

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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MARCH 7, 2023

MEMBERS PRESENT: Robert Vetere, Stephanie Dexter, Kevin Foley, Stephen Wagner, Bart Pacekonis, Alan Cavagnaro and Michael LeBlanc

ALTERNATES PRESENT: Carolyn Carey and Paul Bernstein

STAFF PRESENT: Michele Lipe, Director of Planning; Michael Lehmann, IT Support; Caitlin O'Neil, Recording Secretary

EXECUTIVE SESSION/ 6:00 PM

Discussion related to litigation for **Appl. 22-01P, 25 Talbot Lane Site Plan**- requested by UW Vintage Lane II, LLC for site plan approval for a 359,640 sq. ft distribution facility on 30.37 acres of property, on property located at 5, 25 Talbot Lane, 475 and 551 Governor's Highway, I zone- Applicant's Bob Urso and Brad Weiman, Attorney representing applicant to be present and Town Attorney Kari Olson

Commissioner Wagner made a motion for Commissioners (Pacekonis, Dexter, Foley, Cavagnaro, Vetere, Quraishi, Carey and LeBlanc) to enter Executive Session to discuss pending litigation for both Appl. 22-01P and Appl. 21-11P and invited Town Attorney, Kari Olson, and Director of Planning, Michele Lipe, to join.

Commissioner Cavagnaro seconded the motion. The motion carried and was unanimous.

Commissioner Quraishi motioned to come out of Executive Session at 7:20pm.

Commissioner Cavagnaro seconded the motion. The motion carried and was unanimous.

SPECIAL MEETING

PLEDGE OF ALLEGIANCE

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

1. **PZC Sponsored Text Amendment**- Remove Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing; modifications to multiple section of the regulations affecting single family housing; addition of Section 2.24 Inclusionary Zoning requirements for percentages of affordable units payment in single family and multi-family zones; and add affordability requirements and modifications to multiple section of the regulations related to multi-family developments.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe commented that she distributed the final draft of the text amendment with all additional revisions discussed at the previous meeting.

Chairman Pacekonis confirmed the first set of text amendments was specifically for the Zoning Regulations.

Chairman asked for any additional comments.

Commissioner Cavagnaro commented on additional consideration to update the parking space requirement, however, he added that this was not an urgent matter and would be willing to vote on this item without this change.

Commissioner Vetere and LeBlanc applauded the updates.

Commissioner Wagner questioned Section 3.4.12 Affordability Requirement and the reasoning for the 18% requirement in this section where all other sections ask for 15% affordability. Michele Lipe commented that

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this was the recommendation of the Subcommittee for the multifamily zone. Commissioner Wagner commented that this seemed like a high number and questioned how other Commissioners felt about this increase in affordability. Michele Lipe commented that in the multifamily zone they did lower the minimum lot size from 15 acres to 5 acres, therefore, there is a higher possibility of getting a larger development with smaller units on property. They would be able to capture more affordable units if this were to occur. Commissioner Dexter questioned if someone were to build a duplex or a triplex in this zone what number of units would be considered affordable. Michele Lipe explained that being in the multifamily zone would require a development to have four or more units. Commissioner Dexter confirmed that in an example of a five unit development that one unit would be required to be affordable. Commissioner Dexter commented that she did not feel this amount would be a big deal. Commissioner Wagner commented that he is not against higher amounts of affordability, he just noticed that 15% was used throughout the rest of the Regulations and he just wanted to understand the logic. Commissioner Foley agreed with the increase of affordability in this area give the reduced acreage requirement in this zone. Michele Lipe added that it was the Subcommittees decision to include more affordability in the multifamily zone. Commissioner Vetere clarified some affordability wording.

Commissioner Wagner questioned the table in Section 3.4.6 and whether four bedroom single family units were allowed in the Multifamily zone. Michele Lipe commented that single family units are allowed in multifamily developments, such as South Windsor Woods.

Chairman Pacekonis reviewed some minor revisions.

Commissioner Wagner motioned to approve the PZC Sponsored Text Amendment:

PZC Sponsored Text Amendment- Remove Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing; modifications to multiple section of the regulations affecting single family housing; addition of Section 2.24 Inclusionary Zoning requirements for percentages of affordable units payment in single family and multi-family zones; and add affordability requirements and modifications to multiple section of the regulations related to multi-family developments.

1. Motion to approve the zoning text changes as amended through the public hearing and deliberative process
2. The Planning and Zoning Commission finds that the zoning text is in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zoning text amendments is 3/27/23.

Commissioner Vetere seconded the motion. The motion was called and the motion passed unanimously.

2. **PZC proposal** to opt out of provisions of Public Act 21-29 (subdivision (9), subsection (d) of Section 8-2) regarding limitation on the number of parking spaces for dwelling units.

Commissioner Dexter questioned if Michele Lipe had determined if they had missed the deadline to opt out of this item.

Director of Planning Michele Lipe reviewed the law and the deadline. There was a deadline to opt out of the parking requirement for accessory dwelling units, however, there was no deadline for this item.

Commissioner Wagner motioned to opt out of Section 6 Public Act 21-29 Parking Requirements:

The PZC is opting out of the provisions of Public Act 21-29.

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The PZC feels the current parking requirements meet the needs of our suburban community and the Commission works with the developer to minimize excess parking.

Commissioner Vetere seconded the motion.

Michele Lipe commented that if the Commission opted out of the Public Act it would still be forwarded to Town Council so they can also vote to opt out.

The motion was called. Commissioner Cavagnaro voted against the proposal. Commissioners Vetere, LeBlanc, Foley, Pacekonis. Wagner and Dexter voted in favor. The motion passed 6 to 1.

3. **PZC Sponsored Subdivision Text Amendment-** Add to Definitions; Chapter 3, Sections H. Inclusionary Zoning requirements, I. Agricultural Division, J. First Cut, K Lot line Revisions; Chapter 4, Modify Section B and C with minor changes related to landscaping and sidewalk requirements; Add Appendix B regarding street trees.

Chairman Pacekonis asked for Commissioner comments.

Chairman Pacekonis commented on a few minor grammatical changes. Chairman Pacekonis commented that he previously discussed at the public hearing that the percentage and amount for the fee in lieu of affordable units may be on the lower side. The proposed fee in lieu is 5%, which seems standard, however, they could consider increasing this amount to 6%-10%. The problem with this is that they may be the need to re-advertise the public hearing. Chairman Pacekonis suggested that instead of changing the percentage amount that perhaps they increase the square footage calculated in this formula. For example, increasing the 1,500 square foot total to 2,000 square feet and increasing the 1,200 square feet to 1,500 square feet. Commissioner Foley agreed with this change. Commissioner Wagner clarified that this would ultimately raise the fee.

Chairman Pacekonis requested change of the word waiver to modification in various parts of the document.

Commissioner Wagner motioned to approve PZC Sponsored Text Amendment:

PZC Sponsored Subdivision Text Amendment- Add to Definitions; Chapter 3, Sections H. Inclusionary Zoning requirements, I. Agricultural Division, J. First Cut, K Lot line Revisions; Chapter 4, Modify Section B and C with minor changes related to landscaping and sidewalk requirements; Add Appendix B regarding street trees.

1. Motion to approve the subdivision text changes as amended through the public hearing and deliberative process
2. The Planning and Zoning Commission finds that the subdivision text is in conformance with the Town Plan of Conservation and Development.
3. The effective date of the subdivision text amendments are 3/27/23.

Commissioner Cavagnaro seconded the motion. The motion was called. The motion passed unanimously.

ADJOURNMENT:

Commissioner LeBlanc motioned to adjourn.

Commissioner Vetere seconded the motion.

Meeting adjourned at 7:48 pm.

Respectfully Submitted,

Caitlin O'Neil, Recording Secretary