

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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APRIL 25, 2017

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

ALTERNATES PRESENT: Michael LeBlanc, Bill Flagg, 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 Public 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, April 13, 2017 and Thursday, April 20, 2017.

- 1. Appl. 17-04P, Toll Land XVIII Limited Partnership, an affiliate of Toll Brothers, Inc. –** request for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision (including 12 conventional lots in A-20 zone) of 46.46 acres, to create a total of 45 building lots to be known as “The Estates at South Windsor”, on properties located at R022 and R024 Graham Road (with storm water discharge on Town land at L024 Graham Road and L005 Norma Road), RR and A-20 zones (continued from 3/28/17)

Attorney Joe Williams with Shipman and Goodwin LLP of Hartford representing applicant Toll Land XVIII Limited Partnership continued the presentation summarizing concerns received from commissioners at the March 28th public hearing which included berm issues, a detention basin, access into the open space, and to address screening the property to the north.

Mr. Dan Kroeber, P.E. with Milone & MacBroom, Inc. of Cheshire gave a power point presentation to illustrate the changes made to address the concerns stating they submitted revised drawings and engineering reports along with a response letter to the comments received from the Town Engineer.

The revised site plan was shown. The berm has been removed and the grade softened near Nevers Road. Two feet of clean material fill will be placed over the existing soil in the area.

Mr. Kroeber then described the area of the storm water detention basin which was reviewed for potential relocation. The storm water flow is being controlled by the installation of the detention basins and outlet structure as designed.

A secondary access to the open space area has been designed between two lots.

Concerns of the northern abutting property owner have been addressed and agreed upon after the property owner met with the landscape architect for the project. A survey has been made of the existing vegetation and mature trees to be saved have been located. The applicant has agreed to maintain the fence along the property line and will plant some arborvitae and other plantings along the back side of the fence to soften the affect.

Director of Planning Michele Lipe gave staff comments:

If the Commission is inclined to approve this application, there are two different open space plans under consideration: A farming plan versus one that a homeowners association would own and install a trail system. The applicant would like to have the flexibility to see if farming can happen so an approval condition has been crafted to give the commission the flexibility to give the applicant flexibility.

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The Town is looking for the sidewalks to be installed on the easterly side of Nevers Road and would like to have a six month period to solidify easements and asks for an approval condition for that flexibility.

Town Engineer Jeff Doolittle gave staff comments:

Engineering has been in talks with three property owners and the developer about the sidewalks on the east side of Nevers Road which would connect the existing sidewalks on Miller Road to those by Eagle Run. Two property owners are in favor of the sidewalks and one is unsure about the impact so a meeting is being set up with them. The Town is asking for six months time to secure the easements.

Labeling of the plan is requested for the easements, rearranging or shifting some of the gravel access roads, and milling and paving in the area where utilities will be installed on Nevers Road. Minor clean up on the plans is also requested to show clean outs on the sanitary sewer laterals for the houses at bends and every 800 feet.

Chairman Bazzano asked for public comment.

Mr. Robert Dickinson of 19 Birch Road spoke in support of the application and asked if there will be sufficient width of a flat, smooth, grass area along Graham Road for pedestrians to walk towards Hayes Road and the High School and for the Town to construct a paved path or sidewalk should it be desired in the future. Mr. Dickinson suggested that a meandering stone dust or gravel walkway/trail be included in the open space landscaping adjacent to Graham Road.

Mr. Richard Strong of 394 Graham Road stated he met with Toll Brothers representatives and was assured some existing trees will be retained at his property line, arborvitae planted and that his concerns have been addressed.

Ms. Lisa Wilson of 365 Graham Road located her property on the site plan and asked if all the trees behind her property will be removed in order to build the access road and how construction in the area of her property will be conducted.

Secretary Commissioner Dexter read a letter from Fred and Paulette Burnham written in opposition to the project (Exhibit A).

Chairman Bazzano asked for comments from commissioners.

Commissioner Flagg voiced concern about the berm and drainage that occurs in that corner area and is not in favor of the Town obtaining the open space areas of the development.

Commissioner Bonzani voiced appreciation for the revised plans especially for the point he had previously raised about additional access to the open space.

Commissioner Kuehnel asked about concerns raised from the neighbor across the street about tree removal. Mr. Kroeber described a temporary disturbance which will take place on site to create the access way. A limit of 20 to 25 trees will have to be cleared to accommodate the installation of the storm pipe. The gravel access way will be covered with grass to be planted so that Public Works can drive upon it to maintain that pipe. The access drive will initially be 20 – 25 feet wide but will grow into a 15 foot wide strip but there is no clear cutting proposed at the back of the property owner's land. During construction Toll Brothers will be staking the property lines and will stay off her property.

Secretary Commissioner Dexter agreed with Commissioner Bonzani and voiced appreciation for addressing the concerns of the Commission.

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Vice Chairman Pacekonis voiced appreciation for the applicant's efforts to address concerns and asked if there will be a smooth pathway along Graham Road for pedestrian use. Attorney Williams indicated there is no provision or goal in the Town's sidewalk plan for sidewalks on Graham Road so there is no sidewalk or pathway proposed on the private property. Town Engineer Doolittle stated there is a swale along their property along Graham Road which the Town has asked them to maintain.

Commissioner Foley asked Director of Planning Lipe about open space being used for agriculture or to be maintained by the Tolls Brothers through the acumen of the residents. Ms. Lipe stated there are two different plans: one showing a walking trail if a home owners association was to take the open space or an agricultural option with a 50 foot buffer against the abutting house lots and suggested an approval condition to determine whether it will go into a quasi public agency such as a land trust or a home owners association. The smaller portions of the open space will not be maintained by the Town but will have easements for normal maintenance of the structures.

Commissioner Parrott asked about the sidewalks on Nevers Road. Town Engineer Doolittle stated the sidewalks will be public. The Town has a 50 foot right of way on Nevers Road so most, if not all, sidewalks will be on Town property and we are working with the property owners to secure easements for grading. Commissioner Parrott asked for clarification about the open space which the Director of Planning described. Commissioner Foley asked if the applicant has reached out to the agricultural community about farming the acreage. Attorney Williams stated they have been in contact with the Land Trust about owning the open space with the purpose of leasing it out to a farmer but the Land Trust declined the project. The applicant would like the option to continue to have discussions about the agricultural use plan. The Attorney asked if anyone from the Commission or town has an idea for someone they should speak with, they welcome the input.

Chairman Bazzano voiced appreciation for the access strip to the open space and asked who would maintain it. Mr. Kroeber indicated it would be considered part of the open space and maintained according to how the open space is designated.

The Chairman closed the public hearing at 8:05 p.m.

- 2. Appl. 17-09P, Design Professionals, Inc.**— request for zoning text amendment to Industrial Zone Section 4.5.6 Building Height to reduce the distance required for building(s) 50 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary

Mr. Peter DeMallie, President of Design Professionals, Inc., presented the request offering three versions for the text amendment and distributed copies to commissioners. He described the local business Carla's Pasta which was recently approved through PZC for an expansion and is now in final design of their additions. A small portion of the building requires freezer space 50 feet in height as part of the first phase of construction. In the Industrial zone in certain circumstances the height of a building can go up to 50 feet but theirs is adjacent to a residential zone's public open space that is primarily wooded.

Mr. DeMallie offered another approach by way of Special Exception however the process could impede the timing of the construction season. Mr. DeMallie encouraged the Commission to consider taking action by simply adding modified language to exclude public open space and/or conservation areas. He also encouraged the Commission to have a conversation concerning building height and moving them as close as 150 feet to the street. Other developers have interest in multiple story office buildings within the Industrial

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zone. The newest trend in industrial buildings appears to be in height where cubic feet becomes more important than square feet because of the automated systems used.

Director of Planning Michele Lipe gave staff comments:

1. Request for zoning text amendment to Industrial Zone **Section 4.5.6 Building Height** to reduce the distance required for building(s) that are 50 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary.
2. I worked with the applicant to evaluate the impact throughout the industrial zone. It appears from the analysis that there are not a significant number of locations where the residential areas would be impacted.
3. The Business Development section of the Town Plan has one of its goals to “attract additional business development that is consistent with the character and scale of it surroundings with a strategy to maintain current business zones, with updates.
4. As the Commission may be aware, we have allowed increased building heights in other zones as permitted based on the distance from the property lines. An example being in the Buckland Gateway Development zone where a sliding scale is used.
5. If the PZC wanted a more conservative approach, you could require the height increase be allowed by special exception approval and that would guarantee neighborhood impacts could be evaluated. Another approach may be only allowing a certain percentage of the building within the distance be 50 feet in height.
6. The Capitol Region Council of Governments has reviewed the amendment as required and has offered the following report.
7. If this application is approved, the Planning Department has no additional requested modifications.

Secretary Commissioner Dexter read the CRCOG report into the record:

The staff of the Regional Planning Commission has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. For sites located on a municipal border, we recommend that the town take into consideration the uses across municipal boundaries and that any more limiting/restrictive setback requirements, screening, or restrictions on intensity of uses including hours of operation and lighting, particularly for sites bordering residential uses in neighboring towns, be applied so as to mitigate impacts across municipal borders.

Mr. DeMallie showed a layout of Carla’s Pasta expansion and where the text modification would have impact.

Chairman Bazzano asked for public comment.

Mr. Tim Shepard, 45 Newberry Road, spoke in support of benefitting Carla’s Pasta business in South Windsor and in support of special exceptions where the public has the chance to see what is being proposed and to give the Town more latitude for standards such as lighting and parking.

Chairman Bazzano asked for comments from commissioners.

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Commissioner Parrott stated, having not heard objections against the amendment, that she supports Carla's business growing and supports the need to change with the needs of technology as it progresses.

Commissioner LeBlanc voiced support for the growth of businesses in South Windsor but questioned the design oversight of the project and whether it could be solved by an engineer's alternative design and questioned whether the height proposal is good thing next to a residential zone.

Commissioner Greer noted there are numerous vacant office buildings on Nutmeg Road contrary to a previous comment about a lack of office space and asked how tall the Mobis building is on Sullivan Avenue. Mr. DeMallie clarified that his comment was about Class A office buildings with a common lobby and multiple tenants and answered that the Mobis building is 40 feet high. Commissioner Greer echoed Commissioner LeBlanc's comment and questioned how Carla's could not know they needed a space for a 50 foot high freezer. Mr. DeMallie noted he was not part of the architectural design process or operational end of the project.

Commissioner Foley asked if this request could be considered a waiver so that the project could move forward. Director Lipe stated it does not meet the definition of what a waiver is in the regulations but a variance from the Zoning Board of Appeals could be another option. Commissioner Foley stated to change the regulations for one business may not be fair to residential areas that could be affected in the future.

Vice Chairman Pacekonis clarified with Mr. DeMallie the open space areas and stated he preferred wording to read 'excluding dedicated public open space' and to otherwise keep the wording of the original zoning text the same.

Commissioner Kuehnel asked Director Lipe about the change of 150'. Ms. Lipe stated what Mr. DeMallie has now put forward will not change the wording other than adding the provision about the open space which Vice Chairman Pacekonis clarified in his last comment about dedicated open space.

Commissioner Flagg stated he could entertain a special exception to address the request which will allow for public comment from the surrounding residents.

Chairman Bazzano agreed with Mr. DeMallie about the need for taller office buildings which could create more revenue for the Town and agreed with Vice Chair Pacekonis' wording of dedicated public open space.

The Chairman closed the public hearing at 8:43 p.m.

- 3. Appl. 17-10P, KF Realty LLC** – Request for a zone change of 3.1 acres from RR to A-30 Residential Zoning; and request for a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval to create one new interior lot on property located on the northerly side of Smith Street, westerly of Wheeler Road

Mr. Walter Kebalo presented the request on behalf of his brother, Andy, and himself who have developed and built the condominiums of Wheeler Estates and Smith's Corner. A preliminary meeting was held with the Commission on February 14, 2017. The current RR zone allows for two lots, one front and one rear, and the requested A-30 zone does not change the number of lots but will allow: a rear lot access strip to provide for a driveway and utilities all within the right-of-way; any activities to be further away from the wetlands and outside the upland review area; less impervious coverage and better utility access; and for a good transition zone.

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Mr. Michael Healey from BSC Group of Glastonbury who had prepared the plans continued the presentation showing the two proposed lots on the site plan. One lot has an existing house which is proposed to be removed and replaced by a proposed house with a shared access and apron at Smith Road. The rear lot has a 25 foot access strip. Plans have been modified to move the house away from the side lot line and to add buffering and screening from the residential property. The design proposed is for a pressure pump system from the houses to a sanitary manhole to connect to an existing sewer line in the Smith Corner Condominium Association property and will require a small easement of Lot 2 over Lot 1. The original house lot was created in 1948 prior to subdivision regulations.

Director of Planning Michele Lipe gave staff comments:

1. Request for a zone change of 3.1 acres from RR to A-30 Residential Zoning; and request for a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval to create one new interior lot on property located on the northerly side of Smith Street, westerly of Wheeler Road. There is an existing house the applicant is proposing to remove and replace with a new house.
2. The zone change request from RR to A-30 would not increase the number of lots; however it does change the dimensional requirements of the lots allowing the applicant to move the house closer to Smith Street. The property is currently surrounded by residential zoning with A-20 zoning to the west as well as a Senior Residence Development. RR zoning is to the west of the property along Smith Street. The PZC did approve an interior lot including a frontage lot further down Smith Street a few years ago.
3. The requirements for the interior lot in the A-30 zone include 60,000 sf minimum lot size and 225 feet minimum lot width. The proposed interior lot would be over 2 acres and approximately 302 feet in width. The remaining lot with the existing house would be just over .75 acres. It appears that all other zoning requirements have been met.
4. The criteria for approval of interior lots include:
 - a. the subject area's boundary configurations, topography, soils or other natural resource characteristics;
 - b. proximity to neighboring properties and dwelling units;
 - c. restriction of existing views;
 - d. proposed buffering/screening;
 - e. potential drainage, traffic & environmental impacts;
 - f. driveway locations, slopes & sight lines;
 - g. utility service capabilities;
 - h. property value impacts; and
 - i. future land use alternatives.
5. There is a shared access point along Smith Street that will service the interior lot and the existing house lot. Both driveways will include a turn-around driveway. The Fire Marshal has reviewed the proposed lot and is satisfied with the driveway layout.
6. The interior lot will be serviced by a public sewers and public water. WPCA approval is required for the new sewer connections.

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7. There are regulated wetlands on the existing parcel in the northern portion of the site; however the applicant is not proposing any disturbance with the 80 foot upland review area.
8. The existing site is a wooded site and all of the trees in the developable area are proposed to be removed. The applicant is proposing some new evergreen plantings along the property boundary to provide screening between the existing houses on Wheeler Road and the proposed interior lot.
9. We have asked the applicant to explore normalizing the lot by eliminating the strip to the west of the existing house lot.
10. We do note that in the event the applicant wants to relocate either the drive or the house for the interior lot in the future, a modification would need to be approved by this Commission since this is a Special Exception use.

If this application is approved, the Planning Department requests that the proposed house lot on the interior lot be shown within the 90 X 90 buildable square area.

Town Engineer Jeff Doolittle gave staff comments:

Most engineering comments have been addressed but to clarify there is no sewer in this section of Smith Street. The only way to sewer this property is through the back of the development known as Smith's Corners.

Labels on the final plan for the rear lot # 1 are requested to make clear that the property will have to be serviced by an individual sewer pump system and that the driveway for that lot should be labeled 12 feet wide for fire access.

Chairman Bazzano asked for public comment in favor of the application.

Ms. Roberta Gowing, abutting property owner at 601 Kebalo Lane, stated she had concern for the wetland area behind the property when the lot was cleared of trees and shrubs last summer. She described the wild life of the area and concern for the loss of habitat. Ms. Gowing then spoke in favor of their proposal which has moved the house toward Smith Street away from the natural wetland area as a good solution to give more room to the wetland area.

Chairman Bazzano asked for public comment in opposition to the application.

Mr. Scott Antosik, abutting property owner at 216 Smith Street, spoke in opposition to the application on behalf of his wife, Beverly Antosik, and himself indicating the new house will impact their property and its value, their privacy, and quality of life dramatically if built. 216 Smith Street is surrounded by 198 Smith Street. The eastern portion of 198 Smith Street, a 25 foot strip of land that abuts 216 Smith Street, is part of their front yard with they have been maintaining openly for the last twenty years. The current owner of 198 Smith Street took possession of that property within the last two years. Mr. Antosik noted Smith Street, from Wheeler Road east, is a rural oasis and encouraged the Commission to reject the application so that one single family residence is allowed on the property.

Chairman Bazzano asked for comments from commissioners.

Vice Chairman Pacekonis asked Mr. Kebalo if the strip of land that abuts the 216 Smith Street property could be deeded. Mr. Kebalo stated they do not have a problem with deeding that property to another abutting land owner. Mr. Antosik described his property as rural and beautiful with a lot of wildlife and cannot imagine a house placed directly behind his. The Vice Chair voiced empathy but stated people have a

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right to development their land and asked Mr. Antosik if the applicant was willing to deed the strip of land to him could it make it more palatable. Mr. Antosik indicated it might and that he would like to see a final plan. The Vice Chair estimated the new house would be 150' away from Mr. Antosik's house and would like to see the strip of land settle the issue.

Commissioner Parrott asked if the wetlands at the rear of the property abut the back of the new Evergreen Walk apartments. Director Lipe confirmed it was the same.

Chairman Bazzano made a general comment that we are all products of development and everyone has the right to develop their land according to regulations.

Commissioner Greer asked how much woods would remain between the new house and the abutting neighbor. Mr. Kebalo indicated they have no intention to remove the vegetation between the two homes and would be leaving as much as they possibly can. It is a low spot so anything that is already mature will benefit to block the view between the two homes. Director Lipe stated there may be some opportunity for some evergreen planting in the corner to supplement the tree lines.

Ms. Rita Graicerstein of 602 Kebalo Lane stated many trees that back up to her condo have already been removed creating a large open space and asked if evergreens could be planted to restore privacy. Mr. Healey indicated where her building is located and noted the applicant does not own the property behind hers. Mr. Kebalo showed the limit of disturbance on their plan which does not affect the properties to the north. Seven arborvitae trees are proposed to be planted where the clearing is proposed to take place.

The Chairman closed the public hearing at 9:16 p.m.

REGULAR MEETING / MADDEN ROOM

CALL TO ORDER: Chairman Bazzano opened the Regular Meeting at 9:22 p.m.

PUBLIC PARTICIPATION:

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

1. **Appl. 17-01P, PMM Enterprises LLC dba Empire Auto** - request for a Special Exception to Table 4.1.1A to allow for wholesale/internet sales of vehicles and site plan approval, on property located at 280 Sullivan Avenue, I zone

Director of Planning Lipe distributed revised comments dated April 24, 2017 received from Mr. Jay Ussery of J.R. Russo and Associates to commissioners and described the changes made to the plan:

1. On the revised plan the parking spaces are color coded.
2. An additional 2% of the paved parking area will be removed along the easterly side of the lot.
3. The inventory spaces against the building have been removed to allow for the installation of a 13 foot wide landscape bed along the front of the building.
4. The sign has been revised to read 'Empire Auto Wholesalers'

Director Lipe continued:

An approval condition was offered by Mr. Ussery that there will be no signage or banners on the cars.

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It was represented that the lighting at the rear of the building will be full cut-off lighting.

A question was raised about how many cars can be stored at the next door Boardwalk Auto Sales. Their application from 2006 represented 300 to 500 cars could be stored.

This is a request for 24 wholesale spots for cars so this number should be noted in the special exception approval for 24 cars to be wholesaled on the lot.

General repairs done on the lot would be restricted to the cars coming to the lot to be wholesaled.

DMV licensing would now go through the Zoning Board of Appeals.

Town Engineer Jeff Doolittle had no additional staff comments.

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

This approval is to up to 24 vehicles for wholesale/internet sales.

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. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
4. The building street number must be included on the final plan.
5. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
6. All free standing signs and/or building signs require the issuance of a sign permit before they are erected. No signage or banners are allowed on the vehicles to advertise vehicles for sale.
7. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority. Documentation and permits for all previous sewer connections to the buildings must be filed.
8. A landscape and stormwater bond in the amount of \$10,000 is required and the work must be completed prior to any inventory being stored on site. An as-built plan is required of all completed improvements.
9. All bonds must be in one of the forms described in the enclosed Bond Policy.
10. Engineering comments dated 4/24/17 must be incorporated into the final plans.
11. This facility is not open to the public for general repairs of vehicles- only servicing of vehicles related to the wholesaling operations.
12. The outdoor lighting on the rear of the building is required to be full cut-off lighting in compliance with the zoning regulations.
13. The applicant must obtain the appropriate approval for a DMV license from the South Windsor Zoning Board of Appeals.

Chairman Bazzano seconded the motion.

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Motion passed 4 in favor and 3 against. Roll call vote was taken. Commissioners Bonzani, Dexter, Kuehnel, and Bazzano voting for and Commissioners Foley, Pacekonis, and Greer voting against.

- 2. Appl. 17-04P, Toll Land XVIII Limited Partnership, an affiliate of Toll Brothers, Inc. –** request for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision (including 12 conventional lots in A-20 zone) of 46.46 acres, to create a total of 45 building lots to be known as “The Estates at South Windsor”, on properties located at R022 and R024 Graham Road (with storm water discharge on Town land at L024 Graham Road and L005 Norma Road), RR and A-20 zones

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

1. This approval is for 45 lots, numbered 1 - 45.
2. Concrete sidewalks, built to Town specifications, shall be installed on one side of all new streets including the westerly side of Nevers Road. In the event the Town is able to acquire the necessary easements to install the sidewalk along the easterly side of Nevers Road in the general area of the subdivision by October 1, 2017, the developer shall install the sidewalk on the easterly side in lieu of the sidewalk on the westerly side of Nevers Road.
3. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
4. All lots shall be serviced by the Town of South Windsor sanitary sewer system and are subject to the approval of the Water Pollution Control Authority.
5. Water shall be supplied to this subdivision by CT Water.
6. Street lighting shall be installed on streets, at intersections, and on cul-de-sacs in accordance with the policy established by the Chief of Police. Street lighting is to be coordinated with the Chief of Police (copy enclosed).
7. Street names and locations of fire hydrants are subject to the approval of the Fire Marshal of the Town of South Windsor. Street names and supporting posts shall be installed by the developer in conformance with the standards of the Town of South Windsor, at no expense to the Town.
8. A liability insurance policy shall be submitted to this Commission naming the Town of South Windsor as an insured, with a combined single limit for bodily injury and/or property damage in the amount of \$1,000,000.
9. This application is subject to the conditions of approval of the Inland Wetlands Agency / Conservation Commission, including a bond in the amount of \$50,000 for erosion and sedimentation bond; a \$30,000 bond for installation and maintenance of stormwater controls; and a \$10,000 bond for the installation and maintenance of wetland plantings through three growing seasons after the initial installation of the plants.
10. Trees within the street trees easement and any other trees on land that are currently or will in the future become Town-owned land are to be planted in accordance with the Town’s Tree Planting Specifications.
11. Prior to commencement of any site work, a preconstruction meeting must be held with Town Staff.

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12. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
13. All easements for conservation purposes, drainage or utilities, that may be required in connection with the approval of this subdivision, must be submitted on standard Town easement form where appropriate, to this Commission prior to filing the mylars and issuance of building permits. All deeds for open space, public improvements and roadways must be submitted prior to request for Town acceptance; all deeds must be in accordance with the policy for accepting deeds and must be approved by the Engineering Department and Town Attorney.
14. Footing drains are required for each house. Prior to the building of any structure on a lot, a topographic map, drawn to a scale of 1" = 40', shall be submitted for each lot in the subdivision, showing proposed contours, elevations and the location of the footing drains. No building permits will be issued until the proposed contours, floor elevations and location of footing drains have been approved by the Town Engineer.
15. If, for any reason, finished grading and other individual lot site work is not completed, the Town Engineer shall determine the amount of a cash bond to ensure final grading and site work. This cash bond must be submitted prior to issuance of a Certificate of Occupancy.
16. Quantity estimates must be submitted to the Town Engineer (on the enclosed form) for the purpose of determining subdivision bonding. All bonds shall conform to the enclosed bond policy and shall be posted prior to filing the final plans in the Town Clerk's office.

If the developer chooses to submit a Letter of Credit for a one year term, said Letter of Credit must be renewed on a yearly basis until completion of the development. If a new Letter of Credit has not been received within 30 days before the expiration date, the Commission may, at its option, call the Letter it is holding.
17. No building permits will be issued until all modifications have been complied with, and the final plans have been filed in the Town Clerk's office.
18. A landscaping bond in the amount of \$10,000 shall be submitted to this Commission prior to the issuance of the first Certificate of Occupancy.
19. A drainage assessment fee in the amount of \$2,250 shall be submitted to this Commission.
20. The Town Engineer's review comments dated 4/25/17 must be incorporated in the final plans.
21. An easement table in tabular form shall be added to the final plans.
22. The ownership of the open space shall be clearly delineated on the final plans.
 - If the open space is to be owned by a homeowners association, the open space improvement plan showing the recreation trail shall be followed. The Homeowners Association must be established in accordance with the requirements of Section C.1.i of the Subdivision Regulations.
 - If the open space is to be owned by a quasi-public land agency and put into an agricultural use, the open space improvement plan showing the buffer trees along the house lots shall be followed.

Commissioner Kuehnel seconded the motion.

The motion carried and the vote was unanimous.

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- 3. Appl. 17-09P, Design Professionals, Inc.–** request for zoning text amendment to Industrial Zone Section 4.5.6 Building Height to reduce the distance required for building(s) 50 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary

Commissioners agreed to modify the first sentence of the zoning text amendment to Section 4.5.6 Building Height to read:

The maximum building height is 50 feet/4 stories for any building that is at least 350 feet from a public street right-of-way and from any residential zone boundary (excluding dedicated public open space), provided, however, that any portion of such building located within 350 feet of the public street right-of-way or any building located in its entirety within 350 feet of the public street right-of-way shall have a maximum height of 40 feet/2 stories.

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

1. The Planning and Zoning Commission finds that the zone text amendment in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone text change is May 7, 2017.

Commissioner Pacekonis seconded the motion.

The motion carried and the vote was unanimous.

- 4. Appl. 17-10P, KF Realty LLC –** Request for a zone change of 3.1 acres from RR to A-30 Residential Zoning; and request for a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval to create one new interior lot on property located on the northerly side of Smith Street, westerly of Wheeler Road

Commissioner Greer made a motion to approve the zone change with the following conditions:

1. The Planning and Zoning Commission finds that the zone change is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone change is May 7, 2017.
3. Within ninety days, 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.

Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

Director Lipe asked if the Commission would be looking for an approval condition for additional landscaping along the northwesterly boundary between the house and the interior lot. The Commission clarified it was noted in the public hearing the existing vegetation would remain in the area of the 150 feet.

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Vice Chairman Pacekonis made a motion to approve the special exception and site plan with the following conditions:

1. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.
2. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
3. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
4. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
5. The building street number must be included on the final plan.
6. All easements for conservation purposes, drainage or utilities, that may be required in connection with the approval of this lot, must be submitted on standard Town easement form where appropriate, to this Commission prior to filing the mylars and issuance of building permits.
7. Quantity estimates must be submitted to the Town Engineer (on the enclosed form) for the purpose of determining bonding for the interior lot. All bonds shall conform to the enclosed bond policy and shall be posted prior to filing the final plans in the Town Clerk's office.
8. Footing drains are required for the house. Prior to the building of any structure on a lot, a topographic map, drawn to a scale of 1" = 40', shall be submitted, showing proposed contours, elevations and the location of the footing drains. No building permit will be issued until the proposed contours, floor elevations and location of footing drains have been approved by the Town Engineer.
9. If, for any reason, finished grading and other site work is not completed, the Town Engineer shall determine the amount of a cash bond to ensure final grading and site work. This cash bond must be submitted prior to issuance of a Certificate of Occupancy.
10. The new house on the interior lot shall be located within the 90 X 90 buildable square.
11. The new house must be located as shown on the approved site plan since this is a Special Exception use. In the event the applicant wants to relocate either the drive or the house in the future, a modification would need to be approved by this Commission.
12. A landscape bond in the amount of \$2000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
13. A drainage assessment fee in the amount of \$50 is required for the new lot.

Commissioner Kuehnel seconded the motion.

Commissioner Greer stated he would like the strip of land deeded to the abutting neighbor as discussed in the public hearing. Director Lipe indicated a special exception approval can have special conditions to meet the criteria like preserving property values. The applicant represented in the public hearing he was willing to deed the strip of land and if the neighbor wants the land it can happen but is not obligated to take it. Chairman Bazzano asked if this would be an approval condition. The Commission agreed it would be by suggestion of the Commission.

The motion carried and the vote was unanimous.

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5. Discussion regarding proposed application fees

Director of Planning Lipe discussed current application fees with commissioners stating many fees are related to legal notice costs which run a minimum of \$300 per application. The Commission agreed to move forward to update fees for most applications and introduce nominal fees for services rendered without a charge. The goal is to incrementally begin to recoup the cost of applications which the Town has been subsidizing. Any proposed changes will be formulated as a text amendment and go through Town Council and to public hearing.

6. Discussion regarding proposed text changes for permitted uses in Commercial and Industrial zones regarding used car dealerships

Director of Planning Lipe distributed a draft of proposed text changes regarding car dealerships to allow them only in the General Commercial zone with a minimum of 150' of frontage and with a front yard setback to be a landscaped area before cars can be stored. The Commission agreed to move forward with the proposed text changes which will be sent to CRCOG for review and to set a date for a public hearing.

BONDS: Callings/Reductions/Settings

MINUTES: 4/18/17 approved by consensus.

APPLICATIONS OFFICIALLY RECEIVED:

OLD BUSINESS:

Appointment of CRCOG Regional Planning Commission representative and alternate will continue to be considered by the commissioners.

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

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

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary