

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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DECEMBER 13, 2016

MEMBERS PRESENT: Gary Bazzano, Bart Pacekonis, Stephanie Dexter, Frank Bonzani

ALTERNATES PRESENT: Michael LeBlanc, Teri Parrott, William Flagg

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 Public Hearing to order at 7:30 p.m.

Chairman Bazzano appointed Alternate Commissioner LeBlanc to be seated for Commissioner Kuehnelt and Alternate Commissioner Flagg to be seated for Commissioner Foley.

Secretary Commissioner Dexter read the legal notice as it was published in the Journal Inquirer on Thursday, December 1, 2016 and Thursday, December 8, 2016.

1. **Appl. 16-57P, Metro Realty Group** –request for (1) a text amendment to add new Article 4, Section 4.22 Multifamily Assisted Housing in AA-30 Residential Zone (MAHZ) which includes Purpose; Procedures; Permitted Uses; Bulk requirements; Site and Design requirements and Affordability Plan requirements in accordance with CGS Section 8-30g; and (2) special exception to Section 4.22 site plan of development for a 78 unit apartment development to be known as “The Village at Berry Patch” on property located at 151 and 195 Oakland Road, AA-30 Residential zone

Mr. Geoffrey Sager of Metro Realty Group gave a power point presentation for a proposed housing development on Oakland Road. Packets of the presentation were distributed to the commissioners.

Metro Realty Group previously built four age restricted developments in South Windsor which included Watson Farm with 72 units in four buildings and a club house built in 2003, Berry Patch was constructed in two phases in 2004 and 2006 creating 196 units in ten buildings, and Hillcrest in 2009 with 88 units in four buildings with a club house. The combined annual property tax revenue paid to the town is over \$580,000.

The proposed development at 175 Oakland Road is to be located in front of Berry Patch I and II and geared toward ‘Baby Boomers’ rather than an age restricted market. Statistics were cited for that demographic who will take advantage of the amenities and walk-ability to Town Center.

The apartments will be built in a two story condo style to appear like single family town houses with private entrances. There will be no common corridors or shared areas. The exterior will have a village appearance with traditional exteriors. Each unit will have a front or rear private outdoor courtyard area. A contemporary open interior layout and design with amenities was described to include laundry facilities within the energy efficient apartments.

The proposal is for an 80% market rate development with a 20% affordable component. There will be 42 one bedroom units measuring 991 square feet, and 36 two bedroom units measuring 1,366 square feet. Eight of each type will be marketed as affordable units.

A paved walking path presently exists between Berry Patch II and Buckland Road which continues north on Buckland to the traffic light. Signage will be added to get people to the pathway. Exercise stations along the path and a bike rack on Buckland Road are also proposed to be installed. A graphic was shown of a new

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conservation easement of three and one half (3 ½) acres of open space to be granted to the town to be added to the seven acre conservation easement given to the town at the time of the Berry Patch II application.

Mr. Peter DeMallie, President of Design Professionals, Inc., showed a layout of the development which will have a boulevard entrance with a one-way drive on each side of an island and a 24' wide street wide enough to accommodate emergency vehicles going through the interior of the site. Ten buildings will have 136 parking spaces with four (4) dumpster pads well distributed throughout the site. There will be a 50' front yard set back from Oakland Road. Significant distance from abutting neighbors was described. The westerly area is dedicated to open space which will measure ten and one half (10.5) acres to be persevered in perpetuity when this development is added to Berry Patch. The landscape plan by Simsbury landscape firm CR3 was described. There will be interior sidewalks connecting to the pathway to Buckland Road as well as over to the Wapping Shopping Center on Oakland Road. Mr. DeMallie then described highlights from the text amendment and distributed copies of a special exception criteria review for the project to the commissioners (Exhibit A).

Mr. Jim Bernardino of Design Professionals, Inc. stated the development will be serviced by public sewer and water by extending the water main from the eastern corner of the property and granting Connecticut Water a small easement in the event the public water service needs to be extended. Low impact design will be employed for stormwater management. They have met with town staff and have an application pending with the IWA/CC to address their erosion and sedimentation plan which will address any discharge to wetlands from ongoing construction activities as well as during the lifetime of the development.

Mr. Mark Vertucci, senior transportation engineer from Fuss & O'Neill, went over the traffic impact study they prepared for the project. Traffic counts were analyzed and showed the 78 apartments are anticipated to generate 42 new trips in the peak morning hour and 61 new trips in the peak evening hour. A capacity analysis for 2018 indicated a very efficient rate of service with the inclusion of the development's traffic with no change in the levels of service. Sight distances exceeded 800' which well exceeds DOT's recommendations showing safe egress will be provided. There are no identifiable accident patterns on Oakland Road. The development will require a submittal to the State Traffic Authority, OSTA, for an administrative review and an encroachment permit will be required from DOT for the driveway curbcut.

Attorney Tim Hollister from Shipman and Goodwin LLP stated the project will be financed through the Connecticut Housing Finance Authority (CHFA) which requires a percentage of units to be preserved for the next forty (40) years for moderate income households. Twenty (20) percent of the units (16 of the 78 total units) are required to be subject to a maximum household income and maximum rent limit for assisted housing. Market rate rents are projected to be in the range of \$1,500 per month for the one bedroom units and two bedroom units in the range of \$2,000 per month. There will be seven (7) one-bedroom units with a maximum rent of \$898 per month and a maximum rental income of \$42,230. There will be seven (7) two bedroom units with a maximum rent of \$1,084 and the annual qualifying income of \$48,240. There will also be one (1) one-bedroom unit with a maximum rent of \$1,125 with a qualifying income of \$49,300 and one (1) two-bedroom unit with a maximum rent of \$1,357 and a qualifying income of \$59,150.

South Windsor has seven (7) percent of its total housing as either deed restricted in conformance with CGS 8-30g or assisted or receiving government housing assistance. This development will boost the town to eight (8) percent. Ten (10) percent provides a town permanent exception from CGS 8-30g housing. There is a provision for a four year moratorium from CGS 8-30g applications which South Windsor will be in a position to apply for after Certificates of Occupancy are issued for this development.

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Chairman Bazzano appointed Alternate Commissioner Parrot to be seated for Commissioner Greer.

Director of Planning Michele Lipe gave staff comments regarding the text amendment followed by comments related to the development:

1. The purpose of this regulation is to allow by special exception multi-family housing suited to the needs of all ages and will meet the definition of governmentally sponsored and publicly financed “assisted living” as defined in CGS 8-30G. The applicant chose to write a text amendment addressing the criteria for this development; however it is written so that it would be difficult for others to take advantage of in the AA-30 Residential zone.
2. With previous elderly housing applications, Metro Realty Group has been a co-applicant with the Town of South Windsor and all previous applications had come in under existing zoning and identifying the components of the regulations they were not conforming to. In this situation, they are writing a new regulation with specific criteria.
3. The regulations bulk requirements reflect the minimum requirements of this project and are written such that no other properties currently meet these requirements. The proposal calls for 80% of the units to be rented at market rate and 20% of the units would be affordable.
4. Staff had reviewed the regulations and had asked for some additional information related to the parking requirement proposed. The applicant has provided data from several projects currently built and occupied in Farmington.
5. Another concern was the lack of specificity of the open space requirement. All of multi-family housing developments have had basic open space requirements (passive and/or active) based on the number of units proposed. The applicant is now providing a provision for a conservation easement. Because of the population that is being attracted, staff would suggest additional recreational elements be added, e.g. playscape, bike racks, etc. be required.
6. 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.
7. Traffic impacts for the proposed development will be reviewed as part of the application process.
8. This proposal was sent to CRCOG for review and they have offered the following comments:

The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. The proposed regulation would permit additional housing choice, as well as opportunity to meet the need for affordable housing, and thus supports the Capitol Region Plan of Conservation and Development’s regional housing goal to “Increase the range of choice in housing for people of all incomes and all ages, but especially for those who have the least choice in achieving their locational preference.”

Director Lipe then gave staff comments regarding the request for Special Exception and Site Plan of Development:

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1. Request for Special Exception under the proposed 7.22 Multifamily Assisted Housing in AA-30 Residential zone and Site Plan of Development approval to construct 78 apartment units on the south side of Oakland Road, westerly of the existing Berry Patch entrance, AA-30 zone.
2. The site is surrounded by residentially-zoned land to the west and north, and senior housing to the south.
3. The application is being submitted as a CGS §8-30g Affordable Housing application. Other similar Metro Realty Group developments were submitted where they were the co applicant with the Town of South Windsor. This development will provide housing suited to the needs of all ages.
4. Special exception review criteria include:
 - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
 - The application has met the requirements of the zoning regulations.
 - The land is physically suited to the proposed use.
 - Minimal, if any, adverse environmental impacts are created.
 - No traffic or other hazards will be created.
 - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
 - There will be minimal or no adverse effects on existing uses in the area.
 - Surrounding property values will be conserved.
 - The character of the neighborhood will be maintained or minimally disrupted.
 - The general welfare of the community will be served.
 - There is a balance between neighborhood acceptance and community needs.
 - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
 - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
 - The architectural design is aesthetically pleasing and blends well into the surrounding area.

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.
5. Proposed building height is 24 feet; 30 feet allowed. The site size 9+ acres. Minimum required frontage is 500 feet on a State highway. Maximum allowed density is 15 units per net buildable acre; the plan as presented has 15 units per acre.
6. Minimum parking required is 1.7 spaces per unit. The applicant is providing 136 spaces for 78 units.
7. Pedestrian access via bituminous sidewalks has been provided throughout the site. An interconnection is being made to the existing site and a new walkway is being added along the existing Berry Patch entrance. Staff has suggested that the walking path be better defined and way finding signage to be added.

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8. Open space requirement written into the regulations is the dedicated conservation area. Because of the population that is being attracted, staff would suggest additional recreational elements be added, e.g. playscape, bike racks, etc.
9. There is no buffer requirement for this project. There is also a row of large pine trees already existing along the water course and the health of the trees will be reviewed and additional plantings will be added to screen the neighbors to the south. Other trees to be preserved include that large maples along the frontage and relocation of existing trees
10. The development will be serviced by a single access drive off of Oakland Road. The traffic report includes trip generation data from the Institute of Traffic Engineering's Trip Generation Manual. The traffic study submitted indicates that sight line from Oakland Road looking west is adequate.
11. The fire chief and fire marshal have reviewed the plans and changes have been made to satisfy their concerns.
12. The site does contain any regulated wetlands. IWA/CC opened the public hearing on 12/7/16; the hearing has been held open until Dec 21 to address revised comments.
13. Public water and sewer are provided. Water Pollution Control Authority approval is required.
14. Architectural and Design Review Committee reviewed this application on December 1. The Committee was generally satisfied with the proposal and encouraged the preservation of significant trees along Oakland Road.
15. The Town Plan depicts this area as Residential. The Residential category includes medium-high density residential. The Town Plan notes, for example, that medium-high density residential developments might be limited to those areas having direct access to state routes or where they serve to buffer less dense residential developments from commercial development.

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.
16. This project will provide South Windsor with additional affordable units on the State's "10%" list. While South Windsor has not been able to attain 10% of housing stock as affordable units required by State statutes in order to be exempt from affordable housing appeals, this development will give us enough credits toward a 4-year moratorium from affordable housing appeals suits.
 17. The applicant has submitted an affordability plan that indicates that the applicant will administer the Plan for the duration of the affordability restrictions (however specifics of duration are omitted) unless transferred with notice to the Commission. The Plan also includes an affirmative fair housing marketing plan governing the rental of units; a calculation of the maximum rents under today's median income for the area; a commitment that 20% of the units will be affordable; and a sample Declaration and Agreement of Restrictive Covenants, the terms of which will be amended to reflect CHFA mortgage obligations for this development.
 18. If this application is approved, the Planning Department requests the public hearing stay open to receive a report from the IWA/CC actions and to address the remaining staff comments.

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Town Engineer Jeff Doolittle gave staff comments:

1. Consider making the sidewalks six (6) feet wide where they are adjacent to parking spaces and curbs.
2. A fire truck and other emergency vehicles as well as garbage and service trucks need to be able to easily enter and drive around the site without running into curbs or parked vehicles. The emergency vehicle circulation exhibit dated 11-30-16 shows several places where a fire trucks wheels will be over curbs and very close to parked vehicles. Adjustments to the site layout such as widening all or part of this driveway to 26 feet. Widening the entrance and exit lanes to 18 feet and increasing turning radii should be considered so a fire truck can easily enter and drive around this site.
3. The 18 foot radius on the northern part of the site appears to be too tight. These corners should have 20-25 foot radius to allow more turning room for vehicles.
4. Show a sidewalk connection to the existing sidewalks in Berry Patch I.
5. Most of the proposed retaining walls should be about one (1) foot higher. A profile of all the retaining walls that shows the top and bottom of the walls as well as the adjacent ground needs to be provided to help finalize the elevations before the design of these walls is completed.
6. How will the ground and pathway between units 3 and 4 (FF=123.5) and units 5 (FF=126.5) be graded? The contours and drainage inlet elevations shown indicate slopes between 11% and 16% in this area which is much too steep for a sidewalk cross slope. The grades between these units need to be reviewed and probably revised.
7. The slope of the walk to the entrance on the south side of building 2 is almost 6% which is very steep close to the entrance. This slope should be reduced.
8. Where were TP 11 and 12 taken? I did not see these on the Drainage Plan.
9. The sanitary sewer gravity pipes should have a minimum slope of 2%. If this can not be achieved, show that the anticipated peak flows will achieve a minimum cleansing velocity of 2.5 fps.
10. More information is needed for the sanitary force main including anticipated peak flows, a profile of this line and/or pipe slopes, elevations and pipe type.
11. Design information for the proposed pump station will need to be submitted for review and approval. This includes the anticipated flows, wet well size, volume, pump sizing including design head and flow, elevation of control floats, and volume between on-off-alarm modes, electrical controls building, emergency generator facilities, etc.
12. Show all utility connections (water, sanitary sewer, gas, electric) to all buildings, especially buildings 2, 5, and 6.
13. Show how the drainage area for the water quality basin and stormceptor storm water treatment unit were determined, and how the water quality flow rate and peak flow rate for the stormceptor water treatment unit were calculated.
14. The Stormwater Management Report includes a summary table but I need more information as to how the post development flows for each catchment and the entire site were determined. Please call me to discuss this report.
15. On the Storm Drainage System Maintenance, the underground detention/infiltration system should be inspected annually.

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16. Where will snow cleared from the driveways and parking areas be stored?
17. Include an emergency overflow spillway from the Water Quality Basin toward the pond to the south.
18. The thickness of the process aggregate base for the pavement cross section needs to be determined and shown.
19. For the Infiltration Trench Detail show a minimum of one (1) foot width of stone on both sides of the pipes, or fill the trench width with stone, whichever is greater.
20. Specify the size of the Outlet Control Structure manholes and the location and construction of the weir in each, which are shown differently on the details.
21. Show the maximum slope on the Landscape Collection Area detail.

Chairman Bazzano asked for public comment.

Mr. Robert Dickinson of Birch Street voiced concerns regarding the fire walls between units noting recent fires which spread from unit to unit quickly. He asked if there is adequate sound abatement material in the walls between units and for the width of the walkway to Buckland Road. He noted there does not appear to be a common meeting room for the entire development.

Mr. Tom Delnicki of Felt Road expressed four areas of concern about the proposed development. If there is a failure of the sewer pump station that will be located at the low point next to regulated wetlands, is there a guarantee it will not overflow and does that pump station have emergency generator power on site to insure there is back up power. He asked about their plan for removal of snow and its impact to the area because the density of the development does not afford stockpiling snow on site. He complimented the Berry Patch as a great neighbor because of its screening and asked how the development will be screened and impacts the area. And will there be unintended consequences to other AA-30 areas because of this change to AA-30 zoning.

The Chairman asked for comments from the commissioners.

Commissioner Flagg voiced a concern about the text amendment and asked if the 80/20 ratio of market rate to affordable units could be changed to 75/25. Regarding the site plan Flagg questioned whether the proposed 136 parking spaces will be adequate when it is likely there will be two cars per unit plus visitors if the development is to be marketed to active, affluent residents. He concurred with the Town Engineer about the snow removal where there is no place to push the snow and trucks needed to take it out on an interior roadway wide enough to handle trucks. He encouraged the majority of sidewalks to have a width of five (5) feet.

Commissioner Bonzani asked how market rate and affordable units work within the development. Mr. Sager stated the units are identical but there is roughly a \$900 monthly differential between an affordable and a market rate unit. Mr. Sager clarified tax credits were received from the CT Housing Tax Authority to construct their previous developments but this project will have no subsidy from state or federal government. Twenty percent (20%) is the maximum number of affordable units they can offer for the forty year duration.

Commissioner Bonzani asked, in answer to Mr. Delnicki's question, about a provision for an emergency generator for the sub-pump if it was to fail. Mr. Bernardino stated there is provision for a gas fired emergency generator to be located on site with an alarm system connected to a third party monitoring

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system. Bonzani asked if snow is trucked off site in their other rental developments. Mr. Sager stated they do all their own management and maintenance and remove snow from sites when necessary which has been once every few years.

Secretary Commissioner Dexter asked if there are alternative ways to exit at the light at Felt Road besides the proposed boulevard style entrance. Mr. Bernardino described the two separate driveways of the entrances which can handle emergency vehicles and stated there are no direct paved emergency roadways to be provided but the terrain is minimal in slope and can be driven upon in cases of emergency. Dexter recommended that care be taken in the design of the pumping station as to how it will be installed and that it be sized properly.

Vice Chairman Pacekonis asked Mr. Sager if restrictions were in place to preserve their targeted 'Baby Boomer' model. Mr. Sager stated there can be no restrictions because it would be a fair housing violation. Pacekonis confirmed the need for a bus shelter and noted the absence of sidewalks on Oakland Road and the need for pedestrians to have safe passage. Mr. Sager stated they will take a look at the topic.

The Vice Chairman stated an entry island can be problematic especially with one dedicated entrance/exit and asked how large moving vans can manage the left hand turn with the sizing shown on the plan. Mr. Bernardino stated they can run additional simulations if requested but sizing was calculated for large emergency vehicles. Pacekonis suggested that shortening the island by six or eight feet and moving the tree from the island would improve the left hand turning radius. He voiced concern about walk-ability and emergency situations with one means of egress. Mr. DeMallie referenced an aerial that showed a sidewalk proposed to connect to the existing sidewalk system internal to Berry Patch I and II going to Felt Road including a sidewalk into Wapping Shopping Center. Mr. Bernardino stated they have met with emergency services and discussed access and emergency events and have widened the throats of the driveways which can accommodate emergency vehicles. A secondary means of access is not practical because of the surrounding wetlands.

Pacekonis noted street lights and utility lines are on the opposite side of Oakland from their entrance. Mr. Bernardino stated power and telecommunication lines will come overhead to a pole and then underground throughout the site. Pacekonis voiced concern about parking and availability of visitor parking especially in winter and noted areas on the plan where additional spaces could be added. Mr. Sager indicated they will pencil in the additional parking spaces and pay the additional costs to construct them as needed however they know they have more than enough parking with the floating parking calculations.

The Vice Chair voiced support for preserving the existing trees and asked about the resident's concern about the safety aspects of fire and sound walls between the units. Mr. Charlie Nyberg of Associated Architects stated the buildings will have full fire protection systems and fire separation walls required by code for multifamily units. All building codes and proper sound attenuation STC requirements will be met with stringent requirements from CHFA to be met for financing of the project. Pacekonis asked if a community room was considered for the development. Mr. Sager indicated they did not consider it given the walk-able downtown location of the project with access to venues in which to meet. Pacekonis repeated a request for five (5) foot wide sidewalks to allow bikes to pass more safely. Mr. Bernardino stated the proposed sidewalks for the site will be bituminous and four (4) feet wide throughout the project with (5) walks abutting any parking areas.

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Commissioner Parrott asked if the existing one way road from Berry Patch to Oakland Road would be changed. Mr. Sager stated it will remain the same because there is no sight line to the east. Parrot asked if there will be a pedestrian crosswalk light where the walkway meets Buckland Road. Town Engineer Doolittle stated the town is working on a plan on bringing the pedestrian crossings up to standards. Parrot asked if labeling parking spaces with apartment numbers was possible and if there would be elevators in buildings with one bedroom apartments on each floor. Mr. Sager stated they do not reserve spaces because numbering spaces would take away 'the float' and there would be no elevators in any of the buildings.

Commissioner LeBlanc asked if the walkway to Buckland Road will be maintained throughout the winter months and if the path is lit at night. Mr. Sager stated it will be maintained but it is not illuminated. LeBlanc asked if there were restrictions on parking boats, motorcycles and other vehicles. Mr. Sager noted their house rules which prohibit recreational vehicle storage.

Chairman Bazzano asked how buildings were numbered and about the one bedroom units on first and second floors. Director Lipe stated numbering of buildings will be done at staff level with input from police and fire. Mr. Sager described the layout of the units stacked on top of each other with private exterior entrances. The Chairman brought up Mr. Delnicki's concern for adequate screening of the buildings from the frontage on Oakland Road. Mr. John Stewart, landscape architect with CR3 in Simsbury, described the landscaped screening along Oakland Road to give a variety of sizes and types of trees and vegetation for a residential feel. A fence characteristic of Metro's projects is proposed parallel to Oakland Road which integrates with the tree planting. Chairman Bazzano noted the plainness of the design of the two family building elevations on page A2.10. Mr. Stewart described the complementary landscaping and that Metro would be amenable to densing up the front entrance landscaping. The Chairman asked if that was something that could be looked at after the fact. Director Lipe stated it should be written in as an approval condition at the time of approval.

Chairman Bazzano asked if every unit would need a C.O. for the four year moratorium to take effect. Attorney Hollister stated once the Certificate of Occupancies are issued the town would be in a position to apply to the Department of Housing under the point system for the moratorium. The Chairman verified it was when every C.O. was issued.

The Chairman indicated he would like to see the sidewalk going out to Buckland Road to be five (5) wide. Town Engineer Doolittle confirmed it is presently four (4) feet wide but the sidewalks the Town will be installing on the west side of Buckland Road will be five (5) feet wide. He verified Oakland Road is a state road and the state will be looking at the development from a traffic perspective including turning radiuses. Access for emergency vehicles was reviewed by staff and found the right turn in to be very tight and the left turn in and out better. Mr. Doolittle also noted a provision in the text amendment which reads there will be no sidewalks along the road frontage which would need to be changed if sidewalks are to be considered along Oakland Road.

Chairman Bazzano asked about the ADRC review of the project. Director Lipe indicated the Committee was satisfied with the design but had concern that the significant trees would be preserved along Oakland Road to the maximum extent possible. There was significant discussion about what the four and six unit building elevations looked like along Oakland Road. Vice Chairman Pacekonis asked if something could be done to dress up Building 7 (or Building 1 as indicated on drawing CSP1). The twelve and the four unit buildings closest to Oakland Road appear on the drawings to be pretty bland and are the ones most visible from the road. Architect Nyberg noted the balconies across the façade that would create modulations to break up the

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flatness. Mr. Sager stated they will flush out details on those buildings until the Commission is satisfied with the result.

Vice Chairman Pacekonis made a motion to keep the public hearing open for the special exception site plan of development until January 10, 2017.

Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

Vice Chairman Pacekonis made a motion to close the public hearing for the text amendment.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

The public hearing for the text amendment portion of the application closed at 9:54 p.m.

2. PZC sponsored amendment to eliminate in its entirety Section 3.3 Design Residence Zone and add it as an Appendix to the regulations. Any associated references throughout the regulations to the DRZ would be eliminated.

Director of Planning Michele Lipe gave staff comments:

This is a PZC sponsored amendment to eliminate this zone classification from the regulations. I have provided a map for you showing the locations of the Designed Residence Developments as well as the number of units in each development. Town Engineer Jeff Doolittle distributed maps of Design Residence Zones and home values in 2002 and 2016 in South Windsor to commissioners.

1. The origin of this regulation goes back to the late 1980's when the housing market was at peak levels, with prices out of reach of the middle class. Both the State and municipalities began attempting to solve the problem of average people being priced out of the housing market. South Windsor joined in the effort to address lack of affordable housing.
2. The Planning and Zoning Commission's Designed Residence Zone was adopted in May of 1990 and included provisions for Town Council acceptance of units designated as Moderate Price Units. The Designed Residence Zone included density bonuses for the developers in exchange for the dedication of moderate priced housing units to the Town's program. The Program contained the rules for dedicating units, selling and reselling units, applicant eligibility, and use of dedicated premises, as well as provisions for Town Council amendment or termination of the program. Units are dedicated in perpetuity.
3. In the meantime, in July 1990 the State Legislature adopted CGS 8-30g, the Affordable Housing Appeals Act. This legislation allowed developers to bring suit against a municipality that denies a developer's request for approval of affordable housing developments that meet the standards of the statute. The only towns exempt from this legislation are towns with at least 10% of their housing stock meeting the statutory definition of affordable housing. In 1995, CGS 8-30g state law was amended such that the statutory definition of "affordable" set the income limits at 80% of Hartford area median income. As a result, we were not receiving any credit toward the statutory mandate for our MPHP units.
4. The Town Council eliminated the Moderate Price Housing Program in 2010 and released from the deed restrictions on all of the units put into the program. The reason for this was it no longer offered benefits to either the Town or the unit buyers and sellers. Securing new buyers was difficult and potential buyers had

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difficulty obtaining mortgages. Program administration by Town staff is time-consuming with little benefit.

5. The PZC had not entertained any DRZ applications from 1996 through 2014.
6. In 2014, the Town approved 18 units with 4 units being deed restricted as affordable. With the elimination of the town's moderate priced housing program, the affordable units that are now created in DRZ's require the developer create an affordable plan for the units and have deed restricted these units for 40 years, although they do not meet the state's strict definition of affordable housing. The average selling price in this development was \$377,157; and the average affordable price was \$314,305.
7. The Commission approved a second development with 27 units and 5 affordable units however there have not been any sales and a third development with 14 units that still requires special exception/site plan approval. The total housing when all is built will be 321 units.
8. I am providing a map of housing values in Town so you can get a picture of the current value of our housing stock. This mapping illustrates that we have a large number of homes that are more affordable than the housing that is being created in the new DRZ developments. For comparison purposes, I am providing some mapping that was done in 2002 of housing values.
10. The Housing Element of the Town Plan of Conservation does include 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.

I would note that the PZC, subsequent to the adoption of the plan, has added a 10 percent affordability requirement in the zoning regulations for any multi-family developments in the Town Center Overlay Zones.

11. The Capitol Region Council of Governments has reviewed this text amendment and offered the following:

If the PZC eliminates this section of the regulations, staff recommends this section be added to the appendix so that we do not make all of the existing projects non-conforming and so we have regulations to guide any changes that may occur within these developments. I would also note for the record that we acknowledge that the School house Road Zone Change has been approved and that a site plan would be filed under the regulations in the appendix.

Town Engineer Doolittle gave no staff comments.

Chairman Bazzano asked for public comment.

No one from the public spoke for or against the text amendment.

Chairman Bazzano asked for comments from commissioners.

Vice Chairman Pacekonis noted that the prices listed for affordable units give sticker shock and throughout South Windsor there is existing housing stock priced at least \$100,000 less. Chairman Bazzano agreed with the Vice Chairman's comment and stated his biggest concern is with density.

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The Chairman closed the public hearing at 10:05 p.m.

3. PZC sponsored amendment to eliminate in its entirety Section 7.17 Senior Residence Development and add it as an Appendix to the regulations. Any associated references throughout the regulations to the SRD would be eliminated.

Director of Planning Michele Lipe gave staff comments:

This is a PZC sponsored amendment to eliminate this zone classification from the regulations. I have provided a map for you showing the locations of the Senior Residence Developments as well as the number of units in each development. Town Engineer Jeff Doolittle distributed a map of Senior Residence Developments in South Windsor and 2015 Housing Data Profiles to commissioners.

1. This is a PZC sponsored amendment to eliminate the Special Exception provision for Senior Residence Developments. The PZC originally adopted regulations for Senior Residence Developments in 1994 and the original regulation had a cap of 70 units. At the time, the goal was to create alternative senior housing at a mid range price range.
2. The stated purpose of this regulation is, “to ensure an adequate supply of senior housing in South Windsor; to promote well-planned, innovative developments which become aesthetically pleasing senior residential environments; to recognize that not all of the housing needs of our community’s elderly population can be met through public elderly housing; to provide for a greater variety of housing for South Windsor’s senior residents; and to foster small senior developments which can be nestled into neighborhoods with minimal impact on surrounding properties.”
3. Senior Residence Developments have ranged in size from 3 units up to the maximum of 25 units. We also have achieved a variety of housing types as we have some developments that are single family units and some that contain attached units. The SRD are limited to 20 residences (or 25 residences with an on-site community room).
4. There is no minimum parcel size. Maximum density for a development consisting solely of single family units is 3 units/acre and developments of mixed multi-family and single-family units is 4 units/acre.
5. Over the years the cap was raised on two different occasions, the most recent in 2002, to the current unit cap of 250 units. We reached that cap with the approval of Smith Corner Estates in 2009. Many of the newer developments provide luxury housing. Some of the later developments had gotten more expensive as developers have added upgrades on the interior of the houses.
6. Since then, we have only had a few developers approach about potential projects; however there have not been any formal requests to increase the number of units.
7. There are a couple areas in the POCD that are relevant. We know from the demographics of our community that we have an aging population and we should be cognizant of the adequacy of the housing needs of seniors. We also have that data illustrated in the 2015 Town Profile.
8. The Housing Element of the Town Plan of Conservation identifies the goal:
 - Allow flexibility in meeting emerging housing preferences and needs – allow a multi-family type development as a transition. In the 2013 update, the PZC at that time suggested that the cap be raised when/if there was a demand, while avoiding over-saturation of housing units that focus on just one demographic (pg 74).
9. CRCOG has reviewed this request and has offered the following comments:

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If the PZC eliminates this section of the regulations, staff recommends this section be added to the appendix so that we do not make all of the existing projects non-conforming and so we have regulations to guide any changes that may occur within these developments.

Town Engineer Doolittle gave no staff comments.

Chairman Bazzano asked for public comment.

No one from the public spoke for or against the text amendment.

Chairman Bazzano asked for comments from commissioners.

Commissioner Parrott asked if the amendment was to pass would someone be prevented from building an over 65 development. Director Lipe stated there would no longer be regulation for them to come under for a senior residence development.

Chairman Bazzano stated South Windsor has done a great job over the years of offering many aspects of senior developments from high cost to more affordable and there are presently plenty of units for sale. The cap on the number of units allowed has held.

The Chairman closed the public hearing at 10:11 p.m.

REGULAR MEETING / COUNCIL CHAMBER

Vice Chairman Pacekonis made a motion to extend the meeting past 10 p.m.

Secretary Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

CALL TO ORDER: Chairman Bazzano opened the Regular Meeting at 10:12 p.m.

PUBLIC PARTICIPATION:

Mr. Robert Dickinson of Birch Street distributed a letter to the commissioners and read it into the record concerning pedestrian safety and suggested sidewalks or paths be required along new developments bordering streets for all new residential and commercial developments (Exhibit B).

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

1. **Appl. 16-57P, Metro Realty Group** –request for (1) a text amendment to add new Article 7, Section 7.22 Multifamily Assisted Housing in AA-30 Residential Zone (MAHZ) which includes Purpose; Procedures; Permitted Uses; Bulk requirements; Site and Design requirements and Affordability Plan requirements in accordance with CGS Section 8-30g

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

1. The Planning and Zoning Commission finds that the zone text is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone text is 12/24/16.

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3. Remove text in Section 7.22.13B that reads: No sidewalks shall be required within the public right-of way.
4. Change the text in Section 7.22.3A by increasing the width of one way streets at the entrances to and exits from the development from 16 feet to 18 feet.
5. Add the following language to Section 7.22.13B: All sidewalks within the MAHZ development shall have a minimum width of four (4) feet, and a minimum width of five (5) feet adjacent to parking spaces.

Secretary Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

2. PZC sponsored amendment to eliminate in its entirety Section 3.3 Design Residence Zone and add it as an Appendix to the regulations. Any associated references throughout the regulations to the DRZ would be eliminated.

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

1. The Planning and Zoning Commission finds that the zone text is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone text is 12/24/16.

Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

3. PZC sponsored amendment to eliminate in its entirety Section 7.17 Senior Residence Development and add it as an Appendix to the regulations. Any associated references throughout the regulations to the SRD would be eliminated.

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

1. The Planning and Zoning Commission finds that the zone text is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone text is 12/24/16.

Commissioner LeBlanc seconded the motion.

The motion carried and the vote was unanimous.

4. Appointment of Demolition Delay Committee representative

Commissioner LeBlanc will continue to consider becoming the PZC representative on the Demolition Delay Committee to replace Alternate Commissioner Parrott whose term expires 12/31/16.

5. Appointment of CRCOG Regional Planning Commission representative and alternate

Commissioners considered volunteering to be the PZC representative or alternant to the CRCOG Regional Planning Commission. Meetings are held at 7 p.m. on the second or third Thursday of every other month in the West Hartford Town Hall. The meetings for 2017 will be held on January 19, March 9, May 18, September 14, and November 16, 2017.

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BONDS: Callings/Reductions/Settings

MINUTES: Minutes of 11/15/16 and 11/29/16 Special Meeting approved by consensus.

APPLICATIONS OFFICIALLY RECEIVED:

OLD BUSINESS:

Director of Planning Lipe described a request from Kaz Equipment located on South Satellite Road to add a line of trailers they would like to sell in association with the heavy equipment they sell by special exception in the industrial zone. The Commission agreed by consensus there is no conflict to selling the trailers in addition to the heavy equipment allowed by special exception.

Chairman Bazzano agreed with Mr. Dickinson and the letter he submitted requiring sidewalks for all new residential and commercial developments and thanked Mr. Dickinson for all his efforts on the subject. Commissioner Flagg concurred. Director Lipe stated a sidewalk requirement can be added to the Subdivision and/or Zoning Regulations.

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 10:30 p.m. was made by Vice Chairman Pacekonis
Seconded by Secretary Commissioner Dexter
The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary