

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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AUGUST 15, 2017

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

ALTERNATES PRESENT: 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.

Chairman Bazzano appointed Alternate Commissioner Flagg to be seated for Commissioner Foley and Alternate Commissioner Parrott to be seated for Commissioner Kuehnel.

Secretary Commissioner Dexter read the legal notice as it was published in the Journal Inquirer on Friday, August 4, 2017 and Thursday, August 10, 2017.

1. **Appl. 17-27P, Julie's Bark & Bubbles** - request for a Special Exception to Table 4.1.1A and site plan of development to operate a dog grooming/daycare facility, utilizing approx.1,400 sq ft of the existing facility, at 1678 Ellington Road, RC zone

Mr. Peter Lund and Mrs. Julie Turkington presented the request for their business which has been operating by Temporary and Conditional permits for the last nine years.

Director of Planning Michele Lipe gave staff comments:

1. Request for a Special Exception to Table 4.1.1A and site plan of development to operate a dog grooming facility, utilizing approximately 1,400 sq ft of the existing facility, at 1678 Ellington Road, RC zone. This request had been had previously via temporary and conditional permit for the past ten years.
2. The applicant's narratives summarized the activities on site and hours of operation. The doggie day care facility accommodating 10-15 dogs per day. The hours of operation for the daycare will be from 7 a.m. – 6 p.m. The hours of operation for the grooming services will 9 a.m.- 3 p.m. Monday through Friday.
3. The application is subject to the review criteria of Section 8.3
4. There is an outside fenced in area used for the dogs. There are no other improvements proposed at this time.
5. The State licenses the facility. Their requirements cover such items as floor covering materials, size of runs, water, lighting, ventilation, temperature, and sanitation. It is required that feces and other excreta be removed at least once a day and runs washed down with hot water and disinfectant cleaner. Excreta must be disposed of in a sanitary manner. The Town Sanitarian has reviewed this application and noted that if weekly dumpster pick-up is not sufficient to minimize potential odor and fly problems, additional pickups may be needed.
6. The animal waste and grooming waste will be disposed of periodically by a licensed refuse hauler.
7. If this application is approved, the planning department has no modifications to request. There are no engineering comments on the plan.

Town Engineer Jeff Doolittle had no staff comments.

Chairman Bazzano asked for public comment.

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

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Chairman Bazzano asked for comments from commissioners.

Commissioners had no comments or questions.

The Chairman closed the public hearing at 7:36 p.m.

- 2. Appl. 17-28P, RSK-Kellco, Inc.** – request for a Special Exception in Accordance with Appendix F and Site Plan of Development for a 14 unit development to be known as ‘Schoolhouse Drive’, on property located on the easterly side of Ellington Road, southerly of Northview Drive (755 Ellington Road and 760 Pleasant Valley Road), Designed Residence Zone

Mr. Ben Wheeler from Design Professionals, Inc. representing applicant RSK-Kellco, Inc. presented the request with Carol, Kathy, and Bruce Kelley. After an informal discussion with PZC in early 2016, they were approved for a zone change and general plan of development on June 14, 2016 and received approval from IWA/CC on July 19, 2017. The total property is made up of two parcels measuring 6.6 acres. A lot line modification is proposed to divide 760 Pleasant Valley Road into 1.1 acres for the existing single family home zoned Rural Residential and 5.5 acres to be incorporated into the new Design Residence Zone.

This site plan of development addresses approval conditions from the general plan for the storm drainage design, underground utilities, and additional landscaping in the rear yard setback. The sidewalk on Ellington Road will be 5’ wide and the sidewalk for the internal street is proposed for both sides of the street. The ownership will be governed by a homeowners association responsible for lawns, open space, driveways, sidewalks, and snow removal. The internal road, to be known as Schoolhouse Drive, will be a private road maintained by the association.

A waiver is requested to allow the units to contain up to 1,850 square feet of living space. Twenty percent of the units need to be designated as affordable which calculates into three affordable units to be dispersed throughout the development. A bus shelter will be provided along the north side of the street near Ellington Road.

The open space for the development was described as 8,400 square feet of developed open space required and four times that amount, over 31,000 square feet provided at the north end of the site with a walking trail through it. Additionally there will be open space at the east end of the site and at the southwest corner where the detention basin is located. The storm drainage report demonstrates post development peak flows will be reduced for 2, 10, 25, and 50 year storms.

Street lights are proposed along Schoolhouse Drive with locations to be coordinated with Eversource. ADRC favorably reviewed site plans, landscaping, and the proposed unit designs on July 20, 2017. Landscaping was described for the neighborhood, detention basin, and berm along Ellington Road. House styles range in size from 1,600 to 1,850 square feet to be determined by buyer preference and market conditions.

Revised plans have been submitted based on the Town Engineer’s written comments and the applicant will accept approval conditions for any additional verbal comments from Town Staff. Mr. Wheeler read highlights from an affordability plan that will be submitted for approval by Town Staff and Town Attorney and stated they will accept as a condition of approval that the final affordability plan will be submitted and approved prior to the issuance of the first building permit on site.

Director of Planning Lipe gave staff comments:

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1. Request for a Special Exception in Accordance with Appendix F and Site Plan of Development for a 14 unit development to be known as 'Schoolhouse Drive', on property located on the easterly side of Ellington Road, southerly of Northview Drive (755 Ellington Road and 760 Pleasant Valley Road), Designed Residence Zone
2. The PZC approved the zone change and general plan for this development in June of 2016. Subsequent to that, the DRZ regulation was removed from the current regulations and made an Appendix.
3. 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.
4. The proposal 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 submit an Affordability Plan Staff recommends a 40 year restriction to be consistent with the affordable housing statute. To date, we have not received an Affordability Plan for review and would recommend the hearing be held open to review such plan.

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5. Parking spaces required at 2.5 spaces per unit, or 35 spaces. The applicant has provided 35 spaces. 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.
6. The DRZ zone requires 600 sq ft of developed recreation area per unit (8,400 sf) or 3,600 square feet 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.
7. There is a small area of regulated wetlands on the property; the applicant did receive IWA/CC approval on July 17 with the recommendation of a \$20,000 bond to ensure proper placement and maintenance of erosion and sediment controls and a \$10,000 bond for the construction of the stormwater structures.
8. 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.
9. This will be a private road, built generally to town standards, with a four foot sidewalk on both sides of the new road, Schoolhouse Drive as required in the general plan. A five foot sidewalk is proposed along a small portion of the Ellington Road frontage.
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.
11. 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 1,850 sf.
12. The Architectural and Design Review Board has reviewed this applicant's proposed elevations on July 20th 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 requests that public hearing stay open to receive the Affordability Plan.

Town Engineer Doolittle gave staff comments stating most engineering comments have been addressed in the revised plans except the following:

1. Regarding the sidewalk along Ellington Road and sidewalk ramps crossing Schoolhouse Drive, Town Staff will want to approve their location in the field so that they meet all ADA requirements.
2. Schoolhouse Drive will be a private road not maintained by the Town. The sanitary sewers and storm water system will be maintained and owned by the homeowners association.
3. It is requested that Design Professionals continue to check for conflicts between the proposed sanitary sewer and water line. These services are located very close to each other and will be crossing each other in various points.

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4. The plans show basements without foundation drains and that sub-pumps will be installed in the basements as necessary. It is requested that it is shown on the plans where the sub-pumps will discharge presumptively to the ground outside each unit.
5. There is an existing catch basin on the property line of this property and 24 Northview Drive which the owner of that property was concerned about. It is a very old catch basin and there are no records but it appears to discharge onto this property. The applicant has agreed to replace it with a new catch basin because the old one is fairly well silted and not functioning well. It is requested a note is put on the plan to remove or fill in the top of the old catch basin so that it is no longer there or no longer an issue.
6. The revised plans show the driveways narrow down for many units at the street from 20' wide to 13' or 14' wide. It is suggested the driveways are left at 20' wide all the way out to the street. Most people want wider driveways and it will be difficult with some of the units close to the road to get two cars out of the narrow entrances of the driveways.
7. WPCA review and approval is needed for this project.

Chairman Bazzano asked for public comment.

Mr. Madhu Reddy, realtor and resident of South Windsor, spoke in favor of the application.

Mr. Steven Lozyniak of 24 Northview Drive voiced concern whether the existing catch basin abutting his property would remain functional and noted water accumulates during certain times of the year. Mr. Wheeler stated it would be left in place with a new catch basin being added in that area on the development property.

Chairman Bazzano asked for comments from commissioners.

Commissioner Flagg asked how many bedrooms are planned for each unit and effect on school enrollment. Mr. Wheeler answered 2, 3, or 4 bedrooms per unit and stated there has not been a school assessment study made for the 14 unit development but South Windsor enrollment projections for the foreseeable future show enrollment declining. Commissioner Flagg asked about the width of the internal road. Mr. Wheeler stated it will be 26' wide built to town standards.

Secretary Commissioner Dexter asked if land would be deeded to the School House for parking as mentioned in their informal discussion with PZC. Mr. Wheeler stated the developer will be working with the Historical Society and Town Staff to create a plan satisfactory to all. Director Lipe stated the current approved site plan for the School House which includes their parking is required to submit a site plan modification to meet zoning requirements for any changes to parking.

Vice Chairman Pacekonis asked about the affordability plan and how plans have been handled for previous developments. Director Lipe stated public hearings have been held open for submission of affordability plans or they were submitted at the time of application. The commissioner asked about the walking trail and open space requirements were discussed. Vice Chairman Pacekonis asked about sump pumps. Mr. Wheeler stated all units would have sub-pumps in their basements. Town Engineer Doolittle stated the storm drainage system is not deep enough to put gravity footing drains around the buildings. Mr. Wheeler stated the ground sits high on the east side which drains down onto the property. The grading and utility plans show catch basins and perforated storm pipes behind the units which tie into the brook at the southwest corner of the site. The sump pumps are being installed for safety and as a building code requirement since there will not be gravity footing drains.

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The Vice Chairman asked about the catch basin that the abutting Northview Drive neighbor spoke about. Mr. Wheeler stated the proposal is to leave the existing catch basin in place but back fill it with gravel in order to take it off line. A new catch basin is to be installed a few feet away which will tie into the development's new storm drain system and will serve the same purpose. Water in this area is draining from the north onto the site so there is no guarantee that water will not pond onto adjacent properties as it does now but the new catch basin will intercept any surface water the former one did when it was fully functional. That catch basin is not being removed so there is the least disturbance created to the area. It is located within an overgrown hedge on the property line and with the abutting property owner's permission they will fill it in with gravel.

Mr. Lozyniak stated he has reservations about taking that catch basin out of service and placing a new one onto their property which could result in the water building up on his property. The existing storm drain should be made functional and the potential of water building on his property not made worse. Right now there is a function to the catch basin but the situation will be made worse by adding the additional properties. Town Engineer Doolittle indicated the developer and the property owner of 24 Northview Drive would have to cooperate in order to replace the catch basin in the existing location on the property line. The basin is mostly filled in with silt at this point so it is taking water but not functioning as a new basin would. A new basin will function better than this one and could be replaced where it exists now if the two property owners agree and cooperate. Catch basins are the responsibility of property owners. Mr. Wheeler stated the one proposed to be installed would be on developer's property and the responsibility of the homeowners' association. Town Engineer Doolittle stated he will visit the site when it rains to review the plan.

Commissioner Bonzani noted this area on Ellington Road is very busy and dangerous for pedestrians and asked how far the sidewalk will run. Mr. Wheeler stated it would run 140' along their entire frontage on Ellington Road. The commissioner questioned whether the sight lines will be adequate coming out of Schoolhouse Drive with a 6' berm. Mr. Wheeler stated the berm will be set back from the property line and the sight lines are better than at Northview Drive.

Commissioner Parrott asked if the width of Schoolhouse Drive will be the same as in other affordable housing developments which do not appear adequate and asked if 'turn-arounds' could be added. Director Lipe noted one development that had 22' roads but this will be 26' wide to Town standards. Mr. Wheeler stated Schoolhouse Drive should be compared with other subdivisions that have town standard width roads of 26' and noted all driveways accommodate two cars in addition to their garages.

Mr. Doug Nation commented about a development he completed in Ellington which required sidewalks and how the development would have been better serviced if the sidewalks went to the Cumberland Farms in the area rather than installed throughout the development.

Vice Chairman Pacekonis made a motion to leave the public hearing open until the September 12, 2017 meeting for submission of the required Affordability Plan and to address the catch basin drainage component of the development.

Motion seconded by Commissioner Flagg.

Motion passed 6 in favor and 1 against. Commissioners Bazzano, Pacekonis, Dexter, Bonzani, Flagg, and Parrott voting for and Commissioner Greer voting against.

Director Lipe stated she would recommend the applicant go forward with WPCA applications in the meantime.

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3. **Appl. 17-30P, Nomad's Outdoor Aerial Park** – request for a two year temporary and conditional permit to operate a “Haunted Walk” and Corn Maze on property located at L008 Governor's Highway and 1049 John Fitch Boulevard (northerly side of Governor's Highway, westerly side of Route 5), I zone

Mr. Doug Nation of Nomad's Outdoor Adventures with Mr. Taylor Gilman, technical director of Nightmare Acres and licensed electrician and firefighter with the Town of Cromwell, presented the request.

Mr. Gilman distributed a narrative for 'Nightmare Acres 2017' to commissioners and stated they will be open the weekends of October on Fridays and Saturdays, 7 to 11 p.m. and the last Sunday in October, 7 to 10 p.m. They will be using timed ticketing in 30 minute slots to cut down on traffic and waiting time for customers with a cap of 2,000 people per night. Security and staff will be onsite with supervisors in every area. It takes about 30 minutes to go through the trail. There will be an emergency system and they have been working with the Fire Marshal. Mr. Gilman stated they are working under 4-11 of the International Building Code for Special Amusement Buildings and are required to have an automatic fire detection system but since they are less than 1,000 square feet they are exempt from a sprinkler system. Construction details and their emergency system were described.

Mr. Nation stated Nomads Outdoor Adventures has been open for 3 years and has existing LED lighting. They have overflow parking at the Dussion parking lot or the field at the bank if their parking lot is filled. A light tower will be illuminating the entire area and there will be crosswalk guards helping people to cross the street and noted traffic on the west side of Governors Highway is very limited. The outdoor ropes course will be closed the nights of this event. The Fire Marshal has requested no parking within 70' of the corn maze and to have a 10' high structure in the field to monitor the maze and walk. A meeting has been scheduled for Monday with the Building Official and Fire Marshal.

Director of Planning Michele Lipe gave staff comments:

1. Request for a two year temporary and conditional permit to operate a “Haunted Walk” and Corn Maze on property located at L008 Governor's Highway and 1049 John Fitch Boulevard (northerly side of Governor's Highway, westerly side of Route 5), I zone
2. The event will run from September 15th –through November 5th with the hours of operation for the corn maze 10 am to dusk and the haunted walk will run October weekends from 7 – 11 p.m. with the last ticket sold at 11 p.m.
3. Parking for the event will be onsite with overflow parking on the property directly across the street at 195 Governor's Highway. Portable lighting is proposed to be used and other measures include security parking attendant and crossing attendant. Police Services should be consulted regarding this crossing.
4. The Health Department indicated that any food served at the venue would require a temporary event application to be completed.
5. The wording of the T & C permit regulation is that, “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.

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6. I As work had already started, the Chief Building Official and Fire Marshal have been working with the applicant to make sure all fire safety codes are complied with and any building permit necessary is obtained. Fire Marshal has given me a memo with some suggested approval conditions.

If this application is approved, the planning department has no requested modifications.

Secretary Commissioner Dexter read the following letter from Fire Marshal Walter Summers into the record:

“The Nightmare Acres Project before the Planning Commission tonight is a project that will have a significant impact on local code officials. As this type of amusement is designed to intentionally confuse occupants, by visual and/or audio techniques, creates a situation where an apparent means of emergency egress will not be available. The CT Fire Safety Code has strict special requirements to guarantee our residents and children safety in an emergency. However, the operator of this project began construction of these amusement areas without local code official knowledge, plans, or permits. If this project is approved for a special use permit by the Planning Commission, I would recommend the following requirements:

1. Operator shall arrange a pre-construction meeting before commencing any further work.
2. Proper building plans and material specifications be submitted to the Fire Marshal and Building Department for review and possible permitting ASAP.
3. Prior to operation, the operator shall have a full function exhibit demonstration for approval.
4. Fire Department and Police Department site plan approval for emergency access and pedestrian access.
5. Corn maze shall meet the CT Fire Prevention Code prior to opening.

Because of the short time frame, budgetary reductions, and the request for services that this amusement will create, the owner and operator should have reached out to the Town at a much earlier date.

Thank you, Walter Summers, Fire Marshal Town of South Windsor”

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.

Chairman Bazzano asked for comments from commissioners.

Commissioner Parrott asked if there will be an age requirement for parental accompaniment. Mr. Gilman stated they will require I.D. verification for those 14 and younger to be accompanied by a legal guardian.

Commissioner Bonzani noted the number of 2,000 people per night attending the event and recommended hiring the South Windsor police to be on site. Mr. Gilman noted other events he worked with much higher numbers of attendees and never had issues. Mr. Nation stated he is not opposed to having police presence for limited hours during full capacity.

Vice Chairman Pacekonis asked about hours of operation of 4 hours per night. Mr. Gilman clarified that hours of 7 to 11 p.m. are for ticket sales and estimated generators should be turned off and noise should stop around 11:45 p.m. Mr. Nation stated he does not want to disrupt anyone on Main Street but they are located within a sand pit with a buffer zone which will damper sound. If there are complaints they will have noise meters to monitor levels. Mr. Gilman compared other outdoor haunted house events in Bristol and

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Wallingford where the last tickets are sold at 11 p.m. with sound effects turned off at 12:30 a.m. Mr. Nation showed locations on a map of the corn maze, watch tower, and parking. Vice Chairman Pacekonis asked if there can be a painted crosswalk on Governors Highway and an approval condition addressing the Fire Marshal's concerns and voiced a preference for ticket sales between the hours of 6 – 10 p.m. Mr. Nation stated they will operate under the same pretense for noise concerns as those for Revolutions or Nomads.

Commissioner Flagg verified which days the event would take place and asked if the corn maze would also be open during the day. Mr. Nation stated the corn maze would be open during regular fall hours for Nomads Outdoor Adventures opening at 10 a.m. and monitored by the 10' watch tower. The caution fencing will be 65' off of Route 5 and will be monitored. At night the haunted walkways will be illuminated by LED color lighting and in an emergency there will be emergency lighting for people to exit. Commissioner Flagg asked about exit signs which Mr. Gilman described.

Chairman Bazzano stated he is a fan of haunted walks and discussed the event, security, and emergency operations with Mr. Nation and Mr. Gilman. It was noted there will be a preconstruction meeting to meet with Town Staff members next week.

Commissioner Greer asked about the generators which Mr. Gilman described.

The Chairman closed the public hearing at 9:18 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: Chairman Bazzano opened the Regular Meeting at 9:24 p.m.

PUBLIC PARTICIPATION: none

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

Vice Chairman Pacekonis made a motion to change the agenda's order by taking Item #8 before Item #2.

Secretary Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

- 1. Appl. 17-23P, Evergreen Run Site Plan Modification** - request for site plan modification for a parking lot expansion, on property located at 70 Buckland Road, Buckland Gateway Development zone

Mr. Ben Wheeler of Design Professionals, Inc. representing applicant Northeast Retail presented the request. The original site plan was approved in 2005 with an approved change order in 2009 to add parking, some of which was not completed at that time. The site is short on parking which will be addressed with this request and will also facilitate access management to the property to the north should development take place. IWA/CC approval was granted for the project on July 19, 2017. A proposed easement was shown on the plans to be given to the property owner to the north to give them the rights to pass to and from the area. There is a retaining wall along the east side of the entrance drive because the grading drops off to the north significantly. A new retaining wall is proposed to be rerouted along the east and north sides of the parking area. The height of that wall has been reduced to facilitate access to the property to the north. A catch basin and infiltrator units have been added. The existing light pole has been relocated.

Director of Planning Michele Lipe gave staff comments:

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1. Request for site plan approval to add additional parking at for the retail buildings at 70-90 Buckland Road, Buckland Gateway Development zone.
2. The provisions of access management apply to this site and the original development complied by having the driveway connect to the Lowe's driveway rather than to Buckland Road, and by making provisions for a future interconnection with the abutting property to the north. With this proposal, the applicant is maintaining the original approved grades for this interconnection.
3. When this site was originally approved the parking requirement for this site is 112 spaces, 135 spaces have been provided with this new layout.
4. There are regulated wetlands on this site. The IWA/CC approved this application on Wednesday, Jul 19 with the following approval conditions: a bond for installation and maintenance of erosion controls of \$5,000 and a bond for the construction of the stormwater system of an additional \$5,000.
5. If this application is approved, the Planning Department has no additional requested modifications

Town Engineer Jeff Doolittle gave staff comments by thanking Mr. Wheeler for working with Town Staff to reduce the height of the retaining wall making more feasible to connect to the property to the north in the future and creating a good solution for the storm water issue for the existing wetlands.

Chairman Bazzano asked for comments from commissioners.

Vice Chairman Pacekonis stated it is an improved plan for a challenging site.

Commissioner Parrott asked if the new parking will be for employees so that customers can park closer to the store. Mr. Wheeler described previous plan for an employee parking area but this plan will be open to everyone's use.

Commissioner Parrott 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. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$5,000 for erosion and sedimentation control and \$5,000 for stormwater structures.
3. All bonds must be in one of the forms described in the enclosed Bond Policy.
4. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
5. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
6. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
7. If a State Traffic Commission certificate is required, no building permits will be issued until the certificate has been issued (per CGS §14-311).
8. At such time as a site plan is approved for the property to the immediate north, an interconnection shall be constructed in the area shown on the subject site plan OR as agreed by the two property owners and further approved by the Planning and Zoning Commission. Failure to construct the site

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interconnection shall be construed as a zoning violation and shall be pursued via the remedies available to the Town of zoning violations.

Vice Chairman Pacekonis seconded the motion.

The motion carried and the vote was unanimous.

2. Discussion regarding draft regulations - Bicycle Pedestrian

Director of Planning Lipe referenced the draft zoning regulation for Bicycle Pedestrian previously distributed to the commissioners in their meeting packets.

Ms. Ginny Hole and another member of the South Windsor Walk and Wheel Ways Committee made favorable comments about the new text.

Commissioners directed Director Lipe to send the draft to CRCOG for review in order to be placed on a future agenda for approval.

3. Preliminary discussion regarding zoning interpretation for a new development at L005 (140) Troy Road (see attached correspondence)

Mr. Mike Switzer, owner of the property and Mr. Luke McCoy, landscape architect with Kaestle Boos Associates, Inc. of New Britain described a proposed relocation of the offices of MK Construction Inc. to L005 Troy Road aka 140 Troy Road. The property is zoned General Commercial which allows general offices but not general contractors as a permitted use. This property would not be used as a storage yard for commercial equipment. A zone change to Industrial is being considered which would allow for a general contractor. Maps were shown of each zone option and layout of the building.

Director of Planning Lipe stated the bulk of the operations being shown on the floor plan is not office use but rather space for vehicles so a zone change to Industrial is being suggested. The site location was discussed.

Commissioners reached consensus for the applicant to move forward with a zone change and site plan which could be applied for concurrently.

4. Appl. 17-27P, Julie's Bark & Bubbles - request for a Special Exception to Table 4.1.1A and site plan of development to operate a dog grooming/daycare facility, utilizing approx.1,400 sq ft of the existing facility, at 1678 Ellington Road, RC zone

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

1. The building street number must be included on the final plan.
2. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
3. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
4. If the weekly dumpster pickup is not sufficient to minimize potential odor and fly problems, additional pickups may be need subject to the Town Sanitarian.
5. The hours of operation are as follows:

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- Daycare - Monday-Friday 7 a.m. – 6 p.m.
- Grooming – Monday-Friday 9 a.m. – 3 p.m., Saturday 9 a.m. - 12 p.m.
- 6. Special Exception form to go on file

Vice Chairman Pacekonis seconded the motion.

The motion carried and the vote was unanimous.

- 5. **Appl. 17-28P, RSK-Kellco, Inc.** – request for a Special Exception in Accordance with Appendix F and Site Plan of Development for a 14 unit development to be known as ‘Schoolhouse Drive’, on property located on the easterly side of Ellington Road, southerly of Northview Drive (755 Ellington Road and 760 Pleasant Valley Road), Designed Residence Zone

No action taken. Public hearing kept open until September 12, 2017.

- 6. **Appl. 17-30P, Nomad’s Outdoor Aerial Park** – request for a two year temporary and conditional permit to operate a “Haunted Walk” and Corn Maze on property located at L008 Governor’s Highway and 1049 John Fitch Boulevard (northerly side of Governor’s Highway, westerly side of Route 5), I zone

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

1. The Temporary and Condition permit for the Haunted Walk and Corn Maze will expire on August 15, 2019 (2 years max).
2. Adequate night time lighting shall be added to ensure patron safety. When off-site parking is being utilized, security personnel must be present to cross patrons. This crossing location on Governor’s Highway must be coordinated with the Traffic Division within Police Services. A painted crosswalk is strongly suggested and shall be installed and maintained by the applicant.
3. Operator shall arrange a pre-construction meeting before commencing any further work.
4. Proper building plans and material specifications must be submitted to the Fire Marshal and Building Department for review and possible permitting ASAP.
5. Prior to operation, the operator shall have a full function exhibit demonstration for approval by the Fire Marshal.
6. Fire Department and Police Department site plan approval for emergency access and pedestrian access must be obtained prior to opening.
7. Corn maze shall meet the CT Fire Prevention Code prior to opening.
8. A certificate of zoning compliance must be obtained prior to the opening of the attractions.
9. 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.
10. The applicant shall monitor noise levels to ensure that the noise ordinance is complied with.
11. Dates for any 2018 events should be submitted to the Planning Department for review.

Commissioner Bonzani seconded the motion.

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The motion carried and the vote was unanimous.

Commissioner Bonzani made a motion to go past 10 p.m.

Motion seconded by Secretary Commissioner Dexter.

The motion carried and the vote was unanimous.

7. Discussion regarding new statutes related to permitting of Temporary Health Structures

Director of Planning Lipe described accessory units called temporary health structures now allowed in single-family zones unless a municipality opts out of the State statute.

Commissioners discussed the structures and reached consensus to monitor how the structures may affect the community.

8. Discussion regarding changes to CGS 8-30G Affordable Housing

Director Lipe stated the changes made do not affect South Windsor because it is not a community with over 20,000 housing units or small enough to take advantage of a reduction. South Windsor will be in a position to apply for a four year moratorium with the addition of the new apartments at Berry Patch when certificates of occupancy are issued.

The Town is required to produce a Housing Plan to address how the town's plan for creating affordable housing.

BONDS: Callings/Reductions/Settings

Subdivision Bond

Engineering recommends a bond set in the amount of \$1,649,500 for public improvements associated with Appl. 17-04P, Estates at South Windsor (Toll Brothers) for Phase I.

Vice Chairman Pacekonis made a motion to set the above mentioned bond. Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

Landscaping Bonds

1. Appl. 15-62P, Evergreen Walk Tenant Pad 500E (Panera Bread), 151 Buckland Road in the amount of \$5,000 to be reduced by \$4,000 to leave a balance of \$1,000.

Vice Chairman Pacekonis made a motion to reduce the above mentioned bond. Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

IWA/CC Bonds

2. Appl. 15-42P, CT Valley Brewery, 765 Sullivan Avenue, E&S Bond in the amount of \$5,000 to be reduced by \$5,000 to leave a balance of -0-.

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3. Appl. 15-42P, CT Valley Brewery, 765 Sullivan Avenue, Stormwater Bond in the amount of \$5,000 to be reduced by \$3,000 to leave a balance of \$2,000.

Vice Chairman Pacekonis made a motion to reduce the above mentioned bonds. Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

MINUTES: 7/11/17 approved by consensus.

OLD BUSINESS:

Revised copies of the zoning regulations and subdivision regulations were distributed to commissioners.

APPLICATIONS OFFICIALLY RECEIVED:

1. Appl. 17-29P, Robert Maffucci dba Vito's Restaurant "Weddings on the Farm" – request for a two year temporary and conditional permit to hold up to six (6) wedding events between June and October, on property located at 653 and 677 Rye Street and 5 Saxton Lane East Windsor, RR zone
2. Appl. 17-30P, Nomad's Outdoor Aerial Park – request for a two year temporary and conditional permit to operate a "Haunted Walk" and Corn Maze on property located at L008 Governor's Highway and 1049 John Fitch Boulevard (northerly side of Governor's Highway, westerly side of Route 5), I zone

CORRESPONDENCE / REPORTS:

Director Lipe read a letter from Mr. Nathan Johnson of The Bike Shop requesting to operate their business at 199 Strong Road. Commissioners asked questions and discussed whether or not the request would be a permitted use in the Industrial zone.

Mr. Johnson stated proximity to Main Street is an advantage to them because it is a well used bicycle route. Their business has been at the Five Corners for the last 6 years and started out with 75% of the business in sales and now it is 50% sales and 50% repair. Director Lipe emphasized the need for the use to fit the regulations for the zone and noted a personal service shop and retail sales are not Industrial uses though equipment sales and service are allowed in the Industrial zone by special exception. Vice Chairman Pacekonis indicated allowing bicycle sales and repair was stretching the intent of the regulation and that it was meant more for industrial or farm equipment. Though sympathetic to their needs, the Vice Chairman voiced support for keeping Industrial zones for Industrial uses and asked if they had considered other areas.

Chairman Bazzano thought it could fit based on the services offered but not for a lot of retail sales. Commissioners Flagg and Pacekonis voiced concern opening the door to a type of business which would be allowed anywhere in the Industrial zone. Commissioner Parrott indicated she thought it met the definition of equipment sales and service. Director Lipe clarified the current Industrial regulation that allow sales as an accessory use states "Sales should be incidental to services offered meaning sales made can be no more than 6 times a year or in 20% of the area allowed." Another option could be a text amendment to the regulations to add a use to the regulations by special exception permit.

Secretary Commissioner Dexter made a motion to permit an application to be filed as a similar use to Equipment Repairs under Section 4.1.1A by special exception for the use.

Motion seconded by Commissioner Parrott.

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Motion passed 6 in favor and 1 against. Commissioners Bazzano, Dexter, Bonzani, Greer, Flagg, and Parrott voting for and Vice Chairman Pacekonis voting against.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 10:50 p.m. was made by Commissioner Flagg

Seconded by Commissioner Greer

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo

Recording Secretary