

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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OCTOBER 10, 2017

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

ALTERNATES PRESENT: Teri Parrott, Michael LeBlanc

STAFF PRESENT: Michele Lipe, Director of Planning; 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 7:30 p.m.

Secretary Commissioner Dexter read the legal notice as it was published in the Journal Inquirer on Thursday, September 28, 2017 and Thursday, October 5, 2017.

Acting Chairman Pacekonis appointed Alternate Commissioner LeBlanc to be seated for the vacancy of former Chairman Bazzano and Alternate Commissioner Parrott to be seated for Commissioner Bonzani.

- 1. 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 199 Strong Road, I zone

Mr. Nate Johnson, owner of The Bike Shop, and Mr. Clayton Kilbourn, managing partner of C & G Properties LLC and owner of 199 Strong Road, presented the request. Mr. Johnson stated their hours of operation will be Tuesday, Wednesday, Friday 10 a.m. to 6 p.m.; Thursday 10 a.m. to 7 p.m.; Saturday 10 a.m. to 5 p.m.; and in season, April through July, open Sunday 11 a.m. to 4 p.m. Mr. Kilbourn showed an exhibit board illustrating the present existing conditions of the site and town staff recommended changes. A revised site plan has been submitted with the changes. Mr. Johnson stated they will not be making interior changes to the building other than adding racks and half walls.

Director of Planning Michele Lipe gave staff comments:

1. Request for special exception and site plan approval for approval of a 2,400 sf equipment service and sales facility for “The Bike Shop”, located at 199 Strong Road, I zone. The Commission had previously determined that this type of use was similar to other special exception Industrial uses.
2. Lot size is 2.9 ac; minimum lot size allowed is 30,000 sf. Frontage is in excess of 870 feet; minimum allowed is 100 feet. Currently the building is setback 49 feet; 35 feet allowed.
3. Maximum impervious coverage allowed is 65% allowed; under 4% shown. The bulk of the property contains woodland and wetlands.
4. The special exception 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.

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- The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
- There will be minimal or no adverse effects on existing uses in the area.
- Surrounding property values will be conserved.
- The character of the neighborhood will be maintained or minimally disrupted.
- The general welfare of the community will be served.
- There is a balance between neighborhood acceptance and community needs.
- Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
- The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
- The architectural design is aesthetically pleasing and blends well into the surrounding area.

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

5. The applicant's narrative indicates proposed hours of operation are: Tuesday, Wednesday, and Friday 10 a.m. – 6 p.m.; Thursday and Saturday 10 a.m. – 6 p.m., closed Sundays and Mondays.
6. Currently there is no defined access into the site or parking area. The applicant proposes to define the driveway and establish parking in the front of the building as well utilizing space along the side and back area. Parking requirements based on uses (retail, office and warehouse) is 5 spaces; 6 spaces have been provided.
7. There are regulated wetlands; there is limited activity proposed is within the 80 foot upland review area with the creation of a water quality swale along the perimeter of the proposed graveled area. Staff is recommending a bond in the amount of \$2,000 to ensure compliance with the erosion and sediment control measures and installation and establishment of the water quality swale.
8. Along Strong Road, the applicant is proposing to add low ornamental plantings to delineate the curb cut opening. A bench and back rack are proposed on the five foot sidewalk to be added along the front of the building.
9. The building was recently painted and lighting includes wall paks on the building with cutoff fixtures that were recently added to the building. There is no other lighting information has been provided.
10. The zoning regulations permit both a 24 sf free standing sign and a building sign. The applicant's plan calls for a 15 sf building sign. A sign permit will be required.
11. There are public water and sewer available to the site. Water Pollution Control Authority approval is not required.
12. There is a dumpster shown behind the building on a concrete pad. The applicant is responsible for both trash and recycling of any commercial generated waste.
13. If this application is approved, the planning department has no additional modifications to request.

Town Engineer Jeff Doolittle gave staff comments:

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1. The applicant has been asked to better define the driveway opening and parking spaces which they have done. Most of the parking spaces have been located to the back of the building because the building is fairly close to the road.
2. Water quality swales have been added as a storm water treatment measure to the back and any storm water in the front will flow out to the street and westward.
3. All engineer concerns have been addressed by the applicant.

Acting Chairman Pacekonis asked for public comment.

Mr. Tim Kenefick, resident of 63 Rosemary Lane, spoke in favor of the application as a customer of the Bike Shop which provides valuable services to cyclists and the community and disclosed his son has worked for the shop for the last four summers.

Ms. Laura Peterson, resident of 10 Wedgewood Lane and 46 Kennedy Road, stated she and her husband have biked for years and spoke in favor of keeping The Bike Shop in South Windsor which has done a lot for the town through the Parks and Recreation Department.

Mr. Steve Wagner, resident of 181 Tumblebrook Drive, spoke in support of the application for a great and important business for South Windsor and for the 4th Grade Bike and Safety Program which he is involved. All of the bikes for the program were ordered through The Bike Shop which assembled them and does the annual maintenance and repairs.

Mr. Bob Dickinson, resident of 19 Birch Road, expressed his support for the business which he hopes will expand in the new location with more customers and bikes on the road.

No one from the public spoke in opposition.

Acting Chairman Pacekonis asked for comments from commissioners.

Commissioner Parrott confirmed with Director Lipe that the Special Exception runs with the property.

Commissioner Greer asked if the 3 acres of the property will be used for off road/mountain biking. Mr. Johnson stated they do not have a plan presently to use the acreage but they would consider it for the future.

Commissioner LeBlanc stated it is a great use for an existing property.

Acting Chairman Pacekonis stated it appears to be a good use for the property and noted a special exception limits a business to their hours as presented and asked if the applicant wanted to modify their hours since they will be in an industrial area. Mr. Johnson confirmed the hours presented are their typical hours but may extend their in-season Sunday hours.

The Acting Chairman closed the public hearing at 7:50 p.m.

2. Appl. 17-36P, SRL Irish Dance Academy – request for a Special Exception to Section 4.1.1A to operate a dance studio, on property located at 400 Chapel Road, Suite 2H, I zone

Ms. Courtney Jay, owner and director of SRL Irish Dance Academy, presented the request stating she came before the commission a year ago for their current location at 400 Chapel Road, Unit 1A, and are now proposing to move across the parking lot to Unit 2H to expand and upgrade their facility to match their larger school community. The operating hours are 4 to 9 p.m. Monday through Friday, which are off peak hours through the week, with Saturday hours 9 a.m. to 3 p.m., and occasional Sunday hours.

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Bissell Commons is an industrial condominium complex where most businesses operate 9 – 5 weekdays. The dance academy's most popular hours are 6 – 8 p.m. Ms. Jay stated she discussed with Director of Planning Lipe about placing a cap or restriction on the number of students during the hours which overlap the business day. Ms. Jay has also spoken with Chief Building Official Chris Dougan and confirmed they will address any code or ventilation issues for the unit after they receive approval from PZC. She also spoke with Fire Marshal Walter Summers who requested all exits to be illuminated at all times. The management of Bissell Commons is in support of their expansion.

Director of Planning Lipe gave staff comments:

1. Request for Special Exception under Section 7.13 of the zoning regulations to allow a dance studio in an existing building at Unit 2H, 400 Chapel Road, I zone. The dance studio will occupy the majority of the 4,700 sq ft. of the unit.
2. Special exception criteria for indoor recreational use 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.

An additional criteria for recreational uses in industrial zones is the demonstration that the area could easily be returned into industrial space.

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3. The applicant's narrative states classes are proposed to be held Monday – Friday from 4 p.m. – 9 p.m.; Saturday from 9 a.m. – 4 p.m. and occasion classes on Sunday. The current maximum class size is typically 12 to 16 students. In July and August there are “summer intensive weeks” for 2 – 3 weeks with hours from 9 a.m. – 8 p.m.
4. The applicant's floor plan shows two studios as well as office space, a parent/guardian waiting area, and storage areas. There is a garage bay area shown as vacant space and the applicant has indicated they may want to utilize it in the future.
5. The parking requirement for indoor recreational use is one space per 250 sq ft, plus additional spaces for office uses. The applicant has provided a letter from the management company outlining the parking availability for this unit (based on the building size) as 11 spaces between the regular work hours of 8:00 a.m. - 5:30 p.m. With the other spaces available outside of those hours. In speaking with the applicant, she has indicated she is comfortable with us limiting her to no more than 16 students before the 5:30 p.m. classes.
6. If the applicant is proposing a sign, a sign permit must be obtained.
7. The site is served by public water and sewer.
8. The applicant is consulting the fire marshal's office and the building departments for any permits than may be required for change in use of the space.
9. If this application is approved, the Planning Department has one additional comment: Any outdoor activities can not occur within the parking areas or along the site frontage.

Town Engineer Doolittle had no staff comments.

Acting Chairman Pacekonis asked for public comment.

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

Acting Chairman Pacekonis asked for comments from commissioners

Commissioners had no comments or questions.

The Chairman closed the public hearing at 7:58 p.m.

- 3. Appl. 17-37P, 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) 54 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary (excluding dedicated open space)

Mr. Peter DeMallie, president of Design Professionals, Inc., with their director of operations/CT licensed landscape architect Benjamin Wheeler presented the zoning text amendment application regarding building height in Industrial zones. Mr. Wheeler distributed to commissioners copies of potential alternative language, a research chart of area towns allowing higher building heights in their industrial zones, and three letters written in support from residents Mr. Scott Kelley, Ms. Priscilla Snow, and Mr. Donald Kasheta (Exhibit A).

Earlier this year a similar zoning text amendment application for building height on behalf of Carla's Pasta came before the commission and was approved. Mr. DeMallie described the phases of expansion underway

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at Carla's Pasta in which the building design shifted the freezer to the southerly end of the building resulting in the building being 10 feet higher and 227 feet from the closest residential zone. Mr. DeMallie then reviewed alternate wording for the amendment that would meet their client's needs. He stated cubic footage has become as important as the square footage of buildings to have storage capacity for the potential of larger industrial businesses looking to relocate to South Windsor.

Director of Planning Lipe gave staff comments:

1. This is request for zoning text amendment to Industrial Zone Section 4.5.6 Building Height to reduce the distance required for building(s) 54 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary (excluding dedicated open space).
2. As mentioned, this request is similar to the previous text amendment the Commission acted on which resulted in allowing the exclusion of dedicated open space in residential zones. Tonight's proposal would further define how the measurement to residential properties is looked at.
3. The applicant has mapping evaluated the impact throughout the industrial zone focusing specifically on the areas the locations where industrial and residential zoning meet. It appears from the analysis that there are not a significant number of locations where the residential areas would be impacted.
4. With this particular request, 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 only certain percentage of the building within the distance be 54 feet in height or require more screening.
5. I think a bigger discussion here is the building height in general for the Industrial zone (which this amendment does not address specifically) and whether the Commission is interested in evaluating and modifying the current height restrictions and under what circumstances.
6. Currently the regulations allow for increased building heights in this zone as well as the I-291 and Buckland Road Gateway zones. In the Industrial zone, in addition to allowing 50 feet if setback 350 feet, buildings 75 feet in height can be proposed by special exception application and subject to specific review criteria and 350 from property lines). In the I-291 Corridor Development zone buildings are allowed up to 60 feet provided they are set back and in line with I-291 elevation and Buckland Road Gateway zones, a sliding scale based on the distance from the roadways and property lines.
7. 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".
8. The Capitol Region Council of Governments has reviewed the amendment as required and has offered the following report.
9. If this application is approved, the Planning Department has no additional requested modifications.

Secretary Commissioner Dexter read a report from CRCOG into the record:

"The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. 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,

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particularly for sites bordering residential uses in neighboring towns, be applied so as to mitigate impacts across municipal borders.”

Town Engineer Doolittle gave no staff comments.

Acting Chairman Pacekonis asked for public comment.

Secretary Commissioner Dexter read letters written in support of the application into the record from Mr. Paul Burnham, Chairman of the Economic Development Commission and Mr. and Mrs. Rick and Liza Love, residents of Main Street (Exhibit B).

Acting Chairman Pacekonis asked for comments from commissioners.

Secretary Commissioner Dexter asked about the recent approval from the Zoning Board of Appeals for a height variance for Carla’s Pasta and whether the amendment was for the benefit of future projects. Mr. DeMallie described their dual track approval process because of the huge size of Carla’s Pasta in scale and benefit to the town and to avoid concerns about the potential of an appeal of the ZBA action.

Commissioner Kuehnel asked for clarification of the change of 225 feet suggested for the amendment.

Acting Chairman Pacekonis clarified that the amendment affects the entire Industrial zone not only Carla’s Pasta and requested that zoning text amendments be submitted to the Commission in red-line text for clarity of the changes being requested. He noted that the request for red-line copies for text amendments has been made previously. He then stressed the importance of reviewing such an amendment in order to have a perspective of its effect on the entire industrial area and recommended postponing a decision for more review.

Commissioner Foley suggested different approaches to approval in order to protect Carla’s Pasta’s interest. Director of Planning Lipe indicated if the amendment has been advertised and then is changed to be more impactful on a residential zone it should legally be re-advertised.

The Acting Chair asked about the ZBA approval for Carla’s Pasta. Mr. Wheeler stated they received ZBA approval on October 5th and the legal notice was published on October 7th with a 15 day appeal period after for the approval to take affect on or about October 22nd. Pacekonis clarified if there is no challenge Carla’s Pasta can move forward with the variance approval whereas if the amendment is changed and approved without legal notice it could be open to appeal and is also a less transparent process for the public.

Commissioner Foley noted Carla’s Pasta is presently 350’ away from a residential zone and is not helped by changing the height. Mr. Wheeler indicated if the language of the amendment stays the same the distance of 350’ would have to be reduced down to 225’. Ms. Lipe clarified its impact to be on any industrial corridor there would be a minimum of 225’ from the road or from any residential zone line before a building could go up to 54’ in height.

The Acting Chairman made a motion to leave the public hearing open for the applicant to come back with diagrams for sizes and heights and to provide information on the uses that go along with those heights that will benefit South Windsor. There was no second.

Commissioner Foley asked for more information on the research chart provided regarding the linear feet required by other towns to dwellings or residential zones. Mr. Wheeler described setback requirements for Windsor and East Windsor and offered maps for review.

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Commissioner Parrott asked if the changes requested for the amendment are what were published in the legal notice. Director Lipe noted a change in the wording from a 'residential zone' to a 'residential dwelling' has been suggested which could have a significant impact on residential property.

Commissioner Foley analyzed aerial maps with Mr. Wheeler who concluded that throughout the entire Industrial zone the biggest impact to adjacent residential areas will at Carla's Pasta's site, and an undeveloped lot to the south, and the French Social Club site at Newberry Road off of Governors Highway. Commissioner Parrott asked how close the closest house to Carla's site is. Mr. Wheeler stated from the final phase buildout, the closest corner of the building to the closest house is 353'. Commissioner Foley asked if any neighbors attended the ZBA meeting. Mr. Wheeler stated there were none in attendance. Mr. DeMallie stated the greatest concerns were about noise from the dumpsters at 3 a.m. but Mr. Squatrito from Carla's Pasta has verified their dumpsters are only serviced between 7 a.m. – 5 p.m. Monday through Friday.

Commissioner Foley asked how far away Carla's Pasta's building for Phase 1 will be to the nearest residential zone. Mr. Wheeler stated 270' will work for Phase 1 and 225' in a future phase build-out which will have to come before the commission. The Acting Chair voiced discontent making a change of 125' for the purpose of warding off the potential of an appeal before October 22nd. Mr. DeMallie stated Carla's Pasta has huge requirements for production and have done what they can to minimize the need for this amendment. They have invested great expense in an automated freezer racking system in order to reduce their footprint by 31%. Secretary Dexter asked if the building was out of compliance presently. Mr. DeMallie stated building is underway with footings for a 50' high building.

Commissioner Foley stated he supported changing the distance to 270' in order to get through the ZBA appeal period. Commissioner LeBlanc stated Carla's Pasta has an important issue but it is not on the agenda but rather a text amendment affecting the industrial zone is on the agenda.

Mr. Wheeler read a revised version of the text amendment to modify Section 4.5.6 of the Zoning Regulations concerning Building Height in the Industrial zone to read: The maximum building height is 54 feet/4 stories in height for any building that is at least 270 feet from a public street right of way and from any residential zone boundary excluding public open space or conservation areas provided, however, that any portion of such building located within 270 feet of the public street right of way or any building located in its entirety within 270 feet of the public street right of way shall have a maximum height of 40 feet/2 stories.

The Acting Chairman closed the public hearing at 9:22 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: Acting Chairman Pacekonis opened the Regular Meeting at 9:25 p.m.

PUBLIC PARTICIPATION:

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

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

Mr. Steve Wagner, Chairman of the Energy Committee, gave a presentation regarding proposed changes to the solar regulations and distributed to commissioners a letter from the Energy Committee with photographs and a draft of changes to Section 7.20 Solar Energy Systems written by the Director of Planning.

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Large scale ground mounted solar systems have the same height restriction of 12 feet as small scale systems and no change in the height restriction is proposed for large scale solar farms. The Energy Committee has made a number of recommendations to accommodate tracking solar systems and solar carports to be located in the right locations in commercial and industrial zones by special exception.

Director Lipe commented that solar canopies can be considered as an accessory structure on top of a canopy and the regulations can clarify that there would not be restrictions on solar canopies. The Commission should consider what restrictions can be in place for sizable tracking solar system proposed for residential lots. Setbacks from property lines and the affect of neighboring trees on such systems need to be considered and can be mitigated by special exception criteria.

Town Engineer Jeff Doolittle commented that it is worth keeping the regulations as broad as possible to accommodate a rapidly developing technology.

Commissioners asked questions and reached consensus to move forward to send the draft to CRCOG for review.

- 2. 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 199 Strong Road, I zone

Commissioner LeBlanc 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. An erosion and landscape bond in the amount of \$2,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
4. All bonds must be in one of the forms described in the enclosed Bond Policy.
5. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
7. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
8. The building street number must be included on the final plan.
9. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
10. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
11. The hours of operation are limited to: Tuesday, Wednesday, and Friday 10 a.m. to 6 p.m.; Thursday 10 a.m. to 7 p.m.; Saturday 10 a.m. to 5 p.m.; and limited Sunday hours.

Commissioner Kuehnel seconded the motion.

The motion carried and the vote was unanimous.

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- 3. Appl. 17-36P, SRL Irish Dance Academy** request for a Special Exception to Section 4.1.1A to operate a dance studio, on property located at 400 Chapel Road, Suite 2H, I zone

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

1. This approval is for the operation of a dance academy.
2. Building Department and Fire Marshal must be consulted and proper permits obtained for the change of use of the facility.
3. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
4. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
5. Hours of operation limitation are as follows: Mon – Friday 4 Pm – 9:30 pm Saturdays 8 – 4:30 Pm with limited hours on Sunday.
6. Due to parking limitations for this units identified by the management company, no classes with more than 16 students should be held prior to 5:30 PM Monday through Friday.
7. In the event the operation of this facility causes parking problems, it will be the applicant's responsibility to modify operation to alleviate such problems.
8. No outdoor class activities are permitted in the parking area or along the Chapel Road frontage.

Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

- 4. Appl. 17-37P, 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) 54 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary (excluding dedicated open space)

Commissioner Foley made a motion to approve with the following changes:

The maximum building height is 54 feet/4 stories in height for any building that is at least 270 feet from a public street right of way and from any residential zone boundary excluding public open space or conservation areas provided, however, that any portion of such building located within 270 feet of the public street right of way or any building located in its entirety within 270 feet of the public street right of way shall have a maximum height of 40 feet/2 stories.

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 10/22/17.

Commissioner Greer seconded the motion.

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Commissioner Kuehnel stated her intention to vote against the approval in order to further discussion on the impact of the text amendment which will set parameters on the growth of business in town. Commissioners Dexter and LeBlanc agreed.

Motion failed: 3 in favor and 4 against. Commissioners Foley, Greer and Parrott voting favor and Commissioners Kuehnel, Dexter, LeBlanc, and Pacekonis voting against.

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

Commissioner Dexter seconded the motion.

Motion passed 6 in favor and 1 against. Commissioners LeBlanc, Kuehnel, Dexter, Pacekonis, Greer, and Parrott voting for and Commissioner Foley voting against.

BONDS: Callings/Reductions/Settings

IWACC Bonds

1. Appl. 04-80P, Mitchell Property Group, Wetland plantings in the amount of \$50,000 to be reduced by \$50,000 to leave a balance of -0-.
2. Appl. 04-80P, Mitchell Property Group, Stormwater in the amount of \$15,000 reduced by \$15,000 to leave a balance of -0-.
3. Appl. 04-80P, Mitchell Property Group, E&S in the amount of \$10,000 reduced by \$10,000 to leave a balance of -0-.

Commissioner Kuehnel made a motion to reduce the above mentioned bond. Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

Subdivision/Site Bond

4. Appl. 10-32P, Castanho Interior Lot, 736 King Street in the amount of \$9,650 to be reduced by \$9,650 to leave a balance of -0-.

Commissioner Kuehnel made a motion to reduce the above mentioned bond. Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

MINUTES: 9/12/17 approved by consensus.

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 17-37P, 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) 54 feet/4 stories in height from 350 feet to 150 feet from the public street right of way and from any residential zone boundary (excluding dedicated open space)
2. **Appl. 17-38P, Evergreen Crossing Retirement Community (Cameron General Contractors - applicant)** – request for a Special Exception to Section 7.3 Assisted Living/Independent Living Facilities and site plan

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approval for a 183,682 sf Senior Independent Living Facility with 130 units, on property located at 151 Buckland Road, Units 3, 4 and 8 totaling 18+ acres, Buckland Road Gateway Development zone

OLD BUSINESS:

CORRESPONDENCE / REPORTS:

Director Lipe noted there will be an ADRC meeting for the Evergreen Crossing application on October 19th at which time committee members may be reappointed to serve. Commissioners were asked if they knew of anyone who may consider sitting on the Architecture and Design Review Committee to fill vacancies.

Timing of the Evergreen Crossing Independent Living Community to come before PZC was discussed to accommodate IWA/CC, review, and revision timing. The Commission was in favor of giving the application more time and scheduling the public hearing for November 14th.

Director Lipe reported on questions recently asked about potential rezoning for commercial use along a section of Sullivan Avenue between the Mitchell excavation site at the corner of Ellington Road up to Ayers Road. Commissioners confirmed that the existing zoning should remain in place for single family housing, restricted office use, and allowing for potential home occupations or office conversion overlay zone.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 10:10 p.m. was made by Commissioner Parrott
Seconded by Commissioner LeBlanc
The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary