

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-1-

SEPTEMBER 12, 2017

MEMBERS PRESENT: Bart Pacekonis, Stephanie Dexter, Elizabeth Kuehnel, Kevin Foley, Kevin Greer

ALTERNATES PRESENT: Bill Flagg, Teri Parrott

STAFF PRESENT: Jeffrey Folger, Senior Environmental Planner; Jeff Doolittle, Town Engineer; Lauren Zarambo, Recording Secretary

PUBLIC HEARING / COUNCIL CHAMBERS

CALL TO ORDER: Acting Chairman Pacekonis called the Public Hearing to order at 7:32 p.m.

Secretary Commissioner Dexter read the legal notice as it was published in the Journal Inquirer on Thursday, August 31, 2017 and Thursday, September 7, 2017.

Acting Chairman Pacekonis appointed Alternate Commissioner Parrott to be seated for Commissioner Bonzani.

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 four (4) wedding and/or corporate events between June and October, on property located at 653 and 677 Rye Street and 5 Saxton Lane East Windsor, RR zone

Mr. Robert Maffucci, Main Street resident and owner/chef of Vito's Restaurant Group & Weddings on the Farm CT presented the request with a power point presentation. The farm has been in their family since 1948 and Vito's Restaurant has been operating since 1978. They are fully licensed caterers and have been doing events throughout the state for years and would now like to offer outdoor weddings and events on their farm where his sister, Carol and husband reside growing flowers and produce for their farm stand and the restaurants. His daughter, Ally Brown is the event coordinator.

Their idea is to do a few events throughout the season done on a minimal scale, temporary in nature, not to interfere with the landscape, and being mindful of the neighboring properties concerning noise and traffic abiding by all town policies and ordinances.

Saxton Lane will be designated as the entrance. Ceremonies would be held at 653 Rye Street. Tent structures locally rented would be erected the day of the event and taken down the day after according to all fire compliant regulations.

The event season would run from May to October with a limit of four events per year. The food is sourced at their restaurants and brought in hot to be served buffet style. Restroom trailers which are lit, heated or air-conditioned are brought in for the weekend or day. Parking was described for 75 vehicles. Larger events would use motor coaches to bring guests in to limit excessive cars and traffic. A few family events and farm dinners for the Woods Memorial Library and the Hartford Arts Council have taken place so far.

Senior Environmental Planner Jeff Folger gave staff comments:

1. Request for a two year temporary and conditional permit to hold up to four (4) wedding and/or corporate events between June and October, on property located at 653 and 677 Rye Street and 5 Saxton Lane East Windsor, RR zone
2. The events would take place on weekends – Friday through Sunday and would be held between 11 a.m. – 10 p.m. The Commission may want to limit the hours particularly for Sundays. The applicant would be responsible for complying with the town's noise ordinance.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-2-

SEPTEMBER 12, 2017

3. The applicant narrative requests a maximum of four (4) events a year with group sizes from 50-150; during the warmer months - June through October.
4. Food will be catered and tent and restroom facilities will be rented as needed for the event.
5. Parking for the event will be on-site. There is no on street parking. Staff had expressed concern with access from the existing residential drive on Rye Street. The applicant modified the plan and a temporary access is shown over the owner's land off of Saxton Lane to a gravel parking area south of an existing foundation on site. Both Police Services and the Fire Marshal have reviewed this plan and are satisfied with the proposal.
6. All health code requirements for a temporary event must be met. The applicant will be responsible for ensuring that all necessary permits are obtained and submitted to the Health Department and to coordinate an inspection if necessary. Building Department permits and Fire Marshal review are also required.
7. 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 two (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."

If this application is approved, the applicant should notify the 2018 dates with the Planning Department once determined.

Town Engineer Jeff Doolittle gave staff comments:

1. The plan needs to show the Town of South Windsor ROW for the east end of Saxton Lane and the current owner of the strip of land the proposed driveway will be crossing.
2. The driveway off Saxton Lane is a good idea. The driveway should only serve the properties at 677 and 653 Rye Street, but not Lot 1 Saxton Lane. It needs to have a curb cut and a 10 foot long paved apron. The rest can be gravel. A street cut permit is required from the Town of South Windsor for this new driveway.
3. The applicant will have to maintain the proposed gravel parking area. How will parking spaces be marked and there should be attendants to park cars.

Acting Chairman Pacekonis asked for public comment.

Ms. Nancy Gains of Windsor and public records clerk with the Town of South Windsor spoke in support of the application stating they have plans to have her daughter's upcoming wedding at this venue.

Ms. Nancy Yario, resident of 20 Andries Trail, spoke in support of Vito's By the Water restaurant.

Ms. Ann Kielbani (*sp?*) spoke in opposition to the application reading a letter into the record written by her parents, John and Irene Piechowski, who have lived directly across the street since 1957 at 684 Rye Street (Exhibit A). Ms. Keilbani stated some of their concerns have been addressed by the limitations of how many events can take place on the property but they still have concerns about changing their rural residential community by allowing a commercial party venue across the street from their home. She identified their property on a plan at the request of the Acting Chairman.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-3-

SEPTEMBER 12, 2017

Acting Chairman Pacekonis asked for comments from commissioners.

Commissioner Foley asked if permits and licensing were in place for serving alcohol on the premises. Mr. Maffucci indicated their catering liquor permit is used to notify the State Liquor Commission when off premise serving alcohol. Commissioner Foley asked about the Saxton Lane entrance and lot. Mr. Doolittle described the lot which could be developed with one house.

Secretary Commissioner Dexter asked Mr. Folger if the plans had been reviewed by the Fire Marshal and mentioned concerns over the lack of fire hydrants in the area. Mr. Folger stated the Fire Marshal approved the access drive onto Saxon Lane but did not indicate any concerns to staff. Mr. Maffucci explained events at the farm started with a backyard wedding for his daughter and now they want to offer their unique farm venue to the public. Commissioner Dexter asked if live music is offered at events which was described as mostly done by DJ or a jazz band. Events would be finished by 10 p.m. and speakers would face away from neighbors.

Commissioner Kuehnel asked about the use of shuttle services which typically would come from local hotels.

Alternate Commissioner Flagg asked about access to the swimming pool on site, dumpsters, and maximum number of guests, and lighting. Mr. Maffucci stated the pool is for the private residence with no access for public events. Trash is removed and brought back to their restaurant after all events. Commissioner Flagg noted an old foundation with rubble on it in the area of the parking and asked about safety features. Mr. Maffucci suggested using a snow type fence around the area but noted it was not in the area where events are held. Parking is available for 75 cars equating to 150 guests and the 40' x 60' tents have a capacity of 200 people. Lighting is rented by the guest for each event.

Acting Chairman Pacekonis asked how many events had taken place this year and if the four events per year would include sizable family events. Mr. Maffucci stated they have had zero events this year and the total number of four events annually would include family events. Events would take place from May 15 through October 15. Ms. Ally Brown clarified hours of events with 8 p.m. as the exit time on Sunday and that Friday or Saturday events would be winding down by 9:45 with the music off by 10 p.m. Speakers are facing the farmland away from the Rye Street with sound modified for less treble and bass. The Acting Chair asked about water. Ms. Brown stated restrooms come with their own water supply and bottled water is brought in for drinking and for their hand washing stations. No dishwashing is done on site. Mr. Maffucci stated they take away all garbage to their restaurant for disposal. The residence on site uses well water. Acting Chair Pacekonis asked if the applicant had spoken with their neighbors about holding these events. Ms. Brown stated they did the notification of abutting properties by mail but did not speak with any neighbors directly.

Commissioner Greer asked about the properties and access. Ms. Carol Maffucci who owns 677 Rye Street and 5 Saxon Lane with her husband Jonathan Bonds described the property's access along with Ms. Ally Brown who stated the sight lines of 677 Rye Street were not compliant because two lanes in both directions were not available. The open area of Saxton Lane was the preferred access area to put a driveway in to connect to the rear of the property near the barn.

The Acting Chair suggested cleaning up the foundation area that had rubble near the parking area. Commissioner Greer suggested making it an approval condition.

The Acting Chairman closed the public hearing at 8:26 p.m.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-4-

SEPTEMBER 12, 2017

- 2. Appl. 17-32P, Brin Accessory Apartment** – request for a Special Exception to Section 7.1.2 to create an 830 sq ft accessory apartment, on property located at 244 Smith Street, RR zone

Attorney Keith Yagaloff representing applicants Mr. and Mrs. Peter and Jennifer Brin presented the request describing the house built in 2009 on a rear lot and the history of the apartment which was built for Mrs. Brin's elderly father when they added an attached 3-car garage to the house with permits and inspections. At that time they did not know they needed separate approval for an accessory apartment. After Mrs. Brin's father passed on they rented the apartment and never had complaints from neighbors until this year.

The attorney noted the problems facing the applicants concern the criteria of approval for an accessory apartment that the main dwelling needs to be constructed prior to 1990 and that the apartment not exceed 700 sq ft. The apartment measures 830 sq ft and was described as having been built partially within the inner bay of the 3-car garage. The surrounding neighborhood was described to include the new apartments at Evergreen Walk located behind their property. Attorney Yagaloff noted case law CV910444620-S which concerns when a town grants a building permit they are supposed to get what they requested since the permit was granted with town approval.

Attorney Yagaloff referenced a letter from the Brin's neighbor with concerns about his driveway which had been damaged by vehicles running over their grass and bricks which had been installed along the driveway edge which the Brin's offered to have professionally reinstalled. The attorney noted an easement allowing for the driveway's shared use since 2011. Their neighbor also wrote about his concern that a multi-family home would affect property values. The Brin's did not receive complaints when the apartment was being used for their father and now are extraordinarily careful about who they allow to live in their home.

Senior Environmental Planner Folger gave staff comments:

1. Application for a special exception to article 7.1.2 to create an accessory apartment at property located at 244 Smith Street, RR zone. The applicant is proposing to utilize existing living space to create the accessory apartment.
2. There was an addition built in 2010 and the applicant has provided a layout which shows a kitchen, living room, and bath on the lower level. At the time of the addition, the zoning records indicated an addition for single family living space was permitted; however the building plans included an in-law apartment and it was used as such until recently.
3. When the zoning officer received a complaint of an in-law apartment turned into an accessory apartment, no zoning records for the in-law apartment were found. The applicant has made this application to resolve the matter.
4. The proposed apartment has a separate entrance through the garage and a sliding door off the living room area. There is an existing 12' x 12' deck attached. The applicant has the floor plan, pictures of the interior of the living space, and a picture of the outside of the house.
5. The criteria which must be met for an accessory apartment include:
 - ◆ the apartment can not exceed 700 sf or 40% of the combined gross floor area of both units, whichever is smaller,
 - ◆ the house has to be constructed prior to 1990,
 - ◆ the entire structure must maintain the appearance of a single family dwelling,

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-5-

SEPTEMBER 12, 2017

- ◆ off-street parking for at least 3 vehicles must be provided,
 - ◆ Not more than ten percent of the existing single family units within 1000 feet of the proposed accessory apartment contain existing accessory apartments,
 - ◆ The owner must occupy either the accessory apartment or the main dwelling unit,
 - ◆ Adequate water and sewage disposal must be provided.
6. This new house was originally constructed in 2004 and the apartment is proposed to be approximately 830 sq ft (eliminating the stairwell from the calculation). The applicant is requesting a waiver to both the size of the apartment as well as the year the house was built.
7. The Commission can waive any of the criteria above after considering the following:
- ◆ there will be minimal adverse impacts on existing uses in the area;
 - ◆ surrounding property values will be conserved and the character of the neighborhood will not be unduly disrupted; and
 - ◆ due consideration to preservation of historic factors has been demonstrated.
8. There are public water and septic system that service this addition. The Town Sanitarian signed off on the addition back in 2010.
9. The driveway is large enough to accommodate three cars as required.

If this application is approved, the applicant will be required to reaffirm every four years that the owner still lives in the dwelling or the apartment.

Town Engineer Doolittle had no staff comments.

Acting Chairman Pacekonis asked for public comment.

No one from the public spoke for the application.

Mr. Frank Parisi, abutting neighbor at 250 Smith Street, read one of two letters he submitted to the Commission expressing opposition to any approvals that would make the existing addition anything other than the in-law apartment it originally had received building permits for. Mr. Parisi indicated he is not in opposition to the in-law apartment but it appears there are 2 non-related parties renting in the home which has been recently remodeled with new appliances (Exhibit B).

Secretary Commissioner Dexter read a letter written in opposition into the record from Mr. Aaron Johnson resident of 236 Smith Street questioning the accuracy of the applicant's statements and plans after witnessing construction on their home last spring after which another tenant moved in. Concern was expressed about the negative impact a three family house would have on their neighborhood (Exhibit C).

Acting Chairman Pacekonis asked for comments from commissioners.

Commissioner Flagg asked for the total number of people presently living in the house. Mr. Peter Brin stated that he, his wife, son, and two adult females totaling 5 people live in the house. The two non-related adults live separately in the finished basement and apartment. Mr. Brin explained the previous tenant of the apartment, after becoming ill, moved into their finished basement rent free and they found another paying

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-6-

SEPTEMBER 12, 2017

tenant for the apartment. Attorney Yagaloff stated there has been no work done on the accessory unit or expansion of its footprint since it was approved.

Commissioner Flagg asked when the applicant became aware they needed to come before PZC for the apartment. Mr. Brin stated their neighbor filed a complaint and they received a letter from the Town in June. Attorney Yagaloff clarified prior to the complaint there had been no communications from the Town since they received the original building permits for the apartment for their father. Since his passing there is no use for an in-law apartment so this application is for an accessory unit. The attorney questioned the presumption that renters diminish the value of a neighborhood by their presence stating regulations do not regulate types of people but the space they inhabit and discussed how the apartment did not change the look of the single family home. Commissioner Flagg noted the difference between an in-law apartment inhabited by relatives and an accessory apartment rented for money.

Commissioner Kuehnel clarified that initially the applicant wanted an in-law apartment which once is no longer needed is to be restored back to the original condition of a single family home and now the request is for an accessory apartment. Attorney Yagaloff stated a resident with an in-law apartment can make application for an accessory apartment and described the history of the apartment and current tenant.

Secretary Commissioner Dexter noted if the application for an accessory apartment is approved it stays with the house going forward. Mr. Folger verified that an accessory apartment runs with the land where an in-law apartment does not.

Commissioner Foley voiced concern that the approval runs with the deed of the house.

Commissioner Parrott recalled when the regulations were written for accessory and in-law apartments. She confirmed that in-law apartments are meant to be temporary and designed to be converted back to be part of the house when no longer needed where accessory apartments are permanent and discussed with Attorney Yagaloff how planning and zoning approval was overlooked seven years ago.

Acting Chairman Pacekonis stated the application is for a special exception for an accessory apartment in order for the applicant to come into compliance with a waiver for the size of the apartment and the year the house was built. Mr. Folger verified there are no other accessory apartments within 1,000 feet. The Acting Chair asked if there was any proof that property values would be hurt. Mr. Aaron Johnson, abutting resident at 236 Smith Street, stated he spoke with a few realtors who had concerns regarding house values with what could be a three family house next door. He asked if there had been permits pulled for the construction done this spring for cabinetry and appliances even though there was no expansion of the footprint.

Pacekonis asked if there had been any permits pulled for recent construction. Attorney Yagaloff stated there was no construction or renovation work done but cabinets were put into the basement space for the original tenant who was ill. The Acting Chair asked if electrical work had been done and the attorney stated no electrical, construction, or plumbing work was done. Mr. Folger was asked if a building permit was needed to install cabinets who replied, to his knowledge, a permit was not needed for storage cabinets. The Acting Chair asked how many kitchens and bathrooms are in the house. Mrs. Brin stated the accessory unit has a full kitchen and their house has a full kitchen upstairs with four full bathrooms in the house, one of which is in the apartment.

Acting Chairman Pacekonis spoke about the damage to the neighboring property done to the driveway area on multiple occasions stating the easement for the driveway is in place with an agreement for its use and that it is equally important to have control over who is using your driveway and coming to your house.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-7-

SEPTEMBER 12, 2017

Commissioner Greer stated if a full bathroom and kitchen was added to the basement or apartment it would have required plumbing, electrical, and building permits. Mrs. Brin stated they received those permits when it was built in 2010 and has a certificate of occupancy.

The Chairman closed the public hearing at 9:26 p.m.

- 3. 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 (Continued from 8/15/17)

Mr. Ben Wheeler from Design Professionals, Inc. representing applicant RSK-Kellco, Inc. continued the presentation begun on August 15, 2017 addressing outstanding items. WPCA approval was received on September 5th. The Affordability Plan has been submitted and was reviewed by the Town Attorney who made revisions which the applicant’s attorney will now review. The abutter to the north at 24 Northview Drive who had expressed concern about drainage on his property has met with the applicant on site and the plans for the additional catch basin have been agreed upon as proposed. The home owner association will maintain the drain overtime.

Senior Environmental Planner Folger stated the Affordability Plan was received which the Director of Planning reviewed before it was sent to the Town Attorney who sent back recommendations for revisions which then were forwarded back to the applicant.

Town Engineer Doolittle stated the existing yard drain on the property line within an arborvitae hedge between the property and 24 Northview Drive was inspected by Town staff and Mr. Bruce Kelley. Mr. Kelley has proposed to put a new drain next to it on his property which will not disturb the existing hedge and allow the home owners’ association to maintain it. The existing structure is old and filled with sediment and will be abandoned and covered. The new drain will be at a slightly lower elevation and serve the same purpose of collecting water from that area and will be tied into the drainage system in the new road to be constructed.

Acting Chairman Pacekonis asked for public comment.

Mr. Steven Lozyniak of 24 Northview Drive spoke with concern about maintenance of the proposed storm drain and its maintenance over time.

Acting Chairman appointed Alternate Commissioner Flagg to be seated for Commissioner Kuehnel who was not present at the start of the public hearing on 8/15/17.

The Acting Chairman asked for comments from commissioners.

Commissioner Greer stated storm drains are home owners’ responsibilities and asked why the developer is involved. Mr. Wheeler stated their proposal is not to touch the existing drain which is located directly on the property line. The home owner had concerns about drainage and its functionality because of lack of maintenance over the years so a new catch basin inlet and additional pipe will be installed on the subject property to appease the concerns.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-8-

SEPTEMBER 12, 2017

Commissioner Flagg asked about fire hydrants one of which will be located at the intersection of Ellington Road and one within the development to be coordinated with MDC and the Fire Marshal's office and will be the responsibility of the home owners' association.

Acting Chair Pacekonis asked about the Affordability Plan and what will determine which units are affordable. Mr. Wheeler stated the Plan requires them to be dispersed throughout the development and be indistinguishable from the market rate units.

The Acting Chairman closed the public hearing at 9:40 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: Acting Chairman Pacekonis opened the Regular Meeting at 9:45 p.m.

PUBLIC PARTICIPATION:

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

- 1. CGS 8-24 Referral** from the Town Council for the Bark Park issues along with the installation of lights and water at the Dog Park at Nevers Road Park

Town Manager Matt Galligan presented a brief history of the Bark Park and a law suit which was brought against the Town by an abutting property's owners which was determined by jury not to be a private nuisance. The decision in favor of the Town resulted in the CGS 8-24 Referral from Town Council to the Planning & Zoning Commission concerning the installation of lights and water at the Bark Park.

Acting Chairman Pacekonis asked for comment from Town staff.

Town staff gave no comments.

The Acting Chairman asked for public comments to be received from the many residents who were in attendance. Mr. Galligan counseled that allowing public comment for the 8-24 Referral might be considered cause for further litigation and suggested speaking with the Town Attorney. Acting Chair Pacekonis read from the trial transcript and discussed with commissioners and Town Manager whether public input would be allowed for the referral. Attorney Keith Yagaloff commented.

Commissioner Kuehnel made a motion to send a favorable report for the Dog Park issues to Town Council. Commissioner Greer seconded the motion

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

Commissioner Kuehnel seconded the motion

The motion carried and the vote was unanimous.

Motion to send a favorable report to Town Council passed 4 in favor and 2 against. Commissioners Greer, Foley, Dexter, and Kuehnel voting for and Commissioners Parrott and Pacekonis voting against.

- 2. Discussion** with the Steve Wagner from the Energy Committee regarding proposed changes to the solar regulations

Mr. Steve Wagner requested to postpone the discussion to a future meeting because of the late hour.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-9-

SEPTEMBER 12, 2017

- 3. 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 four (4) wedding and/or corporate events between June and October, on property located at 653 and 677 Rye Street and 5 Saxton Lane East Windsor, RR zone

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

1. The Temporary and Condition permit for Weddings on the Farm will expire on September 12, 2019.
2. Maximum of four events per season (May 15 – October 15) and hours are limited to:
Friday and Saturday: 11 a.m. to 10 p.m. and Sunday: 11 a.m. to 8 p.m.
3. Parking shall be provided onsite and access for parking is from Saxton Drive as shown on plans submitted. Adequate night time lighting shall be added to ensure guests safety.
4. Permits for the tent must be submitted to the Fire Marshal and Building Department prior to each event.
5. Depending on the size of the events, coordination with Fire Department and Police Department site plan approval for emergency access.
6. If there are buildings, structures 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.
7. Engineering comments dated 8/22/17 must be incorporated into the final plans.
8. The applicant shall notify the Planning Department of each season's upcoming event dates.
9. Speakers must be aligned away from Rye Street.
10. Clean up debris on old foundation near the parking area prior to future events.

Commissioner Foley seconded the motion.

The motion carried and the vote was unanimous.

- 4. Appl. 17-32P, Brin Accessory Apartment** – request for a Special Exception to Section 7.1.2 to create an 830 sq ft accessory apartment, on property located at 244 Smith Street, RR zone

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

1. Owner(s) of the property must reside in the apartment or the main dwelling unit. Reaffirmation of occupancy by owner will be required every four years. This will be done via a letter from the Planning Department requesting the reaffirmation of occupancy.
2. The Building Department shall be consulted to ensure that the existing building meets the proper codes for a bedroom on the lower level.
3. Plans as submitted are to be verified as accurate with a site inspection.
4. Two waivers have been granted in accordance with Section 7.17 to allow for a house built later than 1990 with an accessory apartment; and to allow the apartment to be 840 square feet.

Commissioner Kuehnel seconded the motion.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES
2017

-10-

SEPTEMBER 12,

Motion passed 5 in favor and 1 against. Commissioners Foley, Dexter, Parrot, Kuehnel, and Pacekonis voting for and Commissioner Greer voting against.

- 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 (Continued from 8/15/17)

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

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.
3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$20,000 for erosion and sedimentation control and \$10,000 for the establishment for storm structures.
4. A landscape bond in the amount of \$10,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.
6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
7. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
8. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
9. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. If a certificate from the Office of State Traffic Authority is required, no building permits will be issued until the certificate has been issued (per CGS §14-311).
13. Engineering comments dated 8/8/17 must be incorporated into the final plans.
14. In accordance with Appendix F, Section 3.3.4, a waiver has been granted to allow a variety of house sizes allowing the construction of houses as large 1,850 sf. The affordable housing units must be representative of all home styles.
15. No site work will can commence until the final Affordability Plan for the three affordable units has been submitted and approved by the Town Attorney.
16. Storm drains are to be shown on the final plans.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES
2017

-11-

SEPTEMBER 12,

Commissioner Foley seconded the motion.

Mr. Folger stated there is a storm drainage maintenance plan in the site plan which covers future maintenance.

Secretary Commissioner Dexter asked if there would be further discussion with the applicant about parking for the Historic Society building. Town staff indicated they will be looking for a site plan modification for parking from the Historic Society.

The motion carried and the vote was unanimous.

BONDS: Callings/Reductions/Settings

IWA/CC Bond

1. Appl. 11-22P, Neary Interior Lot, 1576 Main Street in the amount of \$2,500 to be reduced by \$2,500 to leave a balance of -0-.

Commissioner Kuehnelt made a motion to reduce the above mentioned bond. Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

OLD BUSINESS:

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 17-32P, Brin Accessory Apartment** – request for a Special Exception to Section 7.2.1 to create an 830 sq ft accessory apartment, on property located at 244 Smith Street, RR zone
2. **Appl. 17-34P, Megan's Doughnuts LLC** – request for Minor Site Plan Modification 8.5.E for a wholesale doughnut operation on property located at 233 Sullivan Avenue, I zone
3. **Appl. 17-35P, Bikes & Boards LLC dba The Bike Shop** – request for a Special Exception to Section 4.7 and Site plan of Development for a bicycle sales and repair shop on property located at 100 Strong Road, I zone
4. **Appl. 17-36P, SRL Irish Dance Academy** – request for a Special Exception 4.1.1A to operate a dance studio, on property located at 400 Chapel Road, Suite 2H, I zone

CORRESPONDENCE / REPORTS:

Mr. Folger read a letter from Sushil Kumar, Sarita, and Vaishnab Nanda of 27 Stoughton Drive with a request to build an addition onto their home when they replace their crumbling foundation at 27 Stoughton Drive. Mr. Folger indicated Director of Planning Michele Lipe would research the best approach to address their request for the Commission to consider.

An email correspondence from Matthew Davis of 12 Manor Lane concerning 'Granny Pods' was distributed to commissioners to read.

MINUTES: Minutes of 8/15/17 were approved with a spelling correction by consensus.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 11:10 p.m. was made by Secretary Commissioner Dexter
Seconded by Commissioner Parrott

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES
2017

-12-

SEPTEMBER 12,

The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary