

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

**MINUTES**

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**SEPTEMBER 8, 2015**

**MEMBERS PRESENT:** Bart Pacekonis, Billy Carroll, Kevin Foley

**ALTERNATES PRESENT:** Stephanie Dexter

**STAFF PRESENT:** Michele Lipe, Director of Planning; Lauren Zarambo, Recording Secretary

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 15-47P, Mangino Temporary & Conditional Permit Renewal**– request for a renewal of the two-year temporary and conditional permit to allow two apartments on property located at 272 Pierce Road, RR zone

**PUBLIC HEARING / MADDEN ROOM 7:30 PM**

**CALL TO ORDER:** Chairman Pacekonis called the Public Hearing to order at 7:30 p.m.

Commissioner Carroll read the legal notice as it was published in the Journal Inquirer on Friday, August 28, 2015 and Thursday, September 3, 2015.

Chairman Pacekonis appointed Commissioner Carroll as Alternate Secretary, Commissioner Foley as Alternate Vice Chairman and Alternate Commissioner Dexter to be seated for Commissioner Wilson.

1. **Appl. 15-45P, Design Professionals, Inc. Signage Text Amendment** – request to modify Table 6.5.8.A, Building Signs, Maximum Number to be “None”; and to add to Additional Requirements to allow building signage to be permitted on three sides of the building

Mr. Peter DeMallie, president of Design Professionals, Inc. presented the request for a zoning text amendment regarding building signage showing examples of sites around town that have signs on different sides of buildings in the area. Multiple signs on a building are recommended for buildings with multiple facades, sites with multiple frontages, or multiple visibilities from a street, tenants with multiple brands, and L-shape or odd shape building sites. Sign permits are always required which are reviewed by town staff. The regulations presently allow a building with one frontage to have a sign(s) based on 2 sq ft for every linear foot of building frontage. Multiple signs would diminish in size as they increased in number, unless there is frontage on two or three streets. Requirements could be put in place to go before the ADRC for review for multiple signs. Mr. DeMallie suggested significant developments coming to South Windsor which would benefit from the amendment proposed to correct the definition of sign area; to add signage on up to three sides of a building; and not to have a maximum number of signs on a building. All signs to be controlled by the size of building and its frontage.

Director of Planning Michele Lipe gave staff comments:

1. Request for amendment to Table 6.5.8A of the zoning regulations to modify the provision related to building in the Industrial and Commercial zones.
2. There are three parts to this request:
  - the first request is to eliminate the number of tenant signs allowed (the square footage of signage allowed would be governed by the building frontage)
  - the second request is to correct the existing language from “building frontage” to “building signage” under the “additional requirements” section

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- and the third request is to allow for signs to be placed on three sides of the building under the “additional requirements” section
- 3. Currently, the regulations allow only one tenant sign; however if a building has more than one frontage we have allowed signs to be placed on both frontages.
- 4. In the 2007 re-write of the zoning regulations we only allowed one square foot per tenant; however that was changed a couple years back to allow two square feet.
- 5. In evaluating the impact this change, the Commission should recognize that on larger buildings this change would allow for signage on three sides of building and could result in a number of different signs on each of the sides of the building. Section 6.5.4.O of the regulations already allows industrial/commercial buildings to have signage on the rear of the building as of right. In the event the Commission allows this amendment as proposed, we should be clear that it includes the rear signage as well.
- 6. The concern I would have is for the larger building and the number of signs that potentially could arise. The Commission may want to a regulation that addresses building with larger frontages.
- 7. CRCOG was noticed of the proposed changes as required and they responded that they “find no apparent conflict with regional plans and policies of the concerns of neighboring towns”.

No one from the public spoke for or against the application.

Commissioner Carroll supported dimensions of a sign balanced by the amount of building frontage, and sign size controlled by the amount of signs, and agreed with the Director Lipe’s concern with the unlimited amount of signs that could be proposed. Mr. DeMallie stated some companies have multiple brands and may want signs to represent all brands carried.

Commissioner Dexter suggested addressing the ‘no maximum’ by having it pursuant ADRC approval. Commissioner Foley agreed the maximum number of signs to be ‘none’ is problematic. Ms. Lipe noted the potential of its impact on signage placed on larger buildings. Commissioner Foley recalled the concern about signs along Route 5 when the Town POCD was updated and suggested leaving the regulation as it is written.

Chairman Pacekonis voiced support to correct the text as noted and the importance of the regulations allowing companies to use signage for the public to find them but that too many signs are not attractive to anyone. Discussion continued whether to allow signage per tenant or per building and the number of signs allowed.

Chairman Pacekonis closed the public hearing at 8:12 p.m.

2. **Appl. 15-46P, Evergreen Walk Lifestyles Center Drive-Through Text Amendment** – request to add Buckland Road Gateway Zone “Section 4.2.5.E under Permitted Uses” to allow drive through facilities subject to specific Design Standards listed; modify “Section 4.2.6.G Prohibited Uses” to delete the prohibition of Drive-through windows; and to add to “Section 10 Definitions” a Drive-Through definition

Mr. Paul Reinke representing the managing agent for the Promenade Shops at Evergreen Walk, Poag Shopping Centers, presented the request for a text amendment to allow drive-through facilities in the Buckland Gateway Zone. Specific design standards were noted for screening of drive throughs from public right of ways, the

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number of queue lanes, drive through lanes, and bail out lanes for circulation and life safety issues. Included were guidelines for canopies in order to be in context with the building. Drive through ingress and egress would not be allowed off public right of ways or primary roads.

Director of Planning Lipe gave staff comments and distributed a red line document to the commissioners.

- 1) Evergreen Walk Lifestyles Center Drive-Through Text Amendment – request to add Buckland Road Gateway Zone “Section 4.2.5.E under Permitted Uses” to allow drive through facilities subject to specific Design Standards listed; modify “Section 4.2.6.G Prohibited Uses” to delete the prohibition of Drive-through windows; and to add to “Section 10 Definitions” a Drive-Through definition
- 2) The current regulations prohibition of drive throughs for fast food restaurants has been in place since the inception of the Buckland Gateway zone regulations adopted in 1995. At that time, the Commission prohibition of drive through fast food restaurants was a concern from both aesthetics and traffic management.
- 3) Fast food restaurants including drive throughs are currently permitted in the Restricted and General Commercial zones, Rte 5 Travel Service zone and I-291 Corridor Development zone.
- 4) The proposal would eliminate the prohibition of these types of facilities and add drive through as permitted uses provided the application meets specific design criteria. This text amendment would apply to any type of drive through proposed.
- 5) These criteria include:

Demonstration that the traffic flow and pedestrian flow minimize conflicts; the incorporation of the drive through into the building design and specific requirements for the menu and preview signage boards; addresses architectural features, including lighting, of the drive through roofs/canopies to be similar to the building in form and style.

These criteria also address the specific requirements for the screening of the drive through lane from public views; limit the number of queue lanes to two (except financial institutions), defines minimum widths, striping how separation of the lanes is handled; require that 75% of the parking area outside of conflict with access and pedestrian flow; and suggest that the service area be off set from the property lines to prevent noise and lighting impacts.

One of the primary considerations for such facilities is that the primary access to the drive through facility is not permitted directly from Buckland Road.

- 6) Staff has reviewed the text amendment and has offered the following: Sgt Buonanducci with the Police Department wrote: “This agency would suggest to have language requiring a bypass lane parallel to the drive through lane. Our primary concern is emergency vehicle access around the entire building without getting stuck in queued traffic (cars fire in the lane, emergency medical, etc) This would also prevent trapping people in the lane should a vehicle become disabled or if they simply do not want to wait anymore. McDonalds, Webster Bank and Saving Institute would be good examples. Also, the drive through lane should not have direct access on to the public roadway (Buckland Road) to prevent queuing on to the public roadway. The drive through should be fed by an internal drive or from the parking lot for the same business.”

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Mike Gantick, Director of Public Works expressed concern that, “headlights from the queuing vehicles shall be screened as to not create glare or bright lights issue with pedestrians or adjacent traffic (or traffic patterns) or adjacent businesses.”

I have drafted a few changes based on staff comments and suggested numbering for consideration that I have distributed to the Commission.

- 8) A zoning amendment request is the appropriate time to consider traffic impacts that could result from the proposed amendment. In this instance, the Gateway Zone is well served by Buckland Road, so new traffic should not result in unacceptable impacts. Each individual proposal would be evaluated at the time of site plan for traffic circulation, parking and access management, etc. and a traffic study as necessary.
- 9) The Town Plan of Conservation and Development does not speak specifically to this issue; however does express the need to create a balance between allowing new types of businesses to help build the tax base while protecting important resources and preserving those qualities that contribute to the high quality of life residents enjoy.
- 10) CRCOG was noticed of the proposed changes as required and they responded that they “find no apparent conflict with regional plans and policies of the concerns of neighboring towns”.

If this amendment is approved, the Commission must find that it is in conformance with the Town Plan and must set an effective date.

Chairman Pacekonis asked for public comment.

Mr. DeMallie asked if the amendment would impact the entire Buckland Gateway Zone. Director Lipe stated the proposal is the Buckland Gateway Zone Text Amendment. Drive-throughs would only be allowed within a multi-occupant building and not visible from a public road.

Ms. Ginny Macro asked how far the Buckland Gateway Zone extends and if it impacts the town center area. She voiced concern that drive through facilities may impinge on the character of the new town center area.

Chairman Pacekonis asked Commissioners for comments or questions.

Commissioner Foley cautioned about creating a ‘Berlin Turnpike effect’ in the Buckland Gateway Zone. Commissioner Dexter agreed with Commissioner Foley. Mr. Reinke described the genesis of the text amendment request and their sensitivity to the visual impact of a drive through by screening and the protection of pedestrian circulation. The amendment proposal has many regulations in order to guide the design.

Commissioner Carroll confirmed that the entrance and exits would be removed from Buckland Road and the drive through area would be designed in a visually low impact location such as the rear of a building and screened from public view. Commissioner Foley stressed the intent of having a high end development area and Commissioner Carroll urged keeping the spirit of the original intent of Evergreen Walk and Buckland Gateway Development Zone. The concern is what the permitted use could bring in the future.

Commissioners discussed the potential of the amendment on future development and of screening requirements from Buckland Road. The amendment is written that the drive-through must be located at the rear or the side of

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the building. Commissioner Carroll suggested using the building itself as the screen. Commissioner Foley suggested all drive-throughs to be located at the rear of a building. Chairman Pacekonis noted when fencing is used as screening for a drive-through it can cheapen the look of the site. Mr. Reinke acknowledged the commissioner's concerns but voiced caution in dictating what side of a building a drive through could be placed since some locations are site specific. Commissioner Carroll emphasized that the overlook from Buckland Road requires careful wording for the amendment especially since the use has been restricted thus far.

The Chairman suggested the minimum width of a drive-through lane to be increased from 8' to at least 9' to 10' in addition to needing a bypass lane to comply with public safety.

The Chairman requested continuing the public hearing on September 29, 2015 in order to receive input from all commissioners as many were not in attendance. Mr. Reinke indicated he would use the opportunity to return with a revised amendment to address the concerns voiced for review and decision.

Motion to extend the public hearing to the next meeting was made by Commissioner Carroll  
Seconded by Commissioner Dexter  
The motion carried and the vote was unanimous.

**REGULAR MEETING / MADDEN ROOM**

CALL TO ORDER: The Chairman opened the Regular Meeting at 8:41 p.m.

PUBLIC PARTICIPATION: none

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

**1. Election of PZC Secretary**

Per the PZC By-Laws, the election was postponed to the next regular meeting when the full commission is present.

**2. Appl. 15-45P, Design Professionals, Inc. Signage Text Amendment** – request to modify Table 6.5.8.A, Building Signs, Maximum Number to be “None”; and to add to Additional Requirements to allow building signage to be permitted on three sides of the building

Commissioner Foley voiced concern about the impact the amendment would have on large structures which are not meant to be used as billboards. Commissioner Carroll had no objection to signage on three sides of a building and the square footage calculations based on the frontage, but did not support having unlimited number of signs per side. Commissioners Foley and Dexter agreed.

Chairman Pacekonis, Commissioners, and Director of Planning Lipe continued to consider modifications to the wording of the amendment and removed the first sentence, ‘Modify Table 6.5.8A, Building Signs, Maximum Number, change to read “no maximum”.’

Commissioner Carroll made a motion to approve with modifications:

1. Under Building Signs, Additional Requirements/Notes. Item 4 change “building frontage” to “building signage”

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2. Add Item 5 to read: “5. Building signage is permitted on a maximum of three sides of a building with one tenant/user.”

Commissioner Dexter seconded the motion

Commissioner Carroll continued adding the effective date of 9/20/15.

The motion carried and the vote was unanimous.

- 3. Appl. 15-46P, Evergreen Walk Lifestyles Center Drive-Through Text Amendment** – request to add Buckland Road Gateway Zone “Section 4.2.5.E under Permitted Uses” to allow drive through facilities subject to specific Design Standards listed; modify “Section 4.2.6.G Prohibited Uses” to delete the prohibition of Drive-through windows; and to add to “Section 10 Definitions” a Drive-Through definition

Public Hearing continued to September 29, 2015.

- 4. Request for an informal discussion with Peter DeMallie of Design Professionals, Inc. concerning the Center Core Overlay Zone**

Mr. DeMallie, president of Design Professionals, Inc., asked for the Commission’s input on developing sites within the Center Core Overlay Zone that may be historically significant and referenced a report on Historically Significant Buildings Proximate to the Town Center Project prepared by the Demolition Delay Committee. The report, which had been previously sent electronically to the commissioners, was distributed to those commissioners present. Mr. DeMallie asked if there was a reference to historic structures within the Center Core Overlay Zone regulations. Ms. Lipe referenced Section 8.8.1A where special consideration shall be given to protecting historic structures in the Village District Zone regulations.

Mr. DeMallie showed pictures of the structure at 395 Buckland Road to the Commission. Renovation costs will be extremely high to create commercial office space or to incorporate the building into a plan for the commercial zone. The property is currently listed for sale with inquiries about the Buckland Road site but there is a real challenge to make anything to work for the site if the building is to remain.

Attorney Wayne Gerlt described the process which was just taken with the historic buildings on the Scannell properties and explained the role the Demolition Delay Committee plays. The historic Increase Clapp House was preserved because of its significance and because of its location on a state road. The State Historic Preservation Office became involved and they intend to give the building to the Town of South Windsor, but not all historic buildings can be handled the same way.

Mr. DeMallie asked for the Commission’s input. Ms. Lipe stated the underlying zone of the site on Buckland Road is restricted commercial which does not have the same restrictions and consideration for historic structures as the Town Center Core Overlay zone.

The building was built in 1853 and is listed as the original Buckland family farm. The Chairman acknowledged the history of the building but asked if it is salvageable. Commissioner Foley stated structurally the barn may have worth more than the house. Commissioner Dexter disagreed and suggested incorporating structural

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elements from the building into a new structure if the entire building could not be saved. Chairman Pacekonis stated there are 20 properties listed in the report and 12 are recommended to be saved and this is one of them. He offered the suggestion of saving the pillars to be put into the next building. Mr. John Woodcock described the building's foundation stating they have owned the property for 35 years. It is a corner lot on 9/10's of an acre.

At the Commission's request, Ms. Lipe will facilitate a meeting with the Demolition Delay Committee at an upcoming PZC meeting so that the Commission has a clearer sense on how to go forward on a case by case basis. The Chairman stated the Commission's intention is to preserve as much historic property as possible. Ms. Lipe stated the report is a good document to refer to when addressing the properties as interest arises.

5. Request for a five year extension for Appl. 06-45P, Chinese Baptist Church of Greater Hartford on King Street

Director of Planning Lipe stated construction had not yet started on the church which is still in the fund raising phase and the applicant has asked for five more years to move forward with their plan.

Commissioner Carroll made a motion to approve  
Commissioner Foley seconded the motion  
The motion carried and the vote was unanimous.

**BONDS: Callings/Reductions/Settings**

**MINUTES:**

The 8/18/15 minutes were approved by consensus with the correction noted by Chairman Pacekonis for a sentence on page 8 regarding the cricket field which read 'There have been about twenty cars for the two teams and spectators per game which could grow on a regulation size field but would not be larger than a regulation soccer game.' to be changed to 'There have been about twenty cars for the two teams and spectators per game which could grow for games played on a regulation size cricket field. The crowd and number of cars are not expected to be larger than for a regulation soccer game.' An administrative correction was also noted for the amount of the IWA/CC bond reduction for Appl. 02-18P, South Windsor Technologies, which had been incorrectly written as \$12,500 reduced by \$12,500 to leave a balance of -0- corrected to \$6,000 reduced by \$6,000 to leave a balance of -0-.

**OLD BUSINESS:** *see page 2*

**OTHER BUSINESS:**

Mr. DeMallie and Attorney Gerlt presented Change Order #3 for Scannell Properties to eliminate an 8' high fence. The tenant of the property was not informed about the fence, does not want it, nor will pay for it, and it is not needed for security. Landscaping of additional trees can be added in replacement.

Commissioner Carroll asked if additional trees could create problems with visibility. Commissioner Foley suggested adding evergreens staggered along the front berm. Director Lipe asked for the fence to run partially along the front of the property to screen the area from Sullivan Avenue. Trees can be added but not to impede any lines of sight. Commissioner Foley suggested not just one group of trees but staggered spruce, balsam fir

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and frazier fir trees. The Commissioner asked to verify the caliper size of the trees which was a condition of approval for the project. Director Lipe will check.

Chairman Pacekonis directed Mr. DeMallie to return with revised plans for PZC review at the 9/29/15 meeting.

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

Motion to adjourn the Regular Meeting at 10:00 p.m. was made by Commissioner Carroll

Seconded by Commissioner Foley

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren Zarambo, Recording Secretary