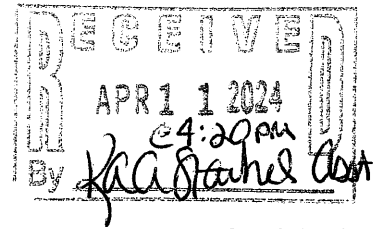


**TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION**



MINUTES

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MARCH 26, 2024

MEMBERS PRESENT: Stephen Wagner, Robert Vetere, Kevin Foley, Michael LeBlanc

ALTERNATES PRESENT: Despina Buganski, Michael Ouellette

STAFF PRESENT: Michele Lipe, Director of Planning; Jeffrey Doolittle, Town Engineer; Michael Lehmann, IT Support; Joshua Stern, Recording Secretary

REGULAR MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Alternate Commissioners Buganski and Ouellette were seated for Alan Cavagnaro and Stephanie Dexter, respectively.

Commissioner Foley read the legal notice.

1. **Appl 24-05P, Francisco and Katy Rivera dba Bake Me Happy** – request for a 5-year major home occupation for a cottage bakery, at 222 Graham Road, A-20 zone

Katy Rivera presented the application. She explained that a cottage bakery is a home-based bakery with no specialized equipment; this designation allows baked goods to be sold at farmers' markets and artisan fairs. She also plans to do custom orders, which customers would pick up at her home or other locations in town.

Director of Planning Michele Lipe provided the Planning report.

1. This is an application request for a 5-year major home occupation for a cottage bakery, at 222 Graham Road, A-20 zone.
2. The applicant intends to apply for a Cottage Industry license from the State of Connecticut which regulates Cottage Industries out of the home. The applicant intends to produce baked goods, candies and breads to be sold at the Farmer's Market as well as other vendor events and by special order.
3. The reasons for requiring PZC approval are to ensure that:
 - the home occupation is clearly secondary to the use of the building for dwelling purposes;
 - the home occupation is compatible with other permitted residential uses in the residential district;
 - the residential character of the dwelling and the neighborhood are preserved, and
 - all residents have freedom from excessive noise, excessive traffic, nuisances, fire hazards, offensive odors and pollutants, and other possible effects of commercial uses being conducted in residential areas.
4. Performance criteria that must be met include:
 - maximum of 25% of the floor area can be used for the occupation (only using 6.9% of the house);
 - occupation cannot be visible from the outside of the dwelling unit;
 - no entrance or exit may be added solely for the occupation;
 - no more than one non-resident employee is allowed;
 - the occupation cannot create a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic on the street;
 - all parking needs must be met on site; and
 - the Commission may require screening of additional parking from the street and from adjacent residential properties.

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5. The applicant has provided a plot plan and floor plan of the area. The house is currently served by public water and public sewers. They do not intend to have any non-resident employees.
6. The applicant would be allowed to install a 2 square foot sign per regulation.
7. The applicant has indicated that special orders will be picked at arranged times between 9:00 a.m. and 8:00 p.m.
8. All customers will be directed to park on the driveway.

If this application is approved, the applicant will be required to return to this Commission again upon expiration of the new 5-year permit period.

Chair Wagner asked for public comments for or against the application. Hearing none, he asked for Commissioner questions and comments.

Commissioner Ouellette asked about the anticipated volume of traffic to the development. Rivera said most trips out of the driveway would be deliveries to weekend fairs; she expects that two to three customers per week would pick up orders from the home.

Chair Wagner said Michele Lipe had spoken to Superintendent of Pollution Control Tony Manfre about the potential impacts of the business. Lipe said Manfre did not have any concerns about the scale of the operation.

The public hearing on this item was closed at 7:09 p.m.

2. **Appl 24-04P, South Windsor High School Athletic Fields and Campus Improvements** – request for a Special Exception to Table 3.1.1A and Site Plan of Development for the following: a new synthetic turf field including a Special Exception request to 6.4.3.4 for athletic field lighting; seven (7) new tennis courts and four (4) pickleball courts; and traffic and circulation improvements around the school campus, on property located at 161 Nevers Road, A-20 zone

Chris Hulk, Director of Design and Construction, FieldTurf, said the goals of the project are to address the need for additional field space at the school, add a multipurpose field with lighting, and improve access to the site. The tennis courts would be reconstructed as well to bring them up to current standards. He showed conceptual renderings and said the field would be built along the side of the High School Annex, with an improved access path running from Ayers Road to the existing parking lot by the track. The new tennis and pickleball courts would be in grassed areas currently used as practice fields.

Hulk showed aerial photographs of the site from 1966, 2005, and 2019 and said the driveway running between Ayers and Nevers Road is currently the only access to the school, making it difficult for traffic to flow and for emergency vehicles to service the school. He pointed out the property lines and explained the 100' setback requirement for the field lighting, adding that the new field is proposed in the area of the existing tennis courts because the space is currently underutilized. The proposed new location of the courts would open them up to more use by the community. The nearest house is approximately 500' from the proposed courts.

Hulk showed photographs of the existing practice fields where the courts are proposed, noting that the Inland Wetlands Agency is requiring a 20' planted buffer in the area of the tennis courts as a condition of approval. The tennis courts are designed to fit between the existing drainage swale and the driveway, with a small wall on one side and a small parking area. When school is in session, use of the courts for school activities would be prioritized; outside school hours, additional parking would be available adjacent to the main building, with sidewalks added. Throwing events would be relocated to the other practice field, which would also contain the four pickleball courts; these courts would be placed behind the existing sheds to mitigate noise. Hulk showed the sediment and erosion control plan and said straw wattles and a detention basin would be incorporated; during construction, the soil stockpile would be kept near Nevers Road. Evergreen plantings and shade trees are

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proposed, and full cutoff LED lights under 30' tall would be outside the corners of the courts. The development team examined options for sound mitigation for the pickleball courts and found that the most effective method would be rubber insulation, which the school expressed hesitancy about as it would obscure the view into the courts. Hulk said he is confident that pickleball noise would not impact the neighboring properties, but he is willing to agree to a condition of approval that the courts must be evaluated for sound attenuation needs 6-12 months after construction.

Hulk then showed photos of the area near the Annex where the multipurpose field and lights are proposed. This location has a substantial vegetative buffer along the property line and abuts some houses; additional screening is planned. The field was designed to maintain the 100' setback for the lights. An emergency access and maintenance path is proposed from Ayers Road to the field. A 5'-9' wall would run along the bleachers; attendees would access the site from the top and arrive through the bleachers, as the grade change from the school down to the field is about 15'. A programmable LED scoreboard would be used. Hulk showed the proposed screening trees on the layout plan and said the species has yet to be determined; on the side abutting Mountain View Road, 11-13 trees and a gate are proposed to enhance the existing buffer.

A double entrance would be added off Ayers Road by the field; cars could loop back and enter the Annex parking lot, which would also have its own access off Ayers. A raised island would separate the parking lot and the drive aisle. The side of the parking lot closest to the track would be restriped to allow more queuing of cars for drop-off and pick-up. A sidewalk would also be added along the driveway. The project accounts for the Town's plans for sidewalk improvements along Ayers Road.

Hulk showed the proposed grading improvements and said a berm and plantings would be added along Ayers. A stormwater basin would be added on the other side of the field; an 8" stone base would be beneath the field as most water would infiltrate into the subsoils. He described the storm drainage system and said it is still being revised according to feedback from the Engineering Department. There are currently around 550 parking spaces on site, and the project would add 45-50 more. He said the site does not meet the minimum number of parking spaces in the regulations, but he feels the proposed access improvements would warrant an exemption from that requirement. The Office of the State Traffic Administration (OSTA) is also required to review the project. Hulk showed section views to illustrate how the plans were developed with consideration for the neighbors' view.

Frank Rizzuto, Principal of South Windsor High School, spoke about the multifaceted nature of the proposal. He said the plan addresses needs, not desires, and noted that the last time it visited SWHS, the New England Association of Schools and Colleges had recommended developing a plan for the school's athletic facilities.

Dr. Kate Carter, Superintendent of Schools, said that while the Town Council did not move this project to a referendum, the Town is seeking PZC approval because of the time and resources that have already gone into the plan. She said the proposal is aligned with both the Board of Education's Strategic Plan and the expectations of the community.

Hulk said the proposed lighting poles for the field are 70' high, putting them above the 35' threshold for a Special Exception. An LED full cutoff system, which would light only the field itself, is planned. The lights can be turned on and off physically or using an app and have low, medium, and game modes, allowing them to be dimmed when a game is over.

Director of Planning Michele Lipe provided the Planning report.

1. This is a request for a special exception to Table 3.1.1.A and site plan of development for: a new synthetic turf field including a Special Exception request to 6.4.3.4 for athletic field lighting; seven (7) new tennis

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courts and four (4) pickleball courts; and traffic and circulation improvements around the school campus, on property located at 161 Nevers Road, A-20 zone.

2. When evaluating this project, there are both general Special Exception criteria of Section 8.7 and specific criteria of Sec 6.4.3.4 related to sports field lighting for consideration by the Commission. Section 8.7 are the more general criteria:
 - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
 - The application has met the requirements of the zoning regulations.
 - The land is physically suited to the proposed use.
 - Minimal, if any, adverse environmental impacts are created.
 - No traffic or other hazards will be created.
 - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
 - There will be minimal or no adverse effects on existing uses in the area.
 - Surrounding property values will be conserved.
 - The character of the neighborhood will be maintained or minimally disrupted.
 - The general welfare of the community will be served.
 - There is a balance between neighborhood acceptance and community needs.
 - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
 - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
 - The architectural design is aesthetically pleasing and blends well into the surrounding area.
3. In accordance with Sec 6.4.3.4, poles higher than 35 feet are permitted by Special Exception. An application for the special exception may be approved after the Commission considers the impact on the following:
 - a. Effects on the existing uses in the area;
 - b. Conservation of surrounding property values and the character of the neighborhood;
 - c. Impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure;
 - d. Suitability of the land for the proposed use and any environmental impacts created by the proposal; and
 - e. Consistency with the goals and objectives of the Town Plan of Conservation and Development and/or Recreation Master Plan.

The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above are satisfied.

4. The applicant has provided a narrative addressing both sets of criteria. Specifically related to the stadium lights, the new stadium proposed will accommodate approximately 1,200 seats and the field will be lit by 4 – 70-foot-high poles. These poles meet the minimum distance requirement of 100 feet from any property lines. The applicant has provided photometric diagrams that illustrate proposed lighting level.
5. Other new lighting proposed includes more typical street pole lighting (under 35 feet) for the tennis courts and the pickleball courts, with 7 lights and 2 lights respectively. Photometrics have been submitted of these light levels.

Are there specific hours of operation for the lights? Will there be the ability to shut off lights remotely?

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6. Additional parking lot lighting in the new parking areas. Parking lot lighting consists of standard shoebox lights, full cutoff, dark-sky compliant fixtures. The lighting levels are relatively low and uniform across the site.
7. More general criteria for consideration are issues of noise, traffic, and effect on existing utilities in the area.
8. The traffic improvements proposed will redesign the existing parking lot at the Wapping Annex and provide for an interconnection to the realigned access drive to the high school campus. In addition to the additional parking that will be created with the redesigned parking area as well as the new access, this new drive will provide for better circulation around the rear of the school and help elevate some of the existing queuing that takes place.
9. With these improvements there will be a net gain of 48 spaces – resulting in a total of 595 spaces. As a part of this process the applicant will be required to obtain an updated OSTA Certificate.
10. The parking lot landscaping requirement is being met with shade trees throughout the parking area. The applicant is requesting a waiver of the requirements of the EV Charger regulations so that the school can come up with a comprehensive plan for locating them.
11. An emergency drive entrance is proposed at the southern end of the property to accommodate emergency services access as well as provide some handicap accessible parking spots for the opposing team's bleachers. There will be gate to control entry into the site.
12. A new five-foot pedestrian sidewalk shown to be built by others will be constructed in the summer of 2024 through an existing town sidewalk project. A connection will be made to the new sidewalks proposed along the access drive. Sidewalks are proposed to go along one side the new driveway. The school drive shows two raised sidewalk crossings being added and a speed hump to slow traffic and provide a pedestrian connection along the building frontage. A bituminous path network shown along both sides of the new field and will tie into the new emergency access drive on the south end and the new pathway being created in the northeast corner of the entrance to the field. The plans show a four-foot-high black vinyl fence that will be between the walk way and the playing field. Will there be gates to access the field?
13. There is already an existing sidewalk network further up on Ayers that provides for access to off-site parking including sidewalks and a crosswalk exists to the school. A traffic study has been submitted and I will defer comments to Jeff Doolittle.
14. There is no buffer requirement as this site predates the 50-foot buffer requirement; however, there is the expectation of screening along the residential property boundaries to the south and west as well as to minimize impacts for the houses across the street to the east. To the maximum extent possible, existing trees and existing vegetation will remain and be supplemented with a variety of trees and landscaping and/or fencing.
15. Landscaping improvements proposed include adding buffer screening trees along the eastern boundary and repair/replacement of an existing fence. More detail should be provided for the screening in this area. Is this a town fence or one the neighbor's fence that has encroached? All fencing should be town owned and on town land.
16. The plan also includes the creation of a four-foot-high berm along the Ayers Road frontage with 15 evergreens planted as screening trees.
17. New directional site signage for the school will be added at the school entrance
18. South Windsor Police Department and the Fire Marshal have reviewed the plan and have worked with the design team throughout the planning process and feel this will be an improvement to an existing problem.
19. At this time, port-a potties are proposed to be brought in for games. They are shown in front of the parking area. Is there another location that could be utilized and take advantage of some screening?

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20. The concession hut will only serve dry products. Not utilities are being shown at this time. The site is currently served by public water and sewer. Water Pollution Control Authority approval would not be required as there are no changes proposed to the sanitary sewer.
21. There are regulated wetlands on site. The application was approved by IWA/CC on January 17, 2024 with an approval condition that requiring a 20 foot vegetated buffer is to be maintained along Plum Gulley Brook. This has been shown on the plans.

If this application is approved, the Planning Department has no additional modifications to request.

Town Engineer Jeffrey Doolittle said Town staff are still reviewing the drainage report and will work with Hulk on the drainage details. He recommended that the stone swale at the south end of the field and the stone infiltration trench at the north end be grass swales, with water flowing into the larger infiltration basin on both sides. He would also like a more detailed description of the traffic flow.

The Chair asked for public comments.

Attorney Lawrence S. Shipman, of Shipman, Shaiken & Schwefel, LLC, represented the abutting property owners at 36 Mountain View Road and presented **Exhibit A**. He said 36 Mountain View is the property most impacted by the project as it borders both the existing football field and the site of the new field. He said parking is already deficient, and the number of additional spaces should be closer to 350; the waiver of the requirement applies to the current conditions but not the addition. He also disagrees that there is no buffer requirement and that the plan would require only minimal landscaping. The neighbors do not oppose the project but feel more consideration could be taken with the buffering on that side; Shipman feels there is an obligation to add new fencing and plantings per the requirements in Article 6 and Section 11.9, and to supply 5- and 20-year landscaping projections. He noted that the Town Council has not acted on the proposal and said it should have come to the Commission for an 8-24 referral. He said the proposed new traffic pattern would bring the queuing line adjacent to the 36 Mountain View property, where the vegetative buffer is currently far from adequate. He noted that attendance would be much higher in the event of two simultaneous games and asked who would oversee the community use of the field; he added that he is unsure whether traffic circulation through multiple parking lots would increase student safety.

Commissioner Buganski asked if the pickleball and new tennis courts would also have lighting; Hulk said the existing tennis courts have lighting, and the plans show lighting at the corners of the new ones. Buganski asked if the hours of the lighting would take the neighbors into consideration. Hulk said the developers have settled on a 9:00 threshold after discussions with the school; the lights could be preset to shut off at this time. The school would like to add signage to the new courts to specify the use schedule. Wagner recommended that the lights be dimmed in stages at the end of the day.

Buganski asked if there are any concerns with runoff from turf fields. Doolittle and Hulk said they are not aware of any; the infill is designed not to wash out, and the water would be filtered through the stone base. In response to a question from Wagner, Hulk noted that the existing field has an alternative infill; the type of system proposed for the new field is used throughout the State.

Commissioner LeBlanc expressed support for the additional vegetative buffering but questioned the benefit of adding the second entrance. He said lighting controls and LEDs can help address concerns about lighting. Hulk said all abutters within 500' were notified of the project.

Commissioner Foley expressed support for the second access. He asked David Sytulek, Athletic Director of SWHS, about the athletic schedule. Sytulek said tryouts for the spring season began March 16, though baseball and softball began a week earlier; league playoffs will begin in late May and state playoffs in early June. The fall season typically starts in August, with football beginning a week earlier, and ends in November. It is rare

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for games or practices to take place on Sundays. Foley said during the spring season, lights would not be an issue except during night games; Sytulek estimated that 11 games during the fall season would require lighting. The lights would be turned fully on about a half-hour before each game for warmups. Sytulek noted that the added turf field would reduce the need for night practices. School administration would determine who would control the lighting for a given event. Hulk expressed willingness to add plantings to the buffer and said a new fence line will be added to the next revision of the plans.

Commissioner Vetere asked about the extra fencing. Hulk said two layers of fencing are currently planned, with one around the limits of the field and one extending along Ayers and the upper side of the field. Two double gates and four to five single gates would be added for vehicle access to the field. Vetere asked about the uses of the new and existing turf fields. Hulk said games would likely take place on both fields, but the plan is to avoid holding two major events at the same time. No lighting would be added to the existing field as it would not meet the setback requirements. Hulk confirmed that the 9:00 threshold for the court lighting is feasible and said that judging by the parking regulations for gathering spaces, around 600 parking spaces should be adequate.

Chair Wagner asked about the school officials' intentions for use of the fields. Sytulek said that on some occasions, two events take place at the same time, but there would never be two night games at once as only the new field could accommodate lighting. Wagner asked about the parking needs if two games are taking place at once. Sytulek said there have been no issues with parking in his 10 years as Athletic Director; Rizzuto said he thinks there is a surplus of about 200 spots in front of the school that are not filled during sporting events, allowing the school to accommodate almost double the attendance if necessary.

Carter said lights are not planned for the pickleball courts at this time, and lights are proposed for the tennis courts to support community interests rather than the school's needs. She said some people are supporting the project solely because of the traffic changes as there has been a major bottleneck effect for years during drop-off, affecting neighbors, pedestrians, and the Community Center. The multiple pillars of the plan have been combined for cost efficiency.

Chair Wagner asked if drop-off and pick-up would take place at both driveways. Rizzuto showed on the plan how the driveways would accommodate traffic coming from both directions, reducing the backup on Ayers Road. LeBlanc said traffic is also slowed by students crossing the road and suggested adding a crosswalk. Rizzuto said many of the students do use the existing crosswalk, but it still delays traffic.

Commissioner Ouellette asked why the traffic improvements cannot be completed this summer before the rest of the project. Carter said the improvements are estimated at \$575,000, which is not currently in the budget, and there is a backup of capital projects that would likely be funded first. The projects were bundled together for efficiency and to make any necessary adjustments easier. Hulk said if the application is approved, different portions of the project could be completed at different times.

Chair Wagner presented a series of articles (**Exhibit B**) regarding pickleball noise. A petition is circulating in several states, not including Connecticut, to require pickleball courts to be 600' from residences. Lipe noted that the proposed courts would be just over 500' from the nearest residence. Wagner recommended an approval condition to add sound barriers if noise becomes an issue, asking for these barriers to be marked on the plans. He asked about parking for the pickleball courts. Hulk said the pickleball and tennis courts would share the proposed parking lot, and parking would be available up the hill outside of school hours. The existing sidewalk from the parking lot to the courts is thought to be adequate. Rizzuto said signage at the pickleball and tennis courts would specify when the public could access them; seven tennis courts are proposed to allow varsity matches to conclude sooner. In response to a question from Wagner about lighting for the pickleball field,

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Rizzuto said pickleball is not part of the school athletic program, and because pickleball generates noise, he feels it is best not to use artificial light on the courts.

Wagner expressed support for adding to the buffer and said deciduous trees are not as effective for this purpose. He asked about the locations of the restrooms. Hulk said the plan is to maintain the use of port-o-potties and place them next to the concession stand and near the ADA-accessible parking spaces. Lipe recommended screening the port-o-potties if they are kept there permanently. Ouellette confirmed that the high school restrooms and locker rooms would remain in their current locations.

Wagner asked about the lighting levels outside the field. Hulk said the photometric plans show 0 foot-candles at the property line, approximately 20 in the home-side bleachers, and approximately 10 in the visiting bleachers. Wagner asked about the electric vehicle exception. Hulk said the school requested more time to review the educational facilities in town to develop a better plan for EV implementation. Wagner said there is a slight offset on the plan between the driveway and Sunset Terrace. Hulk said there is a light pole at this intersection, but the driveway will be as aligned as possible while maintaining the pole.

Commissioner LeBlanc wondered whether the parking across the street at Nevers Road Park could be used for school sporting events if necessary.

At 9:13 p.m., Commissioner Foley made a motion to continue the public hearing on this item to the April 23, 2024 regular meeting. Seconded by Commissioner Vetere. Motion passed unanimously.

REGULAR MEETING

CALL TO ORDER: Chair Wagner called the regular meeting to order at 9:13 p.m.

MINUTES: 2-27-23 Regular Meeting

The minutes were approved by consensus.

PUBLIC PARTICIPATION: None

NEW BUSINESS: Discussion/Decision/Action regarding the following:

1. **Appl 24-05P, Francisco and Katy Rivera dba Bake Me Happy** – request for a 5-year major home occupation for a cottage bakery, at 222 Graham Rd, A-20 zone

Commissioner LeBlanc made a motion to approve the application with the following conditions:

1. The business must be operated by the homeowner.
2. The permit will expire on March 12, 2029 and will have to be renewed at that time.
3. Only one non-resident employee can be hired.
4. The business is not open to the public. Pick-up for special orders will be arranged on a case-by-case basis.
5. Refuse from the business cannot be disposed of with residential refuse. Adequate arrangements must be made for business refuse disposal.
6. Any new building, or alteration/additions to existing buildings, requires a building permit prior to start of construction.

Seconded by Commissioner Vetere. Motion passed unanimously.

BONDS: Callings/Reductions/Settings: None

OLD BUSINESS: None

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APPLICATIONS OFFICIALLY RECEIVED:

Appl 24-06P, Simmons Soccer Field T&C – request for a renewal of a two-year temporary and conditional permit for two soccer fields, associated parking and temporary lights, at 675 and 689 Sullivan Avenue (southwesterly corner of West Road and Sullivan Avenue), GC zone

OTHER BUSINESS:

Michele Lipe reminded the Commission of the Special Meeting scheduled for April 2 to review the draft Plan of Conservation and Development.

CORRESPONDENCE/REPORTS: None

ADJOURNMENT

Commissioner Foley moved to adjourn. Seconded by Commissioner Vetere. Motion passed unanimously.

The meeting adjourned at 9:17 p.m.

Respectfully submitted,

Joshua Stern, Recording Secretary