

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

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**DECEMBER 14, 2021**

**MEMBERS PRESENT:** Robert Vetere, Bart Pacekonis, Alan Cavagnaro, Stephanie Dexter, Stephen Wagner

**ALTERNATES PRESENT:** Paul Bernstein

**STAFF PRESENT:** Michele Lipe, Director of Planning; Jeffrey Doolittle, Town Engineer; Michael Lehmann; IT Support; Caitlin O'Neil, Recording Secretary; Marek Kozikowski, Council Liaison

**PLEDGE OF ALLEGIANCE**

Secretary Wagner read the legal notice posted in the Journal Inquirer.

Chairman Pacekonis appointed Alternate Commissioner Bernstein for Commissioner Foley.

Chairman Pacekonis appointed Commissioner Dexter as Vice Chair.

**CALL TO ORDER:**

**PUBLIC HEARING/ COUNCIL CHAMBERS- 7:00 P.M**

1. **Appl. 21-41P, Evergreen Walk, LLC Multifamily Text Amendment** – request to amend Specific Requirements for Multifamily Residential Use in the Buckland Gateway Development Zone - including Section 4.2.15 A.2.e to increase the number of units permitted to 365 units; and modify Section 4.2.15 A.2.c to modify the criteria for achieving the required 2:1 residential to commercial ratio for mixed use developments within this zone (Continued from 11/30/21)
2. **Appl. 21-42P, Evergreen Walk, LLC** – request to modify the Evergreen Walk General Plan of Development and a special exception to Section 4.2.15 D.1 for an 165 unit residential development, for a portion of 151 Buckland Road [within "Evergreen Walk"] known as Unit 7C, and being approximately 2,000 feet west of Buckland Road and 1,000 feet north of Smith Street, Buckland Road Gateway Development Zone (Continued from 11/30/21)

Howard Rappaport, Principle with Continental Properties commented that they were eager to help clarify any questions from the last meeting. Mr. Rappaport commented that the proposed application is a unique housing project and would be beneficial for Evergreen Walk. Mr. Rappaport then discussed the affordable housing component and the request of additional affordable units. Mr. Rappaport commented that they would be able to comply with the 10% affordable housing units, however, they would be unable to comply with an increased amount of 15% as it would not be financially feasible. Mr. Rappaport discussed the other apartments owned by Continental Properties in Milford, CT and why they have a higher amount of affordable units. Mr. Rappaport explained that the rents in Milford are substantially higher, therefore, an increase in revenue supports more affordability. Additionally, the taxes in Milford are lower than South Windsor.

Maura Cochran, Economic Consultant with Bertram-Cochran clarified her comments made at the last meeting. Ms. Cochran commented that Board of Education does not endorse the project, however, her previous comments were meant to highlight how much data the Board of Education had on students and how this information was able to help Ms. Cochran on her report. Ms. Cochran commented that the ratios in her November report ended up matching the ratios found in the recently submitted SLAM Report that was presented by the South Windsor Board of Education. Ms. Cochran added that given the updated SLAM Report and the data from her Economic Impact Study, the bottom line is that the proposed apartments would give a favorable cash outflow, particularly more than single-family homes.

Alan Lamson, Vice President of FLB Architecture and Planning, clarified the square footage on the traffic report, which is now 216,337 square feet based on the preliminary plans. Mr. Lamson also discussed the 2-to-1 ratio and the ability to offset this requirement. Mr. Lamson commented that they

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would be looking to remove the 12 month period on the table but would add that they would be willing to use no more than 50% of the development that the Commission recently approved, Unit 5. Therefore, the development would use half of Costco and no more than 50% of the recently approved Unit 5 to offset the 2-to-1 ratio.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe commented that she has provided the Commission updated with the SLAM Report from the Board of Education and correspondence from Superintendent Dr. Kate Carter. Ms. Lipe highlighted the points mentioned in Dr. Carter's letter.

Town Engineer Jeffrey Doolittle had no comment.

Chairman Pacekonis asked for public comment.

Karen Johnson of Charter Realty & Development, managers of Promenade Shops of Evergreen Walk, spoke in favor of the application.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Vetere questioned the difference between affordable housing units versus regular units. Howard Rappaport responded that the difference would just be cost of rent, all amenities would remain the same.

Commissioner Dexter confirmed the units would be deed restricted as affordable units. Commissioner Dexter commented that while she had hoped to see 15% for affordable units she did appreciate the 10% affordable housing units. Commissioner Dexter questioned if this would be the last residential portion of the General Plan for Evergreen Walk. Alan Lamson commented that Unit 8 is approved for senior housing and that cannot be changed, with that said, no one else at this time could use any other retail to offset the 2-to-1 ratio. Commissioner Dexter commented that she was presented with a large amount of information and would appreciate more time to review everything.

Commissioner Wagner commented on needing clarity on text amendment handout. Director of Planning Michele Lipe commented that the additional text amendment wording includes items such as affordable housing. Commissioner Wagner commented on the mill rate difference between South Windsor and Milford and questioned the assessment dates of the mill rate. Howard Rappaport commented that they are looking at current mill rates, which are established on October 1 every year. Mr. Rappaport added that if the mill rate is higher than you can expect equally higher taxes. Commissioner Wagner commented that assessments of property can go up but the mill rate can be adjusted so the taxes collected are not raised as high. Michael Stone, Consultant with Continental Properties, also experience as commercial broker and appraiser, discussed five-year revaluation period. Mr. Stone commented that it ultimately comes down to tax burden per unit and added that the South Windsor tax burden is ultimately higher than the Milford tax burden.

Commissioner Wagner commented on SLAM report and the schools capacity to absorb increase volume of students. Commissioner Wagner questioned if the school has the capacity to absorb the additional numbers of students that would come from this development. Commissioner Wagner clarified if this is would be the last residential development to come to Evergreen Walk. Alan Lamson responded that under current conditions, Evergreen Walk has no intention to build any further residential housing, however, he cannot speak for what could happen further down the line in 15 or more years.

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Commissioner Bernstein commented that he liked the renderings for the development. Commissioner Bernstein commented that he has concerns with issue of student population, specifically after reading Dr. Kate Carter's letter. Commissioner Bernstein commented that this was the first time he had read something from the Board of Education that put up red flags for student enrollment and capacity issues. He then suggested that the Board of Education and the Planning and Zoning Commission should consider meeting to discuss the school capacity issue more in depth and strategically.

Chairman Pacekonis and Maura Cochran discussed enrollment projections and concerns with schools being able to handle additional capacity. Chairman Pacekonis discussed past enrollment projections for Orchard Hill School. Chairman Pacekonis commented that he would also like additional time to review the information. Chairman Pacekonis questioned if the one-bedroom units with dens would have an impact on student population. Howard Rappaport clarified that these dens are only featured in the cottage style units and do have not have a closet, they are designed to be a den or an office. Chairman Pacekonis questioned if these home offices/dens would have an impact on the student population. Maura Cochran responded she does not feel this would impact the student population. Chairman Pacekonis questioned if someone could use this room as a bedroom. Ms. Cochran responded that she could not testify if someone would use it as a bedroom, however, the intention and the design of the room is meant to be used as an office, there are no closets and the doors are glass French doors. Chairman Pacekonis commented on his concerns of the projections given and the reality of other similar complexes. Chairman Pacekonis added that he was not entirely comfortable with the numbers given in the Economic Impact Study.

Chairman Pacekonis questioned how many times General Plan has been changed. Director of Planning Michele Lipe commented she believed 14 times. Chairman Pacekonis commented that he appreciated Alan Lamson's opinion that this should be the last residential site in Evergreen Walk, however, does still have concerns that that could change down the line. Mr. Lamson commented that it would be in the Commission's hands to approve a change to Evergreen Walk's General Plan to allow for any additional housing in the future. Chairman Pacekonis commented on concerns with affordable housing and wanting more affordable units. Attorney Chris Smith commented on the time period of 40 years for the deed restriction for affordable units and reiterated that the applicant is more than willing to do 10% but unfortunately, anything more is not financially feasible. Attorney Smith added that they are working with the Director of Planning to help with the 2-to-1 ratio issue and a new formula.

Chairman Pacekonis commented on the open space requirements and the applicant's intent to meet this requirement with clubhouse and continuation of the trail system. Chairman Pacekonis questioned if Tempo 1 took credit for the trail system as part of their open space requirement. Alan Lamson commented that with construction from development they would need to adjust the trail system in some areas. Chairman Pacekonis questioned if the trail system meets any ADA requirements. Alan Lamson responded that he does not think it is but also does not think it has to be ADA compliant. Mr. Lamson added that they could make a portion of the trail ADA compliant in this phase of the trail system. Chairman Pacekonis commented that he would like to keep the public hearing open to the next scheduled regular meeting to allow Commissioners to review materials. Attorney Chris Smith confirmed the next meeting date would be January 11, 2021 and commented that they would provide an extension for the application. Attorney Smith commented on the Commission's concerns with student enrollment in town and added that from his understanding, the school system enrollment is at the end of the bell shape curve and they should start seeing enrollments trend downwards. Attorney Smith added that he feels Evergreen Walk is a unique community and feels this development would fit in well.

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Chairman Pacekonis questioned Alan Lamson on the detention basin, as the Town Engineer mentioned that this basin was relatively close to the building. Mr. Lamson commented that this item would be addressed during final design.

Commissioner Wagner commented that he did feel think this would be the best use of this parcel of land. Commissioner Wagner added that he just wants confirmation that the school system can absorb this amount of students.

Commissioner Bernstein questioned the build out timeline. Howard Rappaport commented they would begin construction in the 4<sup>th</sup> quarter of 2022 with the goal to be finished in the 4<sup>th</sup> quarter of 2024. Commissioner Bernstein commented that most school systems have a shortage of teachers and substitute teachers, however, given the timeline, this should hopefully not a be a concern by then. Mr. Rappaport commented in response to Chairman Pacekonis' question, of the 165 units, 32 of them have home office and they are all one-bedroom units.

Commissioner Vetere motioned to extend the public hearing to January 11, 2022.

Commissioner Wagner seconded the motion. The motion passed unanimously.

**REGULAR MEETING/COUNCIL CHAMBERS:**

**CALL TO ORDER:**

**PUBLIC PARTICIPATION:**

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

1. **Appl. 21-41P, Evergreen Walk, LLC Multifamily Text Amendment** – request to amend Specific Requirements for Multifamily Residential Use in the Buckland Gateway Development Zone - including Section 4.2.15 A.2.e to increase the number of units permitted to 365 units; and modify Section 4.2.15 A.2.c to modify the criteria for achieving the required 2:1 residential to commercial ratio for mixed use developments within this zone

This application has been continued for public hearing.

2. **Appl. 21-42P, Evergreen Walk, LLC** – request to modify the Evergreen Walk General Plan of Development and a special exception to Section 4.2.15 D.1 for an 165 unit residential development, for a portion of 151 Buckland Road [within "Evergreen Walk"] known as Unit 7C, and being approximately 2,000 feet west of Buckland Road and 1,000 feet north of Smith Street, Buckland Road Gateway Development Zone

This application has been continued for public hearing.

3. **Appl. 21-43P, Charter Realty on behalf of Evergreen Walk LLC**- request for a site plan modification for the re-development/construction of 12,819 sf educational building, at 528 Evergreen Way, Buckland Gateway Development Zone.

Karen Johnson reviewed change of use and the proposed minor modification. Ms. Johnson explained the plans to move a portion of the building outdoors to provide outdoor space for the school, which would be pre-k to early childhood school. Ms. Johnson added that this school would be replacing Flatbread Pizza Co.

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Dave Gagnon with Langan Engineering reviewed the application and explained they would be looking to renovate portion of the building. Mr. Gagnon added that the proposed renovation would be relatively minor and they would be keeping the existing footprint of the building. Mr. Gagnon explained that in the northeast corner of the site they would convert a portion of the building to create an outdoor playscape area. Mr. Gagnon commented that the child drop area would be on the backside of the building facing Cottonwood Lane.

Karen Johnson briefly reviewed the renderings of the building.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe read Planning Report.

1. Request for a site plan modification for the re-development/construction of 12,819 sf educational building, at 528 Evergreen Way, Buckland Gateway Development Zone. The applicant intends to use existing space for this use (previously Flatbread and Charming Charlie space).
2. Minor changes proposed for the site include the removal of a portion of the exiting building to accommodate a play area and the addition of a drop off area along what will be the front entrance to the school.
3. Exterior changes to the building include the addition of a new entrance on the back side of the existing building including a canopy over the drop off area; finishing the wall inside of the play area and removing the existing entrance in the front of the building. A new sidewalk will be extended to connect to the existing sidewalk network.
4. Building signage is proposed on both the sides of the building. The applicant has provided a graphic of the proposed signage with the materials provided.
5. There are regulated wetlands on site. IWA/CC approved the application on November 6 with a bond in the amount of \$2,000 to ensure compliance with the erosion and sediment control.
6. Public water and sewer currently service the site. Water Pollution Control Authority approval is not required for this change in use.
7. The Architecture and Design Review Board reviewed this proposal on October 21. The committee was satisfied with the proposal as presented. It was suggested that decorative treatment be used for the fencing around the play area rather than a solid 6-foot fence.

If this site plan is approved, the Planning Dept. has no modification to request.

Town Engineer Jeffrey Doolittle had no comment.

Commissioner Bernstein questioned if Goddard School was a national chain. Karen Johnson explained that this school would be considered a franchise model, therefore, would be owner operated. Ms. Johnson briefly commented on the history of the school, which started in Pennsylvania. Commissioner Bernstein commented that he felt this would be a unique location for the school. Ms. Johnson commented that the idea and hope would be getting more shoppers to Evergreen Walks with this proposed mix. Ms. Johnson added that they are starting to see less traditional shopping center uses and more mixed uses like this. Commissioner Bernstein commented on the drop off area and clarified that this would be located on the backside of the building facing the parking lot. Karen Johnson commented that the parking lot is underutilized and thinks this building would be ideal for this use. Commissioner Bernstein questioned if there were any barriers to assist with the drop off zone. Ms. Johnson responded that there is already an

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existing drop off zone on the site. Commissioner Bernstein questioned the structure of the school in regards to pick up and drop off hours. Ms. Johnson explained that the Goddard School would be less structured than traditional school hours and therefore would allow for more flexibility in drop off and pick up times.

Commissioner Cavagnaro questioned what type of school would this be. Ms. Johnson responded that it would be considered an early childhood school. Commissioner Cavagnaro questioned the amount of children they anticipate to enroll. Ms. Johnson commented that the school would be designed for a maximum of 150 students. Commissioner Cavagnaro questioned if they had any projections for traffic at drop off. Ms. Johnson commented they do not have a specific schedule like a traditional school would and they anticipate staggered pick up and drop off times. Commissioner Cavagnaro questioned the Hours of operation. Ms. Johnson responded that she was unsure of the specific hours at this time.

Commissioner Wagner questioned the screening of the play area. Karen Johnson reviewed the area of the site plan for the play area, which would be mainly the side of the building. Ms. Johnson added that they were unsure of exact material of the fence but understood the Commission would prefer a more decorative fence. Commissioner Wagner commented that he would prefer either the Planning & Zoning Commission or Architectural Design Review Committee to review the final plans of the fence. Commissioner Wagner questioned if there would be other retail space available in this building. Ms. Johnson reviewed the building layout and explained that the existing restaurant, Ted's, would remain and there would be additional retail space available for rent that would face Evergreen Way. Commissioner Wagner and Ms. Johnson further discussed the layout of the building including the proposed play area. Commissioner Wagner commented on electric vehicle parking spaces, since the applicant is not adding parking spaces they are not required to add electric vehicle spaces, however, he would've liked to seen some added. Ms. Johnson commented that they would look at aspect further in the next item on the agenda, the proposed restaurant, which does have electric vehicle parking proposed in the plan.

Commissioner Dexter clarified the age group that would attend the school, which would be 6 weeks old to 5 years old. Commissioner Dexter questioned if buses would be involved at all for the school. Karen Johnson commented that school buses would not be utilized; the children would be attending the Goddard School in lieu of traditional pre-k and kindergarten.

Commissioner Vetere questioned if the play area would be accessed from the parking lot. Ms. Johnson commented that the play area would be entirely accessible from inside the building, no exterior entrance.

Chairman Pacekonis questioned if the application had been presented to the Architectural Design Review Committee. Director of Planning Michele Lipe commented that Committee did review and were satisfied with the proposal. Ms. Lipe added that the only comment from the Committee was material for the fencing around the play area. Chairman Pacekonis questioned if there were bollards shown on the site plan near the play area. Karen Johnson responded that there no bollards shown on the site plan. Chairman Pacekonis commented that he was unsure if the play area would be sufficiently protected if bollards were not put in place. Ms. Johnson commented that they could add bollards in the corner of the play area that faces towards the road.

Chairman Pacekonis commented on the renderings, he felt the view from Evergreen Walk looked bland. Ms. Johnson commented that they are looking to just refinish of the existing surface and add some new color to this side of the building. Chairman Pacekonis questioned if door facing Evergreen Walk would be locked at all times. Ms. Johnson responded that this is door is not intended to be an entry door, only used for egress and would likely have a panic bar on the inside. Chairman Pacekonis questioned if The Goddard School intended to expand this facility further since there is available retail in the building. Ms.

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Johnson responded that they have no plans of expanding, they would like to keep Ted Montana's restaurant in place. Chairman Pacekonis questioned if there is adequate queuing for the drop off area. Town Engineer Jeffrey Doolittle commented that there is already queuing and it appears that it could accommodate three cars directly in front. Chairman Pacekonis questioned if this would be adequate queuing for the school and also the intended procedure for student drop off. Ms. Johnson responded that she is unsure of that level of detail. Chairman Pacekonis commented that he likes to hear a more detailed plan for the student pick up and drop off. Ms. Johnson discussed the various potential procedures to help accommodate student drop off and added that they would be comfortable with an approval conditional to give a formal pick up and drop off plan.

Commissioner Wagner commented that he had recent experience with dropping off children of that age at a similar facility and felt that almost always someone parks the car and walks the child into the school. Commissioner Wagner added that it seems that dropping off may be less likely and it would be more likely that the facility will need to focus on the parking spaces available. Karen Johnson agreed that there seems to be many options available for them in terms of how drop off would work. Commissioner Wagner added that he had positive feelings on the application.

Commissioner Bernstein questioned why the franchisee was not in attendance. Karen Johnson responded that they are still negotiating the lease with the Goddard School. They were looking to get local approvals before moving forward.

Commissioner Dexter motioned to approve the application with the following conditions.

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.
3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$2,000 to ensure compliance with the erosion and sediment control measures.
4. All bonds must be in one of the forms described in the enclosed Bond Policy.
5. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
7. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
8. No building permits will be issued until the Office of State Traffic Administration certificate has been issued (per CGS §14-311).
9. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free-standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. Engineering comments dated 12/14/21 shall be incorporated into the final plans.

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13. The fencing around the outside play area shall be decorative in nature and subject to staff approval.

14. The applicant shall provide a drop off plan that addressed drop off queues at different stages of capacity and timing of student drop off. It the plan shall include a contingency plan. This plan subject to staff approval.

15. Protective bollards shall be placed along the northeast frontage in front of the fenced area. The location is subject to staff approval.

Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

4. **Appl. 21-44P, Charter Realty on behalf of Evergreen Walk LLC**- request for a site plan for the construction of a proposed 3,200 sf restaurant with outdoor seating, at 601 Evergreen Way, Buckland Gateway Development Zone.

Karen Johnson reviewed the next proposed application for a restaurant, Shake Shack. Ms. Johnson commented that the site could accommodate an 8,000 square foot building, however, they are proposing a much smaller restaurants at only 3200 square feet. Ms. Johnson added that they did receive a favorable recommendation from the Architectural Design Review Committee.

Dave Gagnon from Langan Engineering reviewed the site plan in more detail. Mr. Gagnon reviewed the wetlands that are located to the side of the property that would not be disturbed. Mr. Gagnon reviewed Evergreen Walk's Master Plan, the renderings for the proposed restaurant and the outdoor seating area. Mr. Gagnon also discussed the electric vehicle parking space, the landscape plan, the lighting plan and access to the site from West Access Drive. Mr. Gagnon commented that the pickup window is different from a drive thru, Shake Shack uses an online ordering app that notifies the person when their food is ready which would minimize the back up of cars going through the pickup window. Mr. Gagnon commented that they would be adding a rain garden, there would be sidewalks around three sides of the building and they would be adding a crosswalk to access the senior apartments.

Karen Johnson commented that Shake Shack viewed the site in February with the primary concern of visibility from Buckland Road. Ms. Johnson added they spent many months preparing renderings and site plan with Shake Shack to address their concerns. Ms. Johnson explained that Shake Shack reviewed the Whole Foods renderings and mimicked certain design ideas to help keep some consistency with both buildings. Ms. Johnson reviewed some of the design elements, highlighted the outdoor seating area, and confirmed the mechanicals would not be visible on the roof. Ms. Johnson discussed the proposed pick-up window and how it operates.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe read Planning Report.

1. Request for site plan approval for 3,200 sf restaurant with associated outdoor seating, on property located at 601 Evergreen Way, Buckland Road Gateway Development zone.
2. This pad site was shown on the general plan for a potential restaurant and at one time was approved for a Bonafish restaurant. Currently there existing parking on a portion of the site.
3. The proposal is to access the site from Evergreen Walk's internal road network, referred to West Access Road, off of Hemlock Avenue. There will be a one-way drive through the site to accommodate a pick up window for on-line orders only. This exit only drive is aligned with the drive directly across that serves as the entrance to the existing parking area adjacent to the roundabout.



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4. Sidewalks are shown to be extended along Hemlock Ave into the main entrance of the site. We would request an additional sidewalk linkage be made from Hemlock Ave in the area of the parking lot to allow walkers coming east on Hemlock a closer way into the site.
5. The parking requirement for restaurants is 4 ½ spaces per 1000 square feet of gross floor area, requiring 15 spaces; 30 spaces have been provided for this project. Provisions are being made for an EV charging station as required.
6. The plans also show an outside dining area that will be covered and heated making it available for a longer season.
7. Lighting pole height is 25 feet. Luminaires are full cutoff fixtures of the same type used in other areas of the Shoppes area. There will also be bollard lighting along the drive.
8. Landscaping is proposed along the site frontages as well as within the parking areas. There should be no visible rooftop mechanical equipment. There is a dumpster on a concrete pad with screening.
9. The building design includes adding a mural along the Evergreen Way frontage. Architectural and Design Review Committee reviewed this plan on October 21 and were satisfied with the proposal as presented. Similar to the Whole Foods project, the PZC may want the applicant to return with the mural design.
10. Building signage is proposed on the Evergreen Way and Hemlock Ave frontages and West Access frontages. The applicant has provided a graphic of the proposed signage on the plans that were submitted.
11. There are regulated wetlands on site. IWA/CC approved the application on November 6 with a bond in the amount of \$15,000 to ensure compliance with the erosion and sediment control and to ensure successful establishment of the mitigation plantings. This bond will be held for two years.
12. Public water is available in Hemlock Avenue. Water Pollution Control Authority approval is required. OSTA approval has been granted for the entire development as shown on the General Plan: this project is included in the approved square footages.
13. If this site plan is approved, the Planning Dept. requests a traffic calming treatment be added at the beginning of the pick-up drive to alert drivers and pedestrians and slow traffic.

Town Engineer Jeffrey Doolittle commented on clarification for emergency vehicle access, adequate vehicle exiting, sewer lateral and need for WPCA approval.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Vetere questioned the proposed hours of operation. Karen Johnson responded that she was unsure of the exact hours but knew that closing would be around 9 pm.

Commissioner Wagner thanked the applicant for the electric vehicle charging station and added that he would like to see one additional space created that could be van accessible. Commissioner Wagner added that he would like the electric vehicle charging space moved to be closer to the building. Karen Johnson responded that she would be sure to look into this.

Commissioner Cavagnaro questioned if the applicant knew the amount of employees. Ms. Johnson responded that she was not aware of a number at this time. Commissioner Cavagnaro questioned if the dumpsters could be moved closer to the building. Ms. Johnson commented that the dumpster is in the final location and the location as chosen, as it is the most ideal for screening. Commissioner Cavagnaro

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questioned location for the bike racks. Ms. Johnson commented that it is shown near the entrance, however, it does appear small on the plans. Commissioner Cavagnaro confirmed that there would be no advertisements on the mural.

Commissioner Bernstein questioned if this Shake Shack would be company owned or franchise owned. Ms. Johnson responded company owned. Commissioner Bernstein commented that he did not have any queuing concerns as he has used the Shake Shack app and it is very user friendly.

Chairman Pacekonis commented on some concerns with outdoor dining spaces and questioned the material of the planters. Ms. Johnson commented that they would be concrete.

Commissioner Wagner motioned to extend the meeting to 9:45pm

Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

Chairman Pacekonis asked if treatment could be added to access drive. Ms. Johnson responded this could be added.

Commissioner Wagner motioned to approve the application with the following modifications.

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.
3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$15,000 to ensure compliance with the erosion and sediment control measures and successful establishment of the mitigation plantings (to be held two years).
4. A landscape bond in the amount of \$5,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.
6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
7. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
8. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
9. No building permits will be issued until the Office of State Traffic Administration certificate has been issued (per CGS §14-311).
10. The building street number must be included on the final plan.
11. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
12. All free-standing signs and/or building signs require the issuance of a sign permit before they are erected.
13. Stamped concrete or other treatment be added to the access drive for the pick-up window.
14. Engineering comments dated 12/14/21 shall be incorporated into the final plans.

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15. In accordance with Section 6.7.3.1.a bike rack shall be provided.

16. The mural design is for art purposes only; no advertising is allowed. The applicant shall return to the Commission with the details of the final design and materials to be used.

17. A sidewalk connection shall be added from the existing sidewalk along Hemlock Ave into the site in the parking the area of the parking lot.

18. In accordance with section 6.4.10 the electric vehicle charging space shall be van accessible but not handicap restricted and located closer to the building.

Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

5. Change order request for changes to the monument signage at Evergreen Walk- see attached proposal

Karen Johnson commented on the monument signage change order request, which is only requested for sign B in Evergreen Walk. Ms. Johnson added that the signage would allow tenants name to be displayed.

Chairman Pacekonis asked for town staff comment.

Director of Planning Michele Lipe explained the tenants that have been allowed on Evergreen signage in the past.

Town Engineer Jeffrey Doolittle had no comment.

Chairman Pacekonis confirmed that they were looking at signs B1, B2, B3 and B4. Chairman Packeonis added that he had no issue with this signage.

Commissioner Wagner motioned to pass the monument signage. Commissioner Vetere seconded the motion. The motion passed unanimously.

Commissioner Wagner motioned to extend the meeting to 10pm. Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

6. CGS Referral 8-24 for the purchase of 220 Scantic Road (see attached letter and map)

Michele Lipe reviewed the mapping for the subdivision known as West River Farms that includes 220 Scantic Road. Ms. Lipe reviewed the ownership history of the property and added that the South Windsor Open Space Task Force has unanimously endorsed the purchase of this property. Ms. Lipe read email from resident Roy Norman and reviewed questions brought up by him. Ms. Lipe reviewed procedures for CGS 8-24 Referrals.

Chairman Pacekonis commented on drainage swale. Chairman Pacekonis commented on the borders for the property and Michele Lipe clarified.

Commissioner Bernstein clarified the purchase amount and the purpose of CGS Referrals. Commissioner Bernstein questioned the liability for the property.

Chairman Pacekonis commented that the additional recreation created would be for the residents of South Windsor.

Commissioner Wagner commented that the subcommittee Walk and Wheel ways Committee commented in support of the purchase of land.

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

**MINUTES**

**-12-**

**DECEMBER 14, 2021**

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Commissioner Dexter commented on concerns with liability and having the South Windsor police servicing 911 calls instead of East Windsor since it is technically closer.

Commissioner Dexter commented liability concerns.

Chairman Pacekonis clarified that the entire parcel land is located in South Windsor. Explained the history of the land.

Commissioner Wagner made a motion to forward a favorable recommendation to the Town Council. Commissioner Bernstein seconded the motion. The motion passed unanimously.

**BONDS:** Callings/Reductions/Settings

**MINUTES:**

**OLD BUSINESS:**

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 21-55P, McGuire Road Associates LLC dba Hartford Truck Equipment** - request for a zone change of 7.3 acres from Rural Residential (RR) zone to General Commercial (GC) zone, for property located at 540 King Street

**OTHER BUSINESS:**

Michele Lipe passed out regulation language for Commissioners to review.

Commissioner Wagner commented on 2022 meeting dates. Commissioner Wagner motioned to change meeting date from November 8 to November 15. Commissioner Vetere seconded. The motion passed unanimously.

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

Commissioner Cavangaro motioned to adjourn. Commissioner Vetere seconded the motion. The motion passed unanimously.

Meeting adjourned at 10:00pm.

Respectfully Submitted,

Caitlin O'Neil, Recording Secretary