

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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JUNE 14, 2016

MEMBERS PRESENT: Gary Bazzano, Bart Pacekonis, Stephanie Dexter, Elizabeth Kuehnel, Frank Bonzani, Kevin Foley, Kevin Greer

ALTERNATES PRESENT: Bill Flagg, Mike LeBlanc, Teri Parrott

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Lauren Zarambo, Recording Secretary

PUBLIC HEARING / COUNCIL CHAMBERS

CALL TO ORDER: Chairman Bazzano called the Pubic Hearing to order at 7:30 p.m.

Secretary Commissioner Dexter read the legal notice as it was published in the Journal Inquirer on Thursday, June 2, 2016 and Thursday, June 9, 2016.

- 1. Appl. 16-29P, Carla's Pasta** – request for a 2-year temporary and condition permit for an 814 sq ft temporary office trailer, on property located at 50 Talbot Lane, I zone

Mr. Carlos Bastos, professional engineer from The Dennis Group, LLC from Springfield, MA representing Carla's Pasta presented the request for a temporary office trailer to be located behind their current industrial facility. They are looking for a temporary place to stage their employee office facility while the phased development of the master plan is built. The office will then have a permanent home within the current facility.

Director of Planning Michele Lipe gave staff comments:

1. Request for a two year temporary and conditional permit for a temporary office trailer at 50 Talbot Lane, I zone.
2. The office trailer is approximately 814 sq ft (40' x 20.33') and is proposed to be located at the rear of the existing building
3. The office trailer is to be utilized while plans for a future permanent office is developed and permitted.
4. The wording of the T & C permit regulation is that, "Temporary and conditional permits may be granted by the Commission for a period not to exceed 2 years. Such approval may be given after a public hearing if, in the judgment of the Commission, the public convenience and welfare will be substantially served, and the appropriate use of neighboring property will not be substantially or permanently injured, and traffic and other hazards will not result from such use."
5. If this application is approved, the Planning Department has no modifications to request.

Town Engineer Jeff Doolittle gave no staff comments.

Chairman Bazzano asked for public comment.

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

Commissioner Flagg asked whether the eight large shipping containers on site were there permanently and if maneuvering of trucks within the site would be impacted. Mr. Bastos was not certain whether the shipping containers were permanent and described the proposed trailer location in the employee parking area at the rear of the site.

Vice Chairman Pacekonis asked where the trailer was located on the plan which Mr. Bastos showed.

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Chairman Bazzano asked if there would be restroom facilities in the trailer. Mr. Bastos replied there would not but the trailer is situated to be a minimal distance to the building for use of the existing facilities.

The Chairman closed the public hearing at 7:38 p.m.

- 2. Appl. 16-23P, Evergreen Walk LLC** - request for a Zoning Regulation Text Amendment to Article VII, Section 7.3, "Assisted Living Facilities", to modify Section 7.3.5.B Building Size/Height/Maximum number of units to allow facilities up to 180,000 sf with a maximum of 140 units in the Buckland Road Gateway Development Zone

Attorney Chris Smith, land use attorney for Shipman & Goodwin LLP presented the request with Mr. Alan Lamson, principal in the firm of FLB Architecture and Planning on behalf of Evergreen Walk LLC. Attorney Smith gave copies of abutter notification letters and original mailing receipts as required by statute for the file.

Mr. Alan Lamson noted FLB Architecture and Planning has been the principal planning professional for Evergreen Walk for the last thirty years. This request is to modify the basic requirements regarding assisted living facilities within the Buckland Gateway Development Zone for building size, area, and number of units. No change is being sought for the height requirement of a building. A forty percent (40%) increase in the maximum number of units is proposed. Presently one acre of open space is required for any assisted living facility. The proposed amendment would increase the required open space by fifty percent (50%) to 1 ½ acres. Mr. Lamson cited statistics about assisted living facilities and the services they provide.

The proposed amendment will only impact the Buckland Gateway Development zone (BGD) where four story buildings, greater densities, and greater floor area ratios are presently allowed when meeting specific zoning requirements. Design controls are in place in the zone allowing the Commission greater control over the type of facilities, their appearance, and design. Special exception site plan approval is also required within the BGD zone.

The amendment stems from interest expressed in building a slightly larger facility with more units, three or four stories, with larger living units measuring 1,100 to 1,300 sq ft per unit. Presently there are 100 units allowed in a facility and this amendment would allow 140 units maximum. An increase in the size of building is proposed to 180,000 sq ft of building area allowing for the larger living units. Presently an 85,000 sq ft building area is allowed.

Town Engineer Doolittle distributed copies of annotated regulations for Assisted Living Facilities to the commissioners.

Director of Planning Michele Lipe gave staff comments:

1. This is a request for a Zoning Regulation Text Amendment to Article VII, Section 7.3, "Assisted Living Facilities", to modify Section 7.3.5.B Building Size/Height/Maximum number of units to allow facilities up to 180,000 sf with a maximum of 140 units in the Buckland Road Gateway Development Zone
2. Currently we limit the unit count in this zone to 100 units, with a maximum building size of 85,000 sq ft. This amendment proposes to increase the number of units and size of the buildings only in the Buckland Gateway zone.

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3. In reviewing other criteria within Section 7.3, the Outdoor Recreation requires 1 acre of open space for current facilities. It is the staff recommendation that the open space requirement be increased for the larger facilities.
4. There are currently two assisted living facilities in the Buckland Gateway Development zone.
5. The current Town Plan of Conservation and Development under the Residential section encourages flexibility in meeting emerging housing needs and updates to the zoning regulations that are compatible with the surrounding neighborhood.
6. The Capitol Region Council of Governments has reviewed the amendment as required and reports that they find no apparent conflict with regional plans and policies or the concerns of neighboring towns.
7. If this application is approved, the Planning Department has no additional requested modifications.

Town Engineer Jeff Doolittle commented that such a facility would be served by the existing utilities at Evergreen Walk which appear ample however if those utilities are not ample they would have to provide them. Concerning any traffic impacts not already covered by the traffic permit issued by the State for Evergreen Walk would require amending that traffic certificate.

Chairman Bazzano asked for public comment.

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

Commissioner LeBlanc voiced concern about the increase in size of a facility and how it would blend into the surrounding area. Attorney Smith stated there is a market need for the size and any application for a site specific development would be subject to special exception review and approval by the Commission. All the criteria from the Buckland Gateway Development zone would also be applicable. Chairman Bazzano clarified the application before the Commission is for a text amendment not a site plan for a specific facility.

Commissioner Greer recalled a previous discussion for a similar application. Director of Planning Lipe differentiated this zoning text amendment application for assisted living from a preliminary discussion for an institutional use with a range of care where assisted living was one component along with apartments and nursing facilities. That use was determined by the Commission to be an allowable permitted use.

Commissioner Greer asked where a facility would be located and how many facilities are currently in the zone. Attorney Smith stated there is not presently a proposed location but with approval of the amendment a site specific proposal which would include a traffic impact study could come before the Commission. Ms. Lipe stated there are currently three facilities in the center of town and competition would dictate how many facilities could be allowed.

Commissioner Bonzani asked about size of the units and number of occupants. Mr. Lamson described different variations and summarized in most cases there would be no more than two people living together.

Vice Chairman Pacekonis noted the Buckland Gateway Development zone includes land across Buckland Street from Evergreen Walk as potential sites. Facilities this large would be allowed anywhere in the BGD zone. The Vice Chair stated this is much more than originally envisioned for the area but will keep an open mind.

Commissioner Dexter asked the Director of Planning for any data on the existing living facilities in the area and their impact on services in town. Ms. Lipe stated all department heads were notified about the

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application and that Deputy Chief of Police Scott Custer replied adding another facility would increase the service volume but would not be an unreasonable drain on their resources. The Fire Department will review any project at the time the site plan is submitted.

Commissioner Kuehnel asked Director Lipe for a reference for the size of facilities and asked how many units are in the other facilities in the area. Ms. Lipe replied the facility on the corner has 80 units in 85,000 sq ft and the one next to it is about the same size.

Commissioner Flagg asked about the need for so many senior and assisted living facilities in South Windsor. He noted there are vacancies in the existing ones. Attorney Smith indicated there has been expressed interest in building this type of facility and a market for the cliental. He noted the application is for a text amendment not for the approval of a building. This only will provide someone the possibility to come before the Commission which will than have discretion and protection through the special exception process and criteria of the zone. Evergreen Walk is trying to market a particular use because there is a demonstrated need in the market for such a use. The Commission can assist the build out of Evergreen Walk, a valuable asset to the town.

Chairman Bazzano asked Director Lipe about the latitude the Commission would have regarding site plan applications if the amendment was to be approved. Ms. Lipe stated it is a special exception use requiring a public hearing with criteria under which the Commission would evaluate the application in addition to the Buckland Development Gateway zone criteria for aesthetics.

Commissioner Foley confirmed the amendment is only for the Buckland Gateway Development Zone and asked why the increase is requested. Attorney Smith stated there is expressed interest from two groups in doing a facility with at least 100 units.

Commissioner Parrott asked what the original reasoning was behind limiting the original number of units to 100. Director Lipe stated she could research the reason.

Commissioner Greer asked for the 180,000 sq ft size in perspective to the ECHN buildings. Mr. Lamson stated the hotel to be built is about 80,000 sq ft in four stories. The ECHN buildings each have a 30,000 sq ft footprint with four stories measuring about 120,000 sq ft each. Highland Park Market, without the businesses next to it, is in the 25,000 sq ft range. Mr. Lamson stated the Commission will have complete control over the architecture which can make a large building look small and visa versa.

Vice Chairman Pacekonis spoke about contemplating sizes and big box applications which came before the Commission in the past and that this might be more appealing for the area. The Buckland Gateway Development zone has always been about economic development and with any application the Commission will want to see what economic development will be created and how it will sit with the community and what it will provide.

Commissioner Foley asked the Director of Planning for the response from Police, Fire, and Ambulance about the impact on town services. Ms. Lipe indicated the Police stated it would not be an unreasonable drain on town resources based on call volumes from other facilities in town. Commissioner Foley asked if a private bus would be available to transport the seniors. Mr. Lamson replied that part of state law governing assisted living facilities requires they provide transportation to their residents. Commissioner Foley stated they also have rights to town services like the community and senior centers. Ms. Lipe shared a comment from Andrea Cofrancesco, Adult and Senior Services Director, that generally very few people come to the Community

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Center from the assisted living facilities primarily because they have their own programs inside their own facilities. The majority of the seniors come from Berry Patch and other Metro Realty developments.

Commissioner Foley stated his biggest concern is for Ambulance and Fire services which is presently a volunteer system. As the community grows with dense areas of population and four story buildings the apparatus requirements will change and directly effect taxes. Attorney Smith stated public safety issues can be looked at as part of a special exception approval process. The Commission would have input from the Fire Department on whether it would be a drain on emergency services or if four stories would be a problem with the aerial and turning radii as well effects on police and ambulance services. Public health safety is one of the reasons for denial of a special exception permit and protects the Commission in the review process which will also have all the architectural criteria in the Buckland Development zone. If the Commission does not want to see a 'big box' it can look for a facility to be broken down into multiple buildings.

Chairman Bazzano clarified the preliminary discussion previously heard by the Commission about another facility in the area for a different use was about the same size as what this text amendment would allow.

The Chairman closed the public hearing at 8:16 p.m.

- 3. Appl. 16-25P, RSK-Kellco, Inc.** – request for a Zone Change of approximately 5.5 acres from Rural Residential to Designed Residence Zone and General Plan of Development for a 14 unit development to be known as Schoolhouse Drive, on property located on the easterly side of Ellington Road, northerly of Pleasant Valley Road

Mr. Ben Wheeler, landscape licensed architect with Design Professionals Inc. representing applicant RSK-Kellco, Inc. presented the application. An informal discussion was previously held with the Commission on April 26th. This application is for a zone change to a Design Residence Zone and general plan of development. If approved, applications will be submitted to IWA/CC, PZC for a site plan special exception permit, and to WPCA.

The site at 755 Ellington Road and 760 Pleasant Valley Road, was described as having 6.64 acres. The residence and barn at 760 Pleasant Valley Road will remain on a 50,000 sq ft lot meeting size requirements of the existing RR zone. It will have access on Pleasant Valley Road. The zone change is proposed for the remainder of the property measuring 5.5 acres on which a 14 unit development is proposed. Mr. DeMallie, president of Design Professionals, Inc., showed an exhibit of the site and surrounding area which Mr. Wheeler described.

A written narrative for the application covered all the zone change criteria. Mr. Wheeler noted review criteria #6 and stated they are currently working with Mr. Fred Shaw, superintendent of Pollution Control, on the data for the Pleasant Valley Pump Station. If the zone change is approved they will prove the pump station has the capacity for the development. The 14 units proposed would pose less than a 1% increase in the current demand.

Concerning review criteria #11, Impact on the Environment, Mr. Wheeler stated Mr. John Ianni, certified soil scientist with Highland Soils LLC, walked and flagged any regulated wetlands on the site on May 28, 2015. He placed 5 wetlands flags near the brook at the southwest corner and determined the remainder of the site as not a regulated wetland. The flags were determined to be in close proximity but off the property indicating the regulated area is on the property but the wetlands are off of the subject site.

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A certain percentage of affordable units based on a development's density is required in a Design Residence zone. 20% affordable units are required so that 3 of the 14 units will be affordable with the remaining 11 units at market rate.

Mr. DeMallie and Mr. Bruce Kelley from RSK-Kellco have met with members of the Historical Society who have indicated they prefer not to have a driveway connection between the historic schoolhouse and the site. All parties are continuing to work together to potentially improve the parking situation on the historic site should the development go forward.

The number of units in the general plan of development has been decreased from the preliminary proposed from 16 to 14 units and the distance between units has been increased. The first unit at Ellington Road is now 60' from the Ellington Road right of way (40' allowed). The density calculates to 2.66 units per acre (up to 4.0 units allowed).

The private road is proposed to be 26' wide and privately maintained by a neighborhood association. A concrete sidewalk is proposed on one side of the internal street and a stone dust pathway in the open space area between the units on the north side of Schoolhouse Drive and homes on the south side of Northview Drive. A concrete sidewalk will be along Ellington Road with a bus shelter. The perimeter of the site has existing evergreen border and mixed trees. Tree streets are proposed for the internal road and in the open space. Landscaping would be similar to Podunk Ridge along Ellington Road. All proposed utilities will be underground.

General examples of four types of the units ranging in size from 1,400 sq ft up to 1,600 sq ft were shown to the Commission. The applicant is asking for a size waiver to go up to 1,800 sq ft as allowed in the regulations and as has been approved in the past for other Designed Residence zones. All units will have two car garages and full basements which meets the requirements for storage.

Director of Planning Michele Lipe gave staff comments:

1. Request for a zone change from RR to Designed Residence Zone and a General Plan of Development for a 5.8 acre parcel to create a 14 unit development, located on the easterly side of Ellington Road, approx. 130 feet from the Long Hill Road/Ellington Road intersection. A small zoning map has been distributed.
2. This site is currently surrounded by single family zoned property to the west, south and north and Restricted Commercial property directly across Ellington Road. A zoning map has been provided.
3. This proposal is for 14 single family homes to be part of a common interest community. Twenty percent of the units, or 3, are proposed to be "affordable units". The developer is responsible for ensuring the units remain affordable and to submit an Affordability Plan (consistent with other recently approved DRZ's). We would recommend a 40 year restriction to be consistent with the affordable housing statute.
4. These affordable units would count towards the state's goal of each community 10% of their housing units as affordable. The town would need approximately 180 more units to meet that goal.
5. Section 8.3 includes criteria for evaluating a zone change. These criteria include:
 - (a) The goals, objectives, and recommendations of the Plan of Conservation and Development;
 - (b) The purposes of zoning and of these regulations;
 - (c) Changes that have taken place in the rate and pattern of development and land use within the Town and adjoining communities;

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- (d) The supply of land available in the present and proposed zone;
- (e) The physical suitability of the land for the proposed zone;
- (f) The impact on the capacity of the present and proposed utilities, streets, drainage systems, and other improvements;
- (g) The general character and zoning of the neighborhood;
- (h) Impacts on the surrounding area;
- (i) Traffic congestion impacts;
- (j) The impact on surrounding property values;
- (k) The environmental impacts;
- (l) The health and general welfare of the community;
- (m) Neighborhood acceptance weighed against community needs; and
- (n) The protection of historic factors.

The Housing Element of the Town Plan of Conservation includes goals that are relevant to this application, including:

- Allow flexibility in meeting emerging housing preferences and needs – allow a multi-family type development as a transition.
 - Monitor Housing Affordability - Town could encourage affordable housing and provides such tools as density bonuses to create affordable units.
6. A zone change is the appropriate time to discuss traffic impacts. The applicant's traffic statement indicates that the area roadway network is sufficient to accommodate traffic generated by the proposed development and the site lines at the new intersections comply with the DOT standards for posted speeds.
 7. The purpose of the general plan is to show the planned use and layout of the property if the zone change is approved, including the general layout of utilities, drainage, open space/ recreation areas. The engineering details would be provided at the site plan stage. This two-step method provides the opportunity for the Commission to determine whether the designed residence use is appropriate for this site, and to make meaningful revisions if appropriate, prior to the applicant spending a substantial amount of money on full engineering.
 8. The general plan shows a cul de sac road that will be privately owned with a four foot wide sidewalk proposed along Ellington Road as well as one side of the new roadway, Schoolhouse Drive. The PZC may want to request the sidewalk to be five foot along Ellington Road, consist with their new policy of wider sidewalks on collector/arterial roads.
 9. The DRZ zone requires 600 sq ft of developed recreation area per unit (8,400 sq ft) or 3,600 sq ft of undeveloped recreation area per unit which equates to 1.2 acres. The applicant proposes to meet the active recreation requirement with a stone dust trail through the open area on the outside perimeter of the housing as passive recreation, exceeding the open space requirements.

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10. There is no buffer requirement along all property boundaries; however landscaping screening and treatments are to be incorporated into the rear yards of the development. The applicant has planned a soft berm along Ellington Road frontage. Street trees and other landscaping treatments are shown throughout the site. Staff would recommend that some additional landscaping be added within the southern side yard of the development where currently there is not any landscaping proposed.
11. All units are proposed to be single-family units and are required to range in size and unit type. The affordable units must be dispersed among the other units.
12. There is a small area of regulated wetlands just off of the site to the west and the proposed detention area would be in the upland review area. IWA/CC approval is not required for the general plan; but would be required at site plan stage.
13. Public water and sewer are available to the site. The applicant's engineer is working with Fred Shaw to ensure that there is adequate capacity to support this development. Trash disposal will be handled through the use of individual containers at curbside.
14. If this zone change is approved, the Commission should state on the record that you have found the zone change to be consistent with the Town Plan of Conservation and Development. A Special exception and site plan of development approval would be required prior to any construction on this site

Town Engineer Jeff Doolittle had no additional comments.

Chairman Bazzano asked for public comment.

Mr. Brian Rivard, president of Historical Society, stated the executive board of the Historical Society has voted to support the zone change. Mr. Kelley will donate land by easement to provide 16 parking spaces for the schoolhouse which will alleviate a severe parking problem at the schoolhouse.

Mr. Steven Lozyniak, resident of Northview Drive, spoke in opposition to the zone change. He pointed out an area on the property where there is an existing drain abutting his property and questioned what will happen to the drain given the wet conditions of the area. He asked if high density housing was appropriate in an area with so many houses for sale in the immediate neighborhood. He asked for the Commission to consider if 12 rather than 14 houses would be more appropriate for the community.

Commissioner Flagg spoke about the sidewalk going on only one side of the 26' wide road. For safety sake and any children involved he encouraged the sidewalk to go on both sides of the street. Mr. Wheeler stated they are concerned with safety but that it has not been a safety issue on cul de sacs in other similarly sized developments.

Commissioner Kuehnel noted that two units had been eliminated from their original presentation. Mr. Wheeler described the changes made.

Commissioner Dexter asked if the zone change was not approved how many units could be developed. Mr. Wheeler stated they have not designed a Rural Residential subdivision because the economics are not there with approximately 5 or 6 acre size lots on 6 ½ acres of land.

Vice Chairman Pacekonis asked what the costs would be for both affordable and market rate units. Mr. Wheeler stated the market rate units will be in the low to high \$300,000's. Mr. DeMallie stated the affordable units will be affordable to someone who is at 80% of average median income for the area with a 40 year requirement for those units to remain affordable. The three units at the affordable rate will have a mix of the unit styles offered.

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The Vice Chairman voiced support for all types of housing but questioned the amount of applications coming forward which are packing high density housing at three to four times what would be allowed under conventional zoning. It is a drain on all resources in town. Mr. DeMallie went over the reduction of the amount of units, increased spacing between them, and advantage of affordable units. The Vice Chairman then echoed the concerns of Commissioner Flagg regarding having sidewalks on both sides of the street.

Commissioner Foley asked for the lot sizes or density at the Podunk Ridge development. Director of Planning Lipe indicated the lot sizes would be hard to compare because of the conservation easement on the land and that Podunk Ridge was unit driven rather than density driven under a different regulation but they do have comparable separating distances. Mr. Wheeler stated the units are 20' apart at Podunk Ridge and they are proposing a minimum of 25' apart. The active and passive recreation requirement for the zone was explained and is proposed to be met by having an active recreation requirement with a stone dust path.

Commissioner Bonzani questioned the egress on the site and sight lines. Mr. Wheeler stated sight distances were measured per State guidelines and it meets the requirements for intersection sight distance. The driveway is ideally located for where the bend in the road is located.

Commissioner Greer asked if the proposed development will look as nice as Podunk Ridge. Mr. Wheeler replied it will be similar with a home owner's association maintaining the development. The Commissioner complemented the appearance of Podunk Ridge.

Commissioner Parrott asked if it is possible to set the houses back and widen the road since street parking can be an issue in this type of development to have enough room for cars to pass. Mr. Wheeler stated the road meets town standards for width and there is room to park two cars in the driveways of the units which will have two car garages. Town Engineer Doolittle noted the plan shows one car wide driveways while the architectural drawings show two car garages. Mr. Wheeler stated it will be clarified at the site plan stage and that all units will have two car garages.

Mr. Wheeler asked on behalf of their client for the Commission to put the application on for decision tonight.

Chairman Bazzano asked if the applicant was aware of the drain on the property mentioned earlier by the abutting neighbor, Mr. Lozyniak. Mr. Wheeler replied they are not aware if it's exact location but heard from Town Staff there was concern about a drainage issue in that area. The topography includes a brook southwest of the site and the site drains from northeast to southwest and not in the direction in question. If approved they will work with Town Staff to address it at the site plan stage.

Chairman Bazzano closed the public hearing at 9:07 p.m.

- 4. Appl. 16-28P, Mannarino Builders Inc.** – request for a Special Exception to 3.3 and Site Plan of Development for a 22 unit development to be known as 'Clark Estates II', on property located on the easterly side of Clark Street, approx. 352+/- feet north of Burnham Street, Designed Residence Zone

Mr. Robert Mannarino of Mannarino Builders, Inc. presented the request with Mr. Todd Mannarino, Attorney Ralph Alexander, and site engineer Mr. Chris Alford of Alford Associates, Inc.

Zone change approval for the Designed Residence Zone was received on April 29th and on June 1st approval was received from IWA/CC. On June 9th they went before ADRC. A small area of wetlands on the property was shown on an exhibit.

Mr. Mannarino showed the site along Clark Street and Chapel Road at the Manchester town line on a plan. There will be a separate lot, 30 Clark Street, which will measure 36,000 sq ft.

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The site was described as sloping and having ledge. Fill will be brought in for minimal disturbance to the site and roads. There will be a number of units with walkout basements. Sidewalks measuring 4' wide will be provided at the interior and 5' wide along Clark Street. A bus shelter will be provided. A permanent brick sign will be located on the south side of the south entrance which will be submitted for separate approval. The detention basin in the northwest corner at Clark Street will be buffered by plantings.

The 26' wide road will be private and maintained by the association to town standards. The soft berm along Clark Street is on average 60' wide and 4' - 6' high with extensive plantings. Street trees were described and have been increased in size to 6' high at time of planting. Additional screening will be added to the frontage. The site plan was reviewed by Planning and Engineering and comments received today will be addressed at staff level. The property is served by MDC water and city sewer and natural gas. A traffic study was submitted addressing sight lines and traffic counts with satisfactory results.

The twenty-two (22) units proposed on 8.7 buildable acres comply with the permitted density of three units per buildable acre of the zone. Based on 22 units there will be 2.51 acres of open space (1.77 acres required). It will be consisted of 'Open Space A': a landscaped sports field to be maintained by the association, 'Open Space B': the land measuring 120' from the edge of the pavement to the first house, and 'Open Space C': the screened detention basin.

Twenty percent (20%) of the units will be affordable for a total of five units to be placed throughout the development. The affordability plan has been submitted. Affordable homes will be in the program for forty years.

All units will have two car garages and with the driveways meet the 2.5 car requirement. An upgraded bus shelter was described. The ownership will be common interest community. Lawns, roads, and sidewalks will be maintained by the association. The road will be private and meet all town standards.

Mr. Mannarino distributed the Clark Estates Unit Size Chart (Exhibit A) to the commissioners. Seven models are proposed. A waiver is requested to allow 1,600 sq ft units with the option to complete the room over the garage. The footprint size cannot be changed.

Mr. Mannarino read all the special exception criteria for the zone into the record. Concerning due consideration of preservation of historic factors there are two barns on the parcel. The barn in the rear does not fall under any jurisdiction but the barn in the front falls under the Demolition Delay Ordinance. They have met with the Demolition Delay Committee and satisfied their requirements. A time period is underway on the structure but if no one comes forward, a local farm who works with the historical society will take the barns for reuse.

Mr. Mannarino asked that all their submittals be part of the record.

Director of Planning Michele Lipe gave staff comments:

1. Request for approval of a special exception to Section 3.3 and site plan of development for a 22 unit development to be known as 'Clark Estates II', on property located on 8.8 acres, easterly side of Clark Street, north of the Manchester town line, Designed Residence zone. The zone change/general plan of development was approved by this Commission in April 2016. The site plan has been developed in general conformance with the approved general plan.
2. Special exception review criteria include:
 - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.

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- 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.

The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above and/or within a particular use category are satisfied.

3. The proposal for 22 single family homes as a part of a common interest community will have a density of 3+ units per acre, provided that 20% of the units are affordable which equals 5 units. These affordable units would count towards the state's goal of each community 10% of the town's housing units affordable. (The town would need 180+ more units to meet that goal). An "Affordability Plan" consistent with the affordable housing statute, is required as well as a covenant on the land records that includes a 40 year restriction of affordability.
4. Parking spaces required at 2.5 spaces per unit, or 55 spaces. The applicant has provided 88 spaces. With garages and driveways. The applicant had indicated previously that recreational vehicles will be prohibited by the common interest documents. A note to that affect should be added to the plans under the Project Summary notes.
5. The DRZ zone requires 600 sq ft of developed recreation area per unit or 3,600 square feet of undeveloped recreation areas. The applicant is meeting the active open space requirement with the one acre field/lawn area on the southerly side of the units connected by a five foot sidewalk. Additional open land in the front of the parcel along the Clark Street frontage as passive recreation.
6. There is a small area of regulated wetlands on the property; the applicant did receive IWA/CC approval on June 1 with the recommendation of a \$10,000 for erosion and sedimentation control and \$10,000 for the establishment of storm structures.

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7. Public water and sewer are available. Water Pollution Control Authority approval is required. Trash disposal will be handled through the use of individual containers curbside and a hold harmless agreement to enter the site for trash pick up is required.
8. This will be a private road, built generally to town standards, with a four foot sidewalk on one side of the new road, Chaponis Way. A five foot sidewalk is proposed along the Clark Street frontage and an easement to the town is shown where the public sidewalk encroaches onto private property.
9. The landscaping plan includes a berm between Clark Street and the new houses, with screening plantings along the top of the berm, including some larger trees at planting and street trees shown along the Clark Street frontage.
10. All unit types will be two and three bedroom units. The applicant is requesting a waiver to Section 3.3.4 Dwelling sizes and types to be allowed to increase the size of some of the units to 1,600 sq ft and with bonus room up to 1,800 sq ft.
11. The Architectural and Design Review Board has reviewed this applicant's proposed elevations on June 2 and were pleased with the designs as submitted. They did suggest that the developer encourage variety of house styles and colors so that no two identical houses would be built next to each other.

If approved, the Planning Department has no additional requests.

Town Engineer Jeff Doolittle gave staff comments:

- 1) This is a private interest community with a private road because it does not meet the town standards for geometry. The road will need to be maintained by an association and will not be maintained by the town. In addition, the sanitary sewers and storm drain will be owned and maintained by the association and will not be maintained by the town. The association will need a maintenance plan to maintain said road, storm drains, and sewer system.
- 2) It is our understanding this piece has not been assessed for sewers because it has historically been farm land. Mr. Fred Shaw of the Water Pollution Control Authority has indicated there will likely be an assessment for the entire piece to be connected to the sanitary sewers on Clark Street.
- 3) A detail is required for the part of the detention basin which is formed by a filled berm above the existing ground. There should be some kind of impervious layer inside that berm.
- 4) We ask that town standards are used where possible for the riff rap for the detention basin. Any fill brought onto the site for under the road is to be granular fill that is approved by a geotechnical engineer, installed and compacted in accordance with DOT specifications.
- 5) The grading plan needs to be reviewed to make sure the slopes are not too steep and, more importantly, so there are no flat spots in front of the units that may puddle water.
- 6) The sanitary sewer show an inside drop in one man hole which we ask to be eliminated or justified.
- 7) Verify the storm drainage outlet into Clark Street goes into a bypass man hole so that the connection does not go directly into the storm water treatment structure in the area.
- 8) The sidewalks will be constructed in accordance with town standards.

Chairman Bazzano asked for public comment.

No one spoke for or against the application.

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Commissioner Parrott asked for an explanation about the statement that the road will be private because it does not meet town standards and asked how the dimensions of the road compare to others in town. Town Engineer Doolittle stated the curves on the road are tighter than what is allowed by town standards which would also require that there would be fewer houses. The dimensions of road are the same as those for Clark Estates I at 26' wide which is the standard width for residential roads.

Vice Chairman Pacekonis asked about the sidewalks. Mr. Mannarino stated, as discussed during the zone change approval, they were asked to consider a 5' wide sidewalk along the front of the property which they have agreed to install. The rest of the sidewalks will be 4' wide in the interior of the property. At Clark Estates I the sidewalk was placed further back with an easement given to the Town to govern widening the sidewalk for the potential of a future bike path. A 4' wide paved walkway will go out to the sports field.

The Vice Chairman asked for the size of the bus shelter. Mr. Mannarino described a commercial grade steel structure which may measure 4' x 8'. It will have an interior bench and glass on three sides with a dome roof on top. Vice Chairman Pacekonis asked why the interior sidewalk goes on only one side of the street. Mr. Mannarino stated there is no on-street parking allowed in the zone and sidewalks on one side keep association maintenance fees lower. The Vice Chairman asked the Town Engineer if the curvy road creates any issue with fire service. Mr. Doolittle stated the fire trucks will get to the site but will have less space to work in. Topography of the site was discussed with site engineer Mr. Chris Alford.

Commissioner Flagg asked for an explanation of a notation on the plan for 'excess top soil'. Mr. Mannarino explained about the temporary stockpile area.

Chairman Bazzano asked for clarification on trees planned for the site whether they would be 6' or up to 6' at time of planting. Mr. Mannarino confirmed they would be 6'. The Chairman asked for not only the styles of the homes but also the colors to vary from one to the next.

Commissioner Parrott asked for clarification about no street parking within the development. Director of Planning Lipe stated the regulation is written that the parking requirement cannot be met by street parking. Town Engineer Doolittle stated there is parking allowed on residential streets except during snow storms. Mr. Mannarino stated since it is a private community they have determined there is parking allowed on the streets but not overnight.

Commissioner Greer asked about plans for the house on the corner. Mr. Mannarino stated they are considering whether to renovate or remove it to rebuild.

Vice Chairman Pacekonis asked again for the size of the bus shelter.

Chairman Bazzano closed the public hearing at 9:42 p.m.

REGULAR MEETING / MADDEN ROOM

CALL TO ORDER: Chairman Bazzano opened the Regular Meeting at 9:47 p.m.

PUBLIC PARTICIPATION: none

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

1. **Appl. 16-29P, Carla's Pasta** – request for a 2-year temporary and condition permit for an 814 sq ft temporary office trailer, on property located at 50 Talbot Lane, I zone

Commissioner Kuehnel made a motion to approve with the following conditions:

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1. The Temporary and Condition permit will expire on June 14, 2018.
2. If there are buildings, structures, signs or other items that require a building permit or other Town approvals/permits, all such approvals or permits must be obtained prior to construction or use of the site.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

- 2. Appl. 16-23P, Evergreen Walk LLC** - request for a Zoning Regulation Text Amendment to Article VII, Section 7.3, "Assisted Living Facilities", to modify Section 7.3.5.B Building Size/Height/Maximum number of units to allow facilities up to 180,000 sf with a maximum of 140 units in the Buckland Road Gateway Development Zone

Commissioner Foley indicated he would be voting against the application because of the potential size of the building and demand on town services.

Vice Chairman Pacekonis agreed but voiced support in the potential of seeing the economic benefits of growing the tax base with the safe guards of special exception permits.

Commissioner Dexter noted when considering the size of a building it may not be necessary for it to be about just one building and asked if something could be written into the amendment to make it more of a campus feel rather than one big industrial size dormitory. She voiced support for the amendment stating until there is a site plan to consider it is hard to judge.

Chairman Bazzano voiced support stating there are not a lot of places where it could go and it allows the commission the latitude to restrict what come in with stricter control.

Commissioner Kuehnelt agreed stating it is limited where it could be located.

Commissioner Greer compared the size as twice the size of the approved hotel.

Director Lipe stated a component of building height in the gateway zone is that further away from Buckland Road allows for four stories.

Commissioner Bonzani confirmed the facility would be only for assisted living.

Vice Chairman Pacekonis made a motion to approve with the following conditions:

1. The text is approved as revised (incorporating the requirement of additional open space).
2. The Planning and Zoning Commission finds that the zone text amendment in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zone text change is June 19, 2016.

Commissioner Dexter seconded the motion.

Commissioners discussed where 4 story buildings could be located and the use of special exception criteria. Ms. Lipe clarified a four story building would have to be 125' back from Buckland Road but the Commission has the controls built into special use criteria no matter where the site is located.

Commissioner Foley made a motion to extend the meeting past 10 p.m.

Seconded by Commissioner Greer

The motion carried and the vote was unanimous.

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Roll call vote was taken.

Commissioners Bonzani, Pacekonis, Dexter, Kuehnel, Greer, and Bazzano voting for and Commissioner Foley voting against.

The motion carried 6 to 1.

- 3. Appl. 16-28P, Mannarino Builders Inc.** – request for a Special Exception to 3.3 and Site Plan of Development for a 22 unit development to be known as ‘Clark Estates II’, on property located on the easterly side of Clark Street, approx. 352+/- feet north of Burnham Street, Designed Residence Zone

Commissioner Dexter made a motion to approve 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 \$10,000 for erosion and sedimentation control and \$10,000 for the establishment for storm structures.
4. A landscape bond in the amount of \$10,000 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. 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. If a certificate from the Office of State Traffic Authority is required, no building permits will be issued until the certificate has been issued (per CGS §14-311).
13. No site work will can commence until an Affordability Plan for the five affordable units has been submitted and approved by the Town Attorney.
14. Engineering comments dated 6/14/16 must be incorporated into the final plans.
15. In accordance with Section 3.3.4, a waiver has been granted to allow a variety of house sizes allowing the construction of houses as large as 1,800 sq ft. The affordable housing units must be representative of all home styles. Efforts should be made for variety of house colors and styles.

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Commissioner Kuehnel seconded the motion.

Vice Chairman Pacekonis voiced concern and opposition about developments with sidewalks on only one side of the road citing safety concerns and that sidewalks on both sides of the road create more walk-able communities.

Roll call vote was taken.

Commissioners Bonzani, Foley, Dexter, Kuehnel, Greer, and Bazzano voting for and Vice Chairman Pacekonis voting against.

The motion carried 6 to 1.

4. Appointment of ADRC Alternate

Director of Planning Lipe asked the commissioners if they have interest or know of anyone to fill two alternate member positions for the Architectural Design Review Committee which can meet on the 1st and 3rd Thursdays of the month at 5:45 p.m.

BONDS: Callings/Reductions/Settings

1. Appl. 14-32P, Clark Estates DRZ E&S Bond in the amount of \$10,000 to be reduced by \$10,000 to leave a balance of -0-.
2. Appl. 14-32P, Clark Estates DRZ Stormwater Bond in the amount of \$15,000 to be reduced by \$15,000 to leave a balance of -0-.

Commissioner Pacekonis made a motion to reduce the above mentioned bond. Commissioner Kuehnel seconded the motion. The motion carried and the vote was unanimous.

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Commissioner Dexter made a motion to approve the minutes of 5/24/16. Commissioner Kuehnel seconded the motion. The motion carried and the vote was unanimous.

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 16-29P, Carla's Pasta** – request for a 2-year temporary and condition permit for an 814 sq ft temporary office trailer, on property located at 50 Talbot Lane, I zone
2. **Appl. 16-31P, Eagle Tissue LLC** – request for a site plan modification for a 6,000 square foot addition on property located at 70 Bidwell Road, I zone
3. **Appl. 16-32P, GDS Estimating** – request for a 1 lot resubdivision and site plan of development for a 5,750 sq ft addition to an existing industrial building and a 2,200 sf storage building on property located on the northerly side of Governor's Highway, easterly of Nutmeg Road North (known as 470 Governor's Highway), I zone

OLD BUSINESS: *see page 2*

OTHER BUSINESS:

Commissioner Foley made a motion to add Appl. 16-25P to the regular meeting agenda

Commissioner Bonzani seconded the motion

Roll call vote was taken.

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Commissioners Bonzani, Foley, Dexter, Kuehnel, Greer, and Bazzano voting for and Vice Chairman Pacekonis voting against.

The motion carried 6 to 1.

- 5. Appl. 16-25P, RSK-Kelco, Inc.** – request for a Zone Change of approximately 5.5 acres from Rural Residential to Designed Residence Zone and General Plan of Development for a 14 unit development to be known as Schoolhouse Drive, on property located on the easterly side of Ellington Road, northerly of Pleasant Valley Road

Commissioner Bonzani made a motion to approve with the following conditions:

1. This approval is for a Zone Change from Rural Residential to the Designed Residence Zone for 5.8 acres and a General Plan of Development showing 14 single family units. Twenty percent (20%) of the units must be affordable. The affordable units must be dedicated by deed restriction in a manner as the Town may require. The developer shall work with the Town on the Affordability Plan and submit deed restriction documentation at the time of the special exception/site plan request.
2. The Planning and Zoning Commission finds that the zone change is in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zone change is upon filing in the office of the Town Clerk.
4. Within ninety days, by October 1, 2016, a zone change map (1" = 40') with an A-2 certification must be filed on the land records, showing all boundary lines and the acreage of the land where the zone change was granted. The map shall be drawn in accordance with the rules and regulations of the State Board of Registration for Professionals Engineers and Land Surveyors and shall be stamped and signed by a Registered Land Surveyor. The zone change map must be submitted on black and white mylars, with this approval letter thereon, together with three blueprint copies of the Zone Change.
5. The affordable units shall be evenly dispersed throughout the development. Generally no affordable units shall be located adjacent to another affordable unit. Affordable units shall not be apparent by exterior appearance, and shall comprise a variety of unit types.
6. The Commission notes that this approval is for a General Plan of Development, which does not address all engineering and site design details. The applicant must submit an application for a special exception and site plan of development approval, at which time the Commission will review all specific details of the project, including but not limited to the following concerns raised during the Zone Change/General Plan application process:
7. Storm drainage design at the site plan stage must thoroughly and adequately address storm water quality and quantity, including both on-site and downstream impacts
8. All utilities (including pedestals) must be placed underground.
9. Additional landscaping variety must be provided within the rear yard setbacks.
10. The sidewalk along Ellington Road shall be five feet. An easement to the town is required in areas where the sidewalk is shown on private property. The sidewalk shall be constructed on both sides of the internal roadway.
11. Water Pollution Control Authority is required.

Commissioner Foley seconded the motion.

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Vice Chairman Pacekonis indicated he would be voting against the application stating applications for DRZ developments, while useful at times, will quickly bring the town to a threshold of no return where town services will be used up. When building 14 houses in an area where 4 would have been built, the town is growing at three times the rate intended. Sales for the abundance of affordable houses already on the market which may have need of repair could be hurt by the sales of the newer properties. There will be a need for a larger fire department, more police and school services. The town could be hurt economically.

Commissioner Greer made a motion for a friendly amendment that the sidewalk to go all the way around the internal road.

Commissioner Bonzani accepted the friendly amendment. Foley seconded the friendly amendment.

Roll call vote was taken.

Commissioners Bonzani, Foley, Dexter, Kuehnelt, Greer, and Bazzano voting for and Vice Chairman Pacekonis voting against.

The motion carried 6 to 1.

CORRESPONDENCE / REPORTS:

Director of Planning Lipe indicated the next regularly scheduled meeting on June 28 would be cancelled.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 10:23 p.m. was made by Commissioner Dexter

Seconded by Vice Chairman Pacekonis

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L Zarambo

Recording Secretary