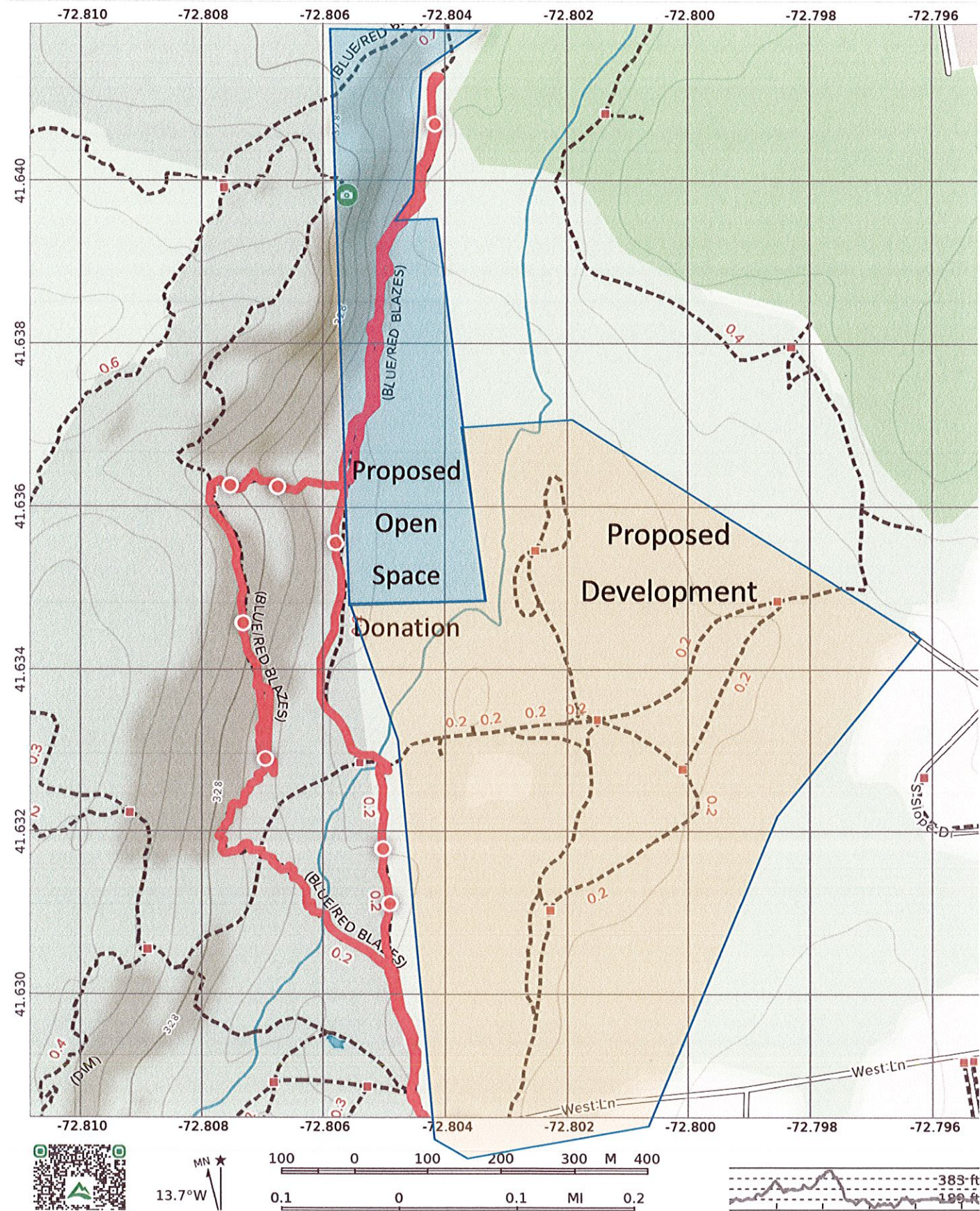
Another portion of the trail borders the golf course from the end of the Harvest Hill Rd cul-de-sac towards Randeckers Lane and while this showed some boot prints and snow shoe activity it is also used by landscape trucks from the golf course and a place to dump extra soil and brush.

The open-space parcel that is proposed to be donated only contains a portion of the blue-red blazed Ragged Mountain side trail that is maintained by the Connecticut Forest and Park Association (CFPA) and this was hiked on Thursday 1/23/2020.

Sincerely

Raymond Archacki Jr.





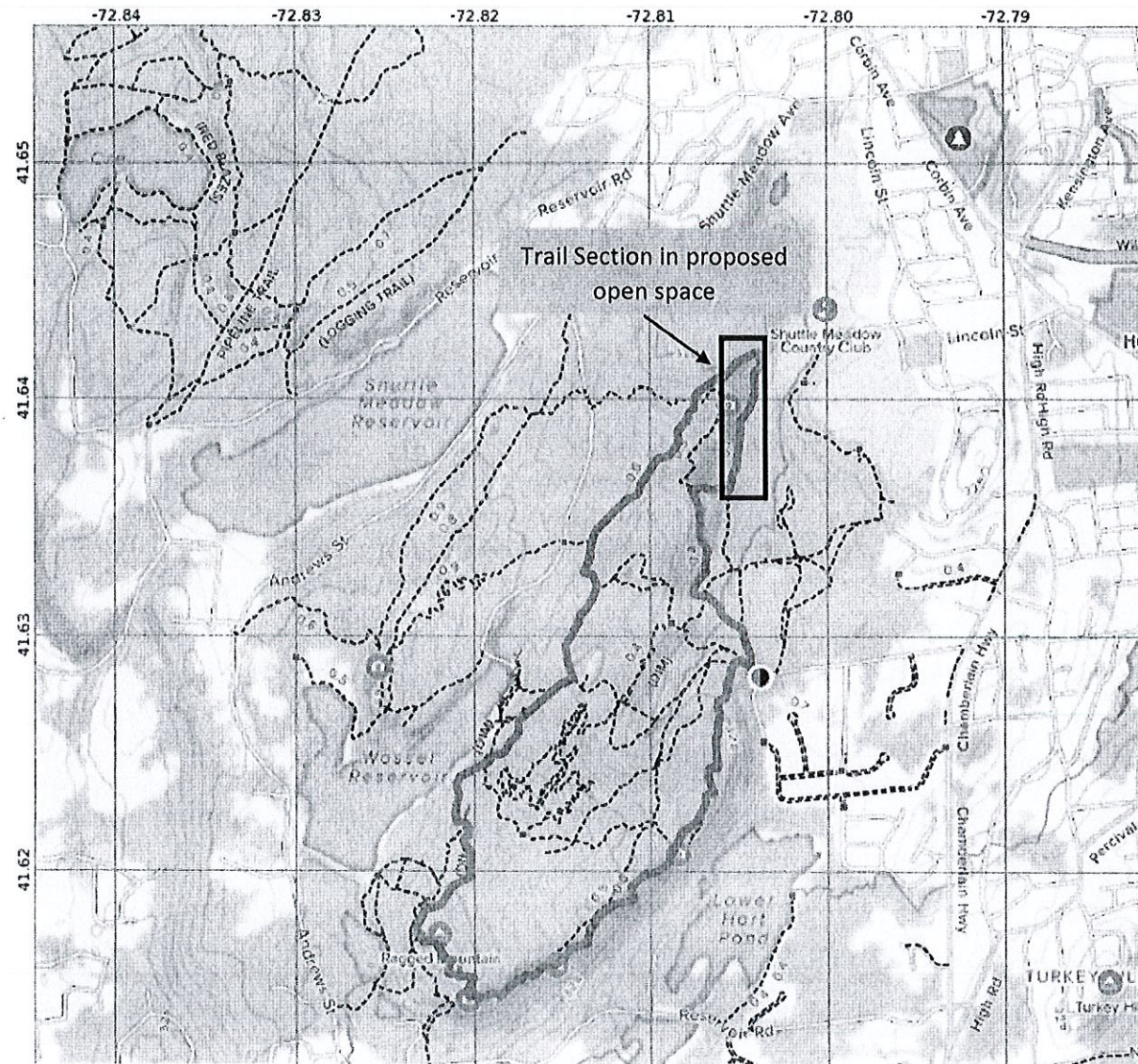
FILE COPY

RECEIVED
Berlin P&Z Meeting
Date: 2/6/2020



Blue/Red Blazed Ragged Mounta...

Berlin, CT ★★★★★



The popular 5.5 mile Ragged Mountain Loop Trail maintained by the CFPA is mostly on protected land.

The proposed open space donation from the development would completely protect the trail forever.

FILE COPY



FILE COPY

RECEIVED
Berlin P&Z Meeting
Date: 1/23/2020

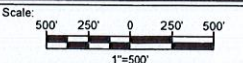
376 South Main Street
P.O. Box 44
Plantsville, CT 06479 - 0044

Tel: (860) 628-4484
Fax: (860) 620-0196
www.hecole.com

Berlin, Connecticut

SHUTTLE MEADOW
COUNTRY CLUB

ZONE CHANGE MAP



Date: January 3, 2020

Project #: 1713	F.B. #:
Drawn By: BTP	Approved By: SMG

Revisions:	
Date:	Descriptions:
Jan 22, 2020	Revised zone name
-----	-----
-----	-----
-----	-----

Sheet #:

1 OF 1



811
Know what's below.
Call before you dig.

1. This plan was compiled from other maps, record research or other sources of information. It is not to be construed as having been obtained as the result of a field survey, and is subject to such change as an accurate field survey may disclose.

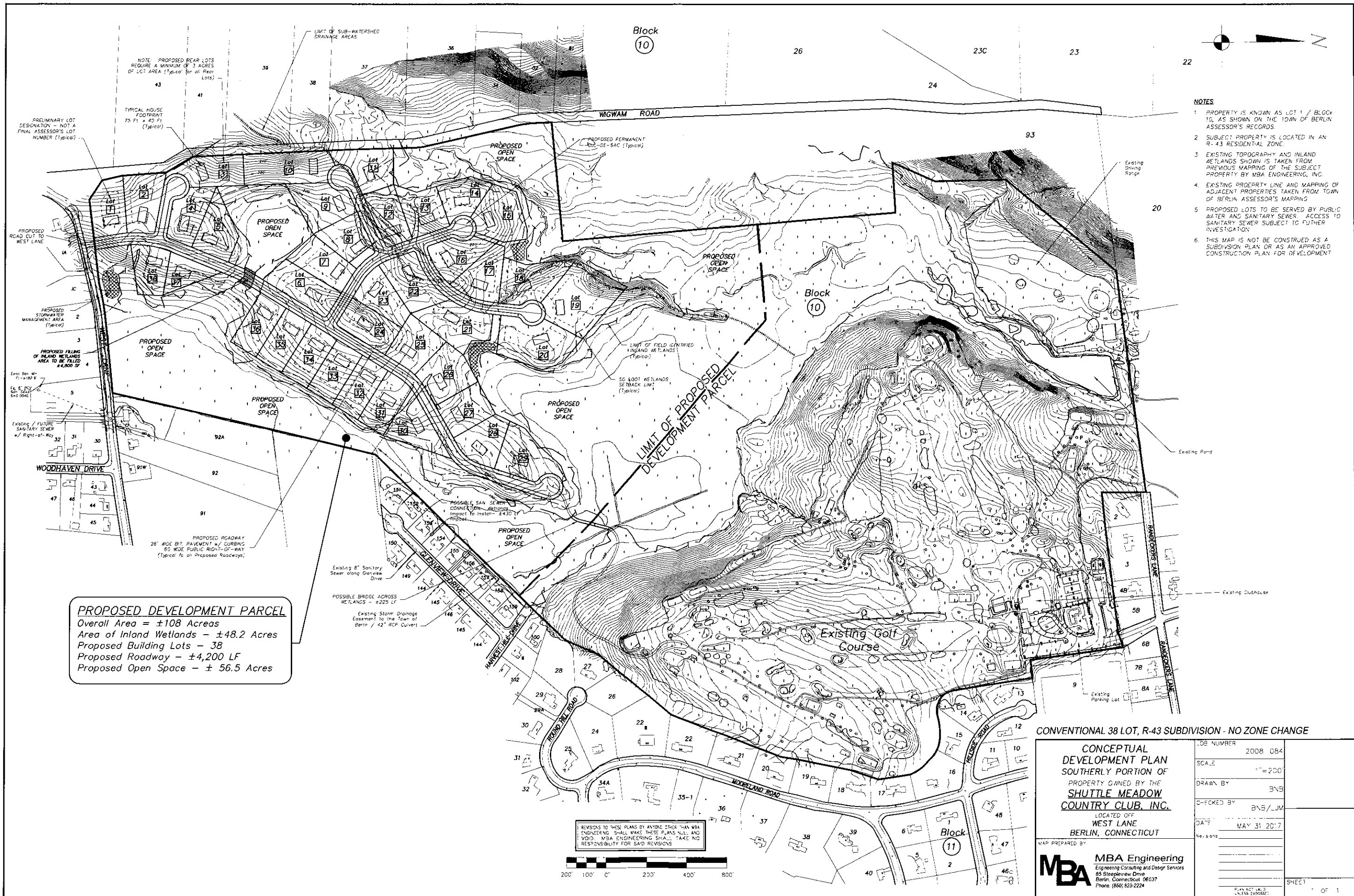
2. This map has been prepared pursuant to the Regulation of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996.

3. Type of survey performed: Compilation Plan

4. Boundary determination category: N/A

5. Class of accuracy:
Horizontal: D (Not A Field Survey)

6. The intent of this map is to depict the area of land to be changed from one zone to another.



- NOTES
- 1. PROPERTY IS KNOWN AS LOT 1 / BLOCK 10, AS SHOWN ON THE TOWN OF BERLIN ASSESSOR'S RECORDS.
 - 2. SUBJECT PROPERTY IS LOCATED IN AN R-43 RESIDENTIAL ZONE.
 - 3. EXISTING TOPOGRAPHY AND INLAND WETLANDS SHOWN IS TAKEN FROM PREVIOUS MAPPING OF THE SUBJECT PROPERTY BY MBA ENGINEERING, INC.
 - 4. EXISTING PROPERTY LINE AND MAPPING OF ADJACENT PROPERTIES TAKEN FROM TOWN OF BERLIN ASSESSOR'S MAPPING.
 - 5. PROPOSED LOTS TO BE SERVED BY PUBLIC WATER AND SANITARY SEWER. ACCESS TO SANITARY SEWER SUBJECT TO FURTHER INVESTIGATION.
 - 6. THIS MAP IS NOT BE CONSTRUED AS A SUBDIVISION PLAN OR AS AN APPROVED CONSTRUCTION PLAN FOR DEVELOPMENT.

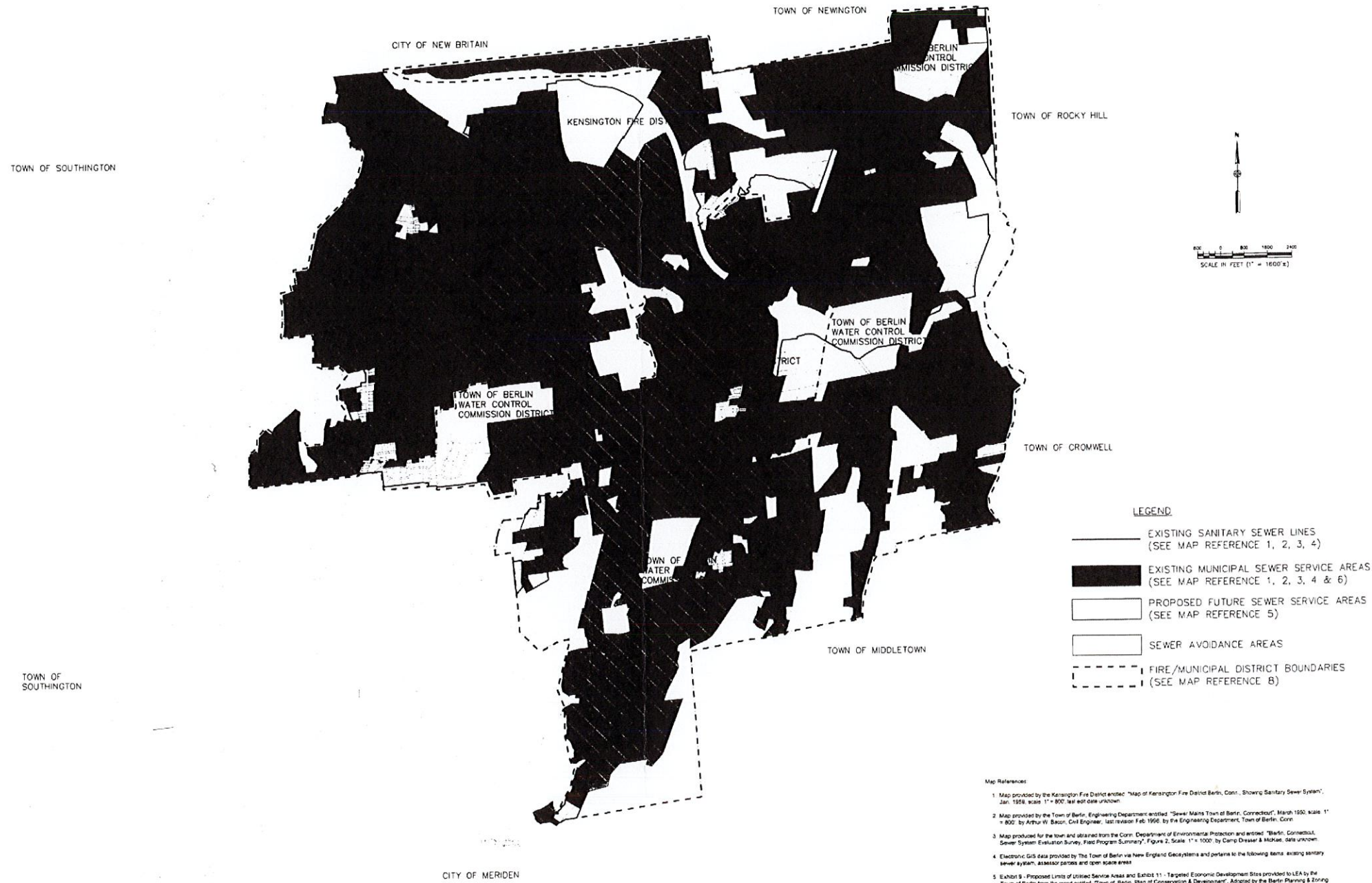
PROPOSED DEVELOPMENT PARCEL
Overall Area = ±108 Acres
Area of Inland Wetlands - ±48.2 Acres
Proposed Building Lots - 38
Proposed Roadway - ±4,200 LF
Proposed Open Space - ± 56.5 Acres

REVISIONS TO THESE PLANS BY ANYONE OTHER THAN MBA ENGINEERING SHALL MAKE THESE PLANS NULL AND VOID. MBA ENGINEERING SHALL TAKE NO RESPONSIBILITY FOR SAID REVISIONS.

CONVENTIONAL 38 LOT, R-43 SUBDIVISION - NO ZONE CHANGE

CONCEPTUAL DEVELOPMENT PLAN SOUTHERLY PORTION OF PROPERTY OWNED BY THE SHUTTLE MEADOW COUNTRY CLUB, INC. LOCATED OFF WEST LANE BERLIN, CONNECTICUT MAP PREPARED BY MBA Engineering Engineering Consulting and Design Services 85 Steepleview Drive Berlin, Connecticut 06037 Phone: (860) 828-2224	JOB NUMBER	2008 084
	SCALE	1"=200'
	DRAWN BY	BVS
	CHECKED BY	BVS/JW
	DATE	MAY 31, 2017
	Revisions	
SHEET		1 OF 1

FILE COPY



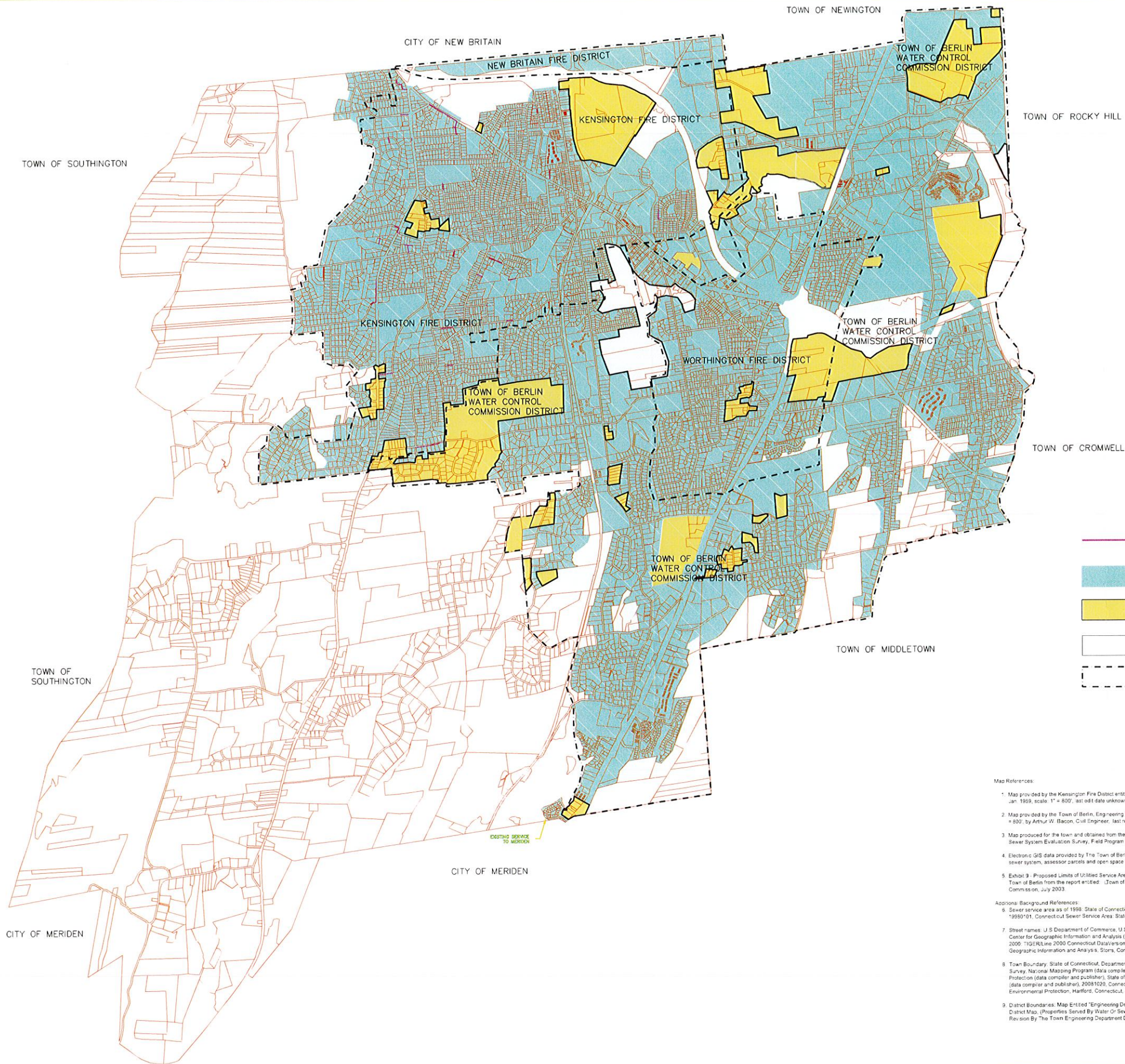
REV.	DESCRIPTION OF REVISION	DATE	APPR.
1	Correct for DEP	7/17/11	ALS
	Appendix 9/17/11		
	Bruford		

Laurero Engineering Associates, Inc.
100 Northwest Drive - Plainville, Connecticut 06062
Phone: 860-747-0181 / fax: 860-747-8822
www.laureroeng.com

1" = 1600'	08/24/11	01/28/10	01/28/10
DESIGN	CFB	TFB	

LEA
An Employee Owned Company

- Map References:
- Map provided by the Kensington Fire District entitled "Map of Kensington Fire District Berlin, Conn. Showing Sanitary Sewer System", Jan. 1958, scale 1" = 800' (all east data unknown).
 - Map provided by the Town of Berlin Engineering Department entitled "Sewer Main Map of Berlin, Connecticut", March 1950, scale 1" = 800' by Arthur W. Bacon, Civil Engineer, last revision Feb. 1956, by the Engineering Department, Town of Berlin, Conn.
 - Map produced for the town and submitted to the Conn. Department of Environmental Protection and entitled "Berlin, Connecticut, Sewer System Evaluation Survey, Field Program Summary", Figure 2, Scale 1" = 1000' by Camp Dresser & McKee, data unknown.
 - Electronic GIS data provided by the Town of Berlin via New England Geosystems and pertains to the following items: existing sanitary sewer system, assessor parcels and open space areas.
 - Exhibit 9 - Proposed Limits of Utilized Service Areas and Exhibit 11 - Targeted Economic Development Sites provided to LEA by the Town of Berlin from the report entitled "Town of Berlin, Plan of Conservation & Development", Adopted by the Berlin Planning & Zoning Commission, July 2003.
- Additional Background References:
- Sewer service area as of 1958. State of Connecticut, Department of Environmental Protection (data compiler, editor and publisher), 1990/10/1. Connecticut Sewer Service Area. State of Connecticut, Department of Environmental Protection, Hartford, Connecticut, USA.
 - Street names. U.S. Department of Commerce, U.S. Census Bureau, Geography Division (data compiler), University of Connecticut, Center for Geographic Information and Analysis (data editor and publisher), 2002. Connecticut Street Network State Plane, TIGER/Line 2000. TIGER/Line 2000 Connecticut Data/Versions (DATA) represents the month and year. University of Connecticut, Center for Geographic Information and Analysis, Storrs, Connecticut, USA.
 - Town Boundary. State of Connecticut, Department of Environmental Protection (data compiler, editor and publisher), U.S. Geological Survey, National Mapping Program (data compiler), MassGIS (data compiler and publisher), New Jersey Department of Environmental Protection (data compiler and publisher), State of New York (data compiler and publisher), Rhode Island Geographic Information System (data compiler and publisher), 2004/10/05. Connecticut and vicinity Index Town Boundary Line. State of Connecticut, Department of Environmental Protection, Hartford, Connecticut, USA.
 - District Boundaries Map. Entitled "Engineering Department, Town of Berlin, Connecticut, Water Control Commission, Taking District Map, Properties Served By Water Or Sewer", Scale 1" = 800', Dated March 1950, by Arthur W. Bacon, Civil Engineer, last revision by the Town Engineering Department dated July 2007.



FILE COPY

LEGEND

- EXISTING SANITARY SEWER LINES
(SEE MAP REFERENCE 1, 2, 3, 4)
- EXISTING MUNICIPAL SEWER SERVICE AREAS
(SEE MAP REFERENCE 1, 2, 3, 4 & 6)
- PROPOSED FUTURE SEWER SERVICE AREAS
(SEE MAP REFERENCE 5)
- SEWER AVOIDANCE AREAS
- FIRE/MUNICIPAL DISTRICT BOUNDARIES
(SEE MAP REFERENCE 8)

Map References:

- Map provided by the Kensington Fire District entitled: "Map of Kensington Fire District Berlin, Conn., Showing Sanitary Sewer System", Jan. 1999, scale: 1" = 800', as old date unknown.
 - Map provided by the Town of Berlin, Engineering Department entitled: "Sewer Maps Town of Berlin, Connecticut: March 1999, scale: 1" = 800', by Arthur W. Bacon, Civil Engineer, last revision Feb 1999, by the Engineering Department, Town of Berlin, Conn.
 - Map produced for the town and obtained from the Conn. Department of Environmental Protection and entitled: "Berlin, Connecticut, Sewer System Evaluation Survey, Field Program Summary", Figure 2, Scale: 1" = 1000', by Camp Dresser & McKee, date unknown.
 - Electronic GIS data provided by The Town of Berlin via New England Geosystems and pertains to the following items: existing sanitary sewer system, assessor parcels and open space areas.
 - Exhibit 9: Proposed Limits of Utilized Service Areas and Exhibit 11: Targeted Economic Development Sites provided to LEA by the Town of Berlin from the report entitled: "Town of Berlin, Plan of Conservation & Development Adopted by the Berlin Planning & Zoning Commission, July 2003.
- Additional Background References:
- Sewer service area as of 1998. State of Connecticut, Department of Environmental Protection (data compiler, editor and publisher), 1998/01, Connecticut Sewer Service Area. State of Connecticut, Department of Environmental Protection, Hartford, Connecticut, USA.
 - Street names: U.S. Department of Commerce, U.S. Census Bureau, Geography Division (data compiler), University of Connecticut, Center for Geographic Information and Analysis (data editor and publisher), 2002, Connecticut Street Network State Plane, TIGER/Line 2000, TIGER/Line 2000 Connecticut DataVersion (MMYY) represents the month and year, University of Connecticut, Center for Geographic Information and Analysis, Storrs, Connecticut, USA.
 - Town Boundary: State of Connecticut, Department of Environmental Protection (data compiler, editor and publisher), U.S. Geological Survey, National Mapping Program (data compiler), MassGIS (data compiler and publisher), New Jersey Department of Environmental Protection (data compiler and publisher), State of New York (data compiler and publisher), Rhode Island Geographic Information System (data compiler and publisher), 2008/02/01, Connecticut and Vicinity Index Town Boundary Line: State of Connecticut, Department of Environmental Protection, Hartford, Connecticut, USA.
 - District Boundaries: Map Entitled "Engineering Department, Town of Berlin, Berlin, Connecticut, Water Control Commission, Taking District Map, (Properties Served By Water Or Sewer)", Scale 1" = 800', Dated March 1990, by Arthur W. Bacon, Civil Engineer, Last Revision By The Town Engineering Department Dated July 2007.

Loureiro Engineering Associates, Inc.
100 Northwest Drive, Plainville, Connecticut 06062
Phone: 860-747-6181 / fax: 860-747-8822
An Employee Owned Company email: info@leaei.com



SCALE	DATE
1" = 1600' ±	08/28/10
08BWS01	01/28/10
DATE	DATE
G.F.B.	T.R.B.
01/28/10	01/28/10

BERLIN WATER POLLUTION CONTROL PLAN
TOWN OF BERLIN, CONNECTICUT

SEWER SERVICE AREA MAP



1
SHEET 1 OF 1 SHEETS

Public Comment Letters Received

Town of Berlin
Planning and Zoning Commission
240 Kensington Rd
Berlin, CT 06037

March 16, 2020

Town of Berlin
Received
MAR 18 2020
Planning & Zoning Department
Berlin, Connecticut

Dear Commissioners:

Please find the enclosed photos of West Lane taken on Sunday, February 23rd from Woodhaven Drive down to the entrance of Ragged Mountain. There were 35 cars on the road up to the entrance of Ragged Mountain, not including what was in the small parking area in front of the entrance or the cars on Wigwam Road. This is only one half of the cars that park on West Lane during Spring and Fall when they are on both sides of the street. There was constant traffic that day and cars had to stop to let others pass. This part of West Lane is barely two lanes as is.

I feel that a new road should not be created off of West Lane. There is already too much traffic on this road, and I don't think the new owners will appreciate the traffic they will have to deal with to get in and out of their development on "hiking days". It's already a dangerous situation. Can the new road be redirected to another outlet such as Randecker Lane, Glenview Drive or Harvest Hill Road where there is less traffic? Maybe some sort of variance will be needed.

The developer has made it clear that they will build either way the zoning goes. In which case I feel that it would be better to use condensed space and not keep the R-42 lot size. But I also do not agree with the Planned Residential-2 zoning.

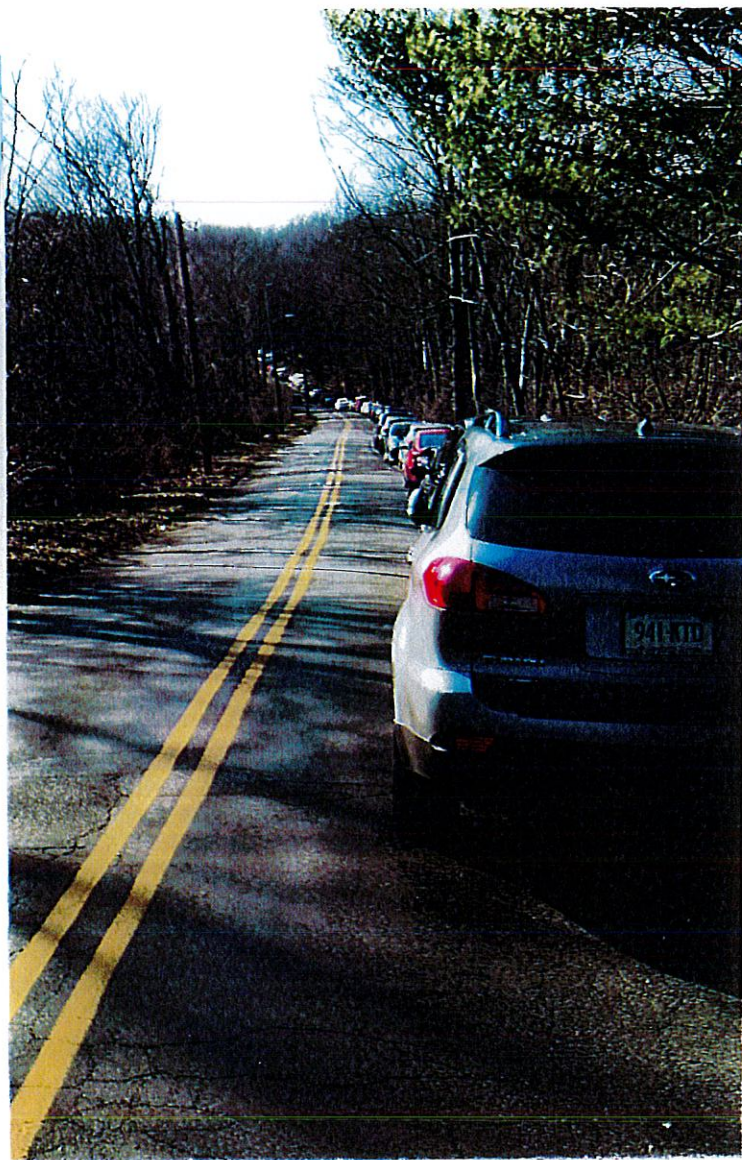
If re-zoning is approved, I would prefer to see it changed to R-21 with no future expansion like the area around it. Not Planned Residential -2 as requested. It will keep the land used consolidated, preserve the open space for the wildlife and will lessen the number of cars added and the impact on the traffic on West Lane.

Thank you for your consideration.

Sincerely,



Debra Slowikowski
338 West Lane
Kensington, CT 06037





Berlin Land Trust, Inc.

FILE COPY



February 6, 2020

Hand Delivered

Joan Carey, Chairperson
Berlin Planning and Zoning Commission
Berlin Town Hall
240 Kensington Road
Kensington, CT 06037

FILE COPY

Re: Shuttle Meadow Zone Change

Dear Ms. Carey:

The applicant Shuttle Meadow Country Club, Inc. ("Shuttle Meadow") has proposed a zone change on land owned by it lying westerly of the present golf course. The zone change would change the current zone from ~~R-44~~ to PR-2.

R-43

The Berlin Land Trust, Inc. ("BLT") has discussed the matter of the zone change with Mr. Donald Klepacki, the intended developer, who is presenting the zone change to the Commission.

While BLT is generally in favor of cluster type developments we raised some concerns with the Commission at the last public hearing and also by a letter to Attorney Richard Pentore who is the attorney for the developer. A copy of this letter is attached hereto. The issues raised by BLT are expressed therein in detail.

I am pleased to report that BLT has reached an agreement with the Developer and through the Developer the Applicant.

The Agreement is as follows:

If the zone change is granted the developer agrees and Applicant as follows:

1. The Applicant and BLT shall enter into an written agreement stating that the acreage shown on the conceptual plan for the development itself shall not be increased and that the number of residential units to be built shall not exceed 76. A notice of this written Agreement shall be recorded and shall be released after approval of the required site plan applications.

2. The land shown on the conceptual plan as open space to be deeded - Lot 93, approximately 40 acres – shall be expanded by moving its boundary easterly and southerly to the approximate line of any required set-backs for the PR-2 zone in the area to be developed. The purpose of this expansion of the deeded, conserved land is to allow the establishment of a trail system which will utilize existing trails to the extent possible while connecting these trails to Wigwam Road, the proposed development and the golf course itself.

3. All land not proposed for development shall be protected by a conservation easement satisfactory to the Town of Berlin. This easement shall apply both to the land to be owned by the homeowner's association and the land deeded to the Town or land trust.

4. Shuttle Meadow will protect the current blue blazed loop trail which extends northerly from Lot 93 into other land of Shuttle Meadow before turning and going up the mountain. This portion of the blue blazed trail is currently unprotected. Shuttle Meadow will either deed this additional land to the Town or the land trust or grant an easement over it to the Connecticut Forest and Park Association which maintains the blue blazed trail system.

BLT believes that this Agreement supports the concept of cluster zoning, enhances the open space opportunities, encourages the use by residents of the trail system in the area and protects as much land as possible by deed rather than by easement.

Protection by deed always is superior to protection by easement.

The agreement recited above allows BLT to support the request of Shuttle Meadow for a zone change from R-44 to PR-2.

The developer has been given a copy of this letter prior to the beginning of the continued public hearing this evening. If the Developer/Applicant does not agree with any of the stated agreements herein, BLT expects that the Developer will state his/its disagreement accordingly.

Thank you for your consideration of this matter.

Very truly yours,

Dennis L. Kern, President
DLK/tt

Copy: Board of Directors – Berlin Land Trust, Inc
Attorney Richard Pentore, Donald Klepacki



Berlin Land Trust, Inc.

January 28, 2020

Attorney Richard H. Pentore
Law Offices of Richard H. Pentore
785 Farmington Avenue
Kensington, CT 06037

Re: Shuttle Meadow Development
West Lane, Kensington, Connecticut

Dear Rick:

As you know the Berlin Land Trust, Inc. ("BLT") aims to protect and preserve open space. Therefore, we have an interest in protecting as much open space as possible with regard to the proposed Shuttle Meadow Development. We are also concerned about the trail system that has developed there.

Currently the owner is proposing a zone change from R-40 to PR-2. This will allow more units/residences in the land subject to the zone change. The applicant has ably presented a plan which proposes 76 units/residences. This plan represents a cluster type of approach to development which BLT has long encouraged. However, we are concerned about the impact of these 76 units/ residences on the site from an environmental point of view. Wetlands abound in the area surrounding the proposed development. Flora and fauna will be disturbed. The residents recited an abundance of wild life on this land. Also, a trail system which has developed on the site will be irrevocably destroyed. We have pointed out that the trail system is actively used even though the land is private. Basically, flat, level trails are unusual and important to preserve to the extent practicable.

The proposed lay-out of the development does suggest that open space will be preserved by deed and by easement. Of particular note is that the Blue Trail blazed by the Connecticut Forest and Park Association passes through the 39 +/- acre parcel which is slated for deeded open space.

BLT has reviewed the proposed plans, walked the site and listened to the public comments. We make the following suggestions/recommendations:

1. One concern is that conditions cannot be imposed on a zone change. So once the parcels become PR-2 the proposed development can change, units can be added the footprint altered and overall the goal of conservation thwarted and the amount of land to be conserved reduced. To alleviate the concern, we proposed an agreement between BLT and the owner which will limit any development under the PR-2 zone to 76 units/residences and will reasonably fix the number of acres to be preserved by deed and by easement. That agreement by its terms will be effective only until the Berlin Planning and Zoning Commission approves the 76 +/- unit development as proposed and constructions starts. A notice of that Agreement can be recorded and then released.

2. As a result of the number of existing trails to be lost we ask the Developer to determine if they can be re-routed. To perhaps facilitate the re-routing of trails we suggest that the southern and southeasterly boundaries of the open space to be deeded (39 +/- acres) be moved southerly and easterly. (See paragraph 3).
3. As you know we suggest that conservation by deed is preferable to conservation by easement. The southern boundary of the land to be conserved by deed should be moved southerly and easterly to that point where the boundary of land to be conserved by deed will not affect the zoning requirements of the PR-2 development. The required set-backs will then determine the boundary of the land to be conserved by deed and the northerly boundary of the land to be conserved by easement and owned by a homeowner's association.
4. To ensure the proper conservation of the land we propose that conservation easements be applied to both the conserved land to be deeded and the conserved land to be protected by easements. All non-developed areas should be subject to a conservation easement no matter who ultimately owns the land.
5. As an appropriate, additional consideration for the loss of trails we note that a small portion of the Blue Trail extends northerly out of the land to be conserved by deed to other land of the Owner. We respectfully request that the Owner grant the C.R.P.A. a permanent easement over this portion of the Blue Trail. The Developer's engineer can produce a recordable map showing this portion of the trail and an easement and the map can then be recorded.

Thank you for your and the Developer's review of these concerns/comments. We understand that the developer and the landowner must profit from their joint enterprise. We seek only to ensure that the proposal being presented to the Berlin Planning and Zoning Commission is honored as to the number of units and acreage, to enhance the conservation aspect of the plan and to partially rectify the loss of a popular level trail system.

We believe that these suggestions will enhance the proposed development and should improve the status of the application for a zone change.

Very truly yours,

Dennis L. Kern
President
DLK/tt
Copy: Board of Directors

To: Planning and Zoning- Town of Berlin

I am writing this letter to the planning and zoning board to voice my disapproval of the proposed change in lot size form the current R-38 to the new P-2 lots. There has already been other people on the other side of the street who have asked for rezoning but been denied. A few issues need to be addressed as this will increase traffic from about 76 cars to a traffic problem of 158 cars or possibly more and with the new Wickland subdivision already approved that will mean about 200 more cars.

The first issue is West Lane at Woodhaven Drive to the proposed subdivision and past it, is a non-conforming road to town standards. When there is snow buildup (and this year is not an example) 2 busses cannot pass side by side do to the narrowness of the road, now put a walking child on West Lane in that mix and that will lead to an unsafe condition the town is approving. The town or someone would have to widen West Lane from Woodhaven Drive until the Vineyard Drive area. There should be sidewalks going from all the present owners' subdivision land on West Lane going in both directions to connect to other subdivision sidewalks. No sidewalks at all on the proposals were in the subdivision plans as would be required by the town like in all other subdivision on the same street.

A state traffic study needs to be done for the increase of traffic at West Lane at the Chamberlain Highway. This is already a high traffic accident area and this kind of increase should require a traffic light for safety. A local traffic study due to the increased traffic for the Vineyard and Burgundy Road areas is needed also.

Although there were several letters from out of towners written in support but most people who spoke up raised these and other adverse effects on the neighborhood and safety concerns. I believe do to the information being in the Berlin Citizen the night of the meeting caused a lot of people not to know about the large increase of housing trying to be approved.

I also have to question as all the proposed open conservation space gained by the lot size reduction but now to be owned by a homeowners association, really be available for public usage do to homeowners liability as this area is not being turned over to the land trust.

I do ask the board to deny this adverse proposal as all the above items have not been properly address or addressed in a safe manner.

John R. Aniolowski 1/30/2020
John R. Aniolowski

76 Woods Edge Court

An-e-o-low-ski Kensington, CT 06037

FILE COPY

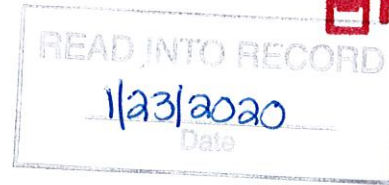
Town of Berlin
Received

JAN 30 2020

Planning & Zoning Department
Berlin, Connecticut

READ INTO RECORD
2/6/2020

 FILE COPY



Susan A. Rathgeber
98 Mooreland Road
Kensington, CT 06037

Ms. Maureen Giusti
Director of Planning
Berlin Town Hall
240 Kensington Road
Berlin, CT. 06037

January 20, 2020

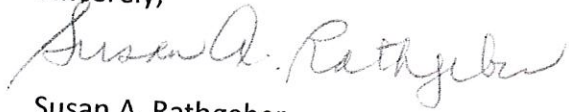
Dear Ms. Giusti,

Pursuant to the letter I received, I am writing in support of the sale of land by Shuttle Meadow Country Club and the rezoning needed for the following reasons:

- Plans to add the kind of housing that I understand will be developed are long overdue in this section of Berlin.
- I understand that the developer plans to incorporate part of the property as open space to be enjoyed by the development's residents.
- The developer appears to be sensitive to the desires of hikers in our town who frequent the entrance to hiking trails.
- Shuttle Meadow has been good for Berlin for more than 100 years. Sale of this property will enhance its ability to continue to provide the high-quality facilities for which it is known.
- This sale would add to the Grand List.

As a nearly 40-year resident of Berlin, I urge the Town to take the necessary steps to ensure the successful completion of this sale.

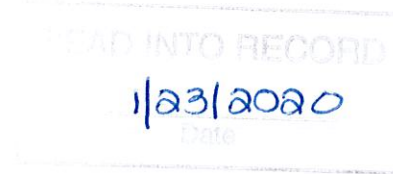
Sincerely,

A handwritten signature in cursive script, appearing to read "Susan A. Rathgeber".

Susan A. Rathgeber

FILE COPY

January 13, 2020



Berlin Planning & Zoning Commission
Berlin Town Hall
240 Kensington Rd
Berlin, Ct 06037

Subject: Proposed Shuttle Meadow Country Club Land Development

Dear Commissioners,

As a long-time member of Shuttle Meadow Country Club and current member of its Board of Directors, I'm writing to you in full support of the proposed zoning change and conceptual plan regarding our excess land, scheduled for review and discussion at your January 23rd meeting. I believe it best preserves the vast majority of the parcel in its present natural state for future enjoyment of both club members and non-club members, while achieving compatibility with the surrounding neighborhoods. Its design meets the needs of many of our current or future members who may be looking to downsize and remain in, or relocate to, Berlin. I believe the current proposal is a win-win for both the town and Shuttle Meadow Country Club and I would greatly appreciate your approval in this matter.

Sincerely,

Thomas Peloquin
95 Candlewood Lane
Southington, Ct 06489

RECEIVED
JAN 21 2020
PLANNING & ZONING COMMISSION
BERLIN, CT

JOHN & BARBARA MESKILL
84 RANDECKERS LANE
KENSINGTON, CT 06037

FILE COPY

1/23/2020

January 15, 2020

Planning and Zoning Commission
Berlin Town Hall
240 Kensington Road
Berlin, CT 06037

Dear Commissioners,

We are writing in reference to Shuttle Meadow Country Club's (SMCC) proposed zone change for its conceptual plan for excess land off of West Lane that is on the PZC's agenda at its meeting on January 27, 2020. We are long time residents of Berlin who live across the street from SMCC and are also members of the club and would greatly appreciate favorable support by the PZC on SMCC's requested zone change and conceptual plan. SMCC's plan maintains the present natural state of the majority parcel for future enjoyment and achieves compatibility with the surrounding residential areas. The design meets the needs of many of SMCC's current and future members and would be a positive addition to Berlin's residential housing stock and tax base. We would greatly appreciate the PZC's favorable consideration of the SMCC's requested approval of this project.

Sincerely,

Barbara P Meskill

Barbara P Meskill

J B Meskill

John B Meskill

Town of Berlin
Record

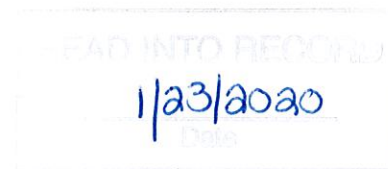
JAN 21 2020

Planning & Zoning Commission
Berlin, CT 06037

FILE COPY

January 13, 2020

Planning and Zoning Commission
Berlin Town Hall
240 Kensington Rd
Berlin, CT 06037



Dear Commissioners

As a member of the Shuttle Meadow Country Club Board of Directors, and member of Shuttle Meadow Country Club, and a resident of Kensington in the Mooreland Hill neighborhood I would greatly appreciate your support for the proposed zone change and conceptual plan regarding our excess land, scheduled for your January 23rd meeting. I feel it best preserves the majority of the parcel in its present natural state for future enjoyment, while achieving compatibility with the surrounding neighborhoods. In my opinion, its design meets the needs of many of our current and future members and will serve to enhance the attractiveness and appeal of the Kensington community. I would greatly appreciate your votes for approval in this matter.

Thank You

Mark Bertolami
93 Mooreland Road
Kensington, CT 06037

Town of Berlin
Receiver

JAN 13 2020

Planning & Zoning Commission
Berlin, CT

Nancy Brennan
67 Lookout Mountain Drive
Manchester, CT 06040

 **FILE COPY**

INTO RECORD
1/23/2020
PBA

January 14, 2020

Planning and Zoning Commission
Berlin Town Hall
240 Kensington Rd
Berlin, CT 06037

Dear Commissioners:

Please be advised, as a member of the Shuttle Meadow Country Club Board of Directors and a long-time member of Shuttle Meadow Country Club, I would greatly appreciate your support for the proposed zone change and conceptual plan regarding our excess land, scheduled for your January 23rd meeting. I feel it best preserves the majority of the parcel in its present natural state for future enjoyment, while achieving compatibility with the surrounding neighborhoods. Its design meets the needs of many of our current and future members. I would greatly appreciate your votes approving this matter.

Thank You,


Nancy Brennan

Town of Berlin
Received
JAN 15 2020
Planning & Zoning Department
Berlin, Connecticut