

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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JANUARY 9, 2018

MEMBERS PRESENT: Bart Pacekonis, Stephanie Dexter, Frank Bonzani, Kevin Foley, Steve Wagner, Kevin Greer

ALTERNATES PRESENT: Mike LeBlanc, Teri Parrott

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Kathy Middleton, Recording Secretary

PUBLIC HEARING / COUNCIL CHAMBERS

CALL TO ORDER: Chairman Pacekonis called the Public Hearing to order at 7:30 p.m.

Secretary Commissioner Bonzani read the legal notice as it was published in the Journal Inquirer on Thursday, December 28, 2017 and Thursday, January 4, 2018.

Chairman Pacekonis appointed Alternate Commissioner Teri Parrot to be seated for Commissioner Bill Flagg.

- 1. Appl. 17-42P, Kochanski Duplex Dwelling Units Zoning Text Amendment** – request to modify Section 4.1.1 Permitted Uses in Industrial and Commercial zones to add the use ‘Duplex’ by Special Exception in the General Commercial zone; and add Section 7.5.1.A.b to allow duplex units in Commercial zones under certain criteria

Mr. Kochanski presented the request to add the use of “duplex dwellings” to the General Commercial zone.

Director of Planning Michele Lipe gave staff comments and distributed to the Commission alternate text amendment wording with a change to limit lot coverage for this use to 15%.

1. This is a request to modify Section 4.1.1 Permitted Uses in Industrial and Commercial zones to add the use ‘Duplex’ by Special Exception in the General Commercial zone; and add Section 7.5.1.A.b to allow duplex units in Commercial zones under certain criteria
2. The applicant’s proposal would allow duplexes when residential housing is contiguous to or across the street. The lots these units are proposed on would have to meet the minimum requirements of the General Commercial zone – 30,000 sf, 100 feet of frontage with a 50 foot front yard setback. This lot size and setback is similar to what is required in an A-30 zone. Proposals for this type of housing would be limited to secondary roads and not allowed on Sullivan Ave or John Fitch Boulevard.
3. The current Town Plan of Conservation and Development under the Residential section encourages flexibility in meeting emerging housing needs and updates to the zoning regulations that are compatible with the surrounding neighborhood. The housing section also talks about protecting established neighborhoods.
4. The Capitol Region Council of Governments has reviewed the amendment as required and reports that they find no apparent conflict with regional plans and policies or the concerns of neighboring towns.
5. If this application is approved, in addition to wording changes submitted, Table 4.1.1A should reflect that Duplex’s are allowed by Special Exception (not site plan).

Town Engineer Jeff Doolittle had no additional staff comments.

Chairman Pacekonis asked for public comments.

No one from the public spoke in favor or opposition to the application.

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Chairman Pacekonis asked for comments from commissioners.

Commissioner Wagner noted that the use of “residential housing” could refer to conforming or non-conforming housing and that “residential zoning” would be a better term to use.

The Chairman closed the public hearing at 7:42 p.m.

2. Appl. 17-44P, MK Construction Inc. – request for a Zone Change of .84 acres of land from General Commercial to Industrial on property located at L005 (140) Troy Road

Mr. Joseph Di Carlo, landscape architect with Kaestle Boos Associates, Inc. Architects presented the request for the zone change.

Director of Planning Michele Lipe gave staff comments.

1. Request for a zone change of 34,000 sf (.75 acres) from General Commercial Zone to Industrial Zoning on property located on the southerly side of Troy Road, westerly of Brookfield Street. The property is currently surrounded by Industrial land to the west, general commercial to the south and east and residential zoning to the north.
2. The minimum lot size in the Industrial zone is the same as the GC zone at 30,000 sf minimum lot size. Frontage requirement for both zones is 100 feet. The primary difference in bulk requirements are setbacks; Industrial zone has a 35 foot front yard setback and 25 foot rear yard setback for structures; the general commercial zone has a 50 foot front yard setback and a 15 foot rear yard setback. The lot coverage ratios are different as well; 50 % lot coverage allowed in Industrial zones and 30% in GC zones. Impervious coverage is the same at 65%.
3. The possible uses in the Industrial zoning category include manufacturing, offices, warehousing, distribution centers, general contracting establishments, etc. The GC zoning is more geared to retail and service users.
4. The Town Plan designates this area for economic development and encourages keeping industrial land so that it can accommodate today’s businesses.
5. In acting upon the zone change, the Commission shall take into account the various factors favorable and unfavorable to such a change, including but not limited to:
 - The goals, objectives, and recommendations of the Plan of Conservation and Development;
 - The purposes of zoning and of these regulations;
 - Changes that have taken place in the rate and pattern of development and land use within the Town and adjoining communities;
 - The supply of land available in the present and proposed zone;
 - The physical suitability of the land for the proposed zone;
 - The impact on the capacity of the present and proposed utilities, streets, drainage systems, and other improvements;
 - The general character and zoning of the neighborhood;
 - Impacts on the surrounding area;
 - Traffic congestion impacts;

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- The impact on surrounding property values;
 - The environmental impacts;
 - The health and general welfare of the community;
 - Neighborhood acceptance weighed against community needs; and
 - The protection of historic factors.
6. There is existing water and sewer available in Troy Road. WPCA approval will be required at the time of any site plan application.
 7. There are no regulated wetlands on the existing parcel. At the time of a site plan, an IWA/CC application is required for Conservation approval if over ½ acre is disturbed.
 8. A zone change is the appropriate time to discuss traffic impacts. Troy Road is a collector road. The anticipated traffic from this use could easily be accommodated.
 9. Site plan of development would be required prior to any commercial use of this site.
 10. If this zone change is approved, the Commission must state on the record that you have found the zone change to be consistent with the Plan of Conservation and Development.

Town Engineer Jeff Doolittle had no additional staff comments.

Chairman Pacekonis asked for public comment.

Ms. Melissa Curulli of 141 Troy Road asked questions regarding what type of vehicles and how many are to be stored and voiced concerns regarding noise, appearance of the site, security, and low lighting. It is a busy road so there is concern with a lot of cars and trucks on a narrow road where there is a turn and a hill.

Questions were posed about access.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Wagner voiced appreciation for Ms. Curulli's comments and stated they should be addressed when a site plan is submitted for approval.

Secretary Commissioner Bonzani asked about what kind of vehicles would be on site and hours of operation. Mr. Mike Switzer, owner of MK Construction, stated he and his partner have 4 employees with pick up trucks, a 16' box truck for tools and a trailer. They plan to keep the vehicles housed in the garage when they are not working. Employees arrive about 6 a.m., depart and return at 3:30 - 5 with a person staffing the office through the day.

Vice Chairman Foley assured Ms. Curulli that any driveway concerns should be addressed with a site plan application but that the use does not appear to be very impactful.

Commissioner LeBlanc suggested current site LED lighting can be very effective to light the site without impacting adjacent properties.

Chairman Pacekonis asked Mr. Di Carlo about their plans for lighting the site. Mr. Di Carlo described low level dark sky compliant lighting. The front area of the site will be open to visitors. There will be one driveway at the back part of the lot which will be gated and fenced with privacy slats and be landscaped with evergreen plantings. A stormwater system was described for groundwater. The one story building will have clabbered siding typical to a residential house and will be substantially landscaped.

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Commissioner Wagner asked about a flagged area on the site which Mr. Di Carlo described as the infiltration test area where soil samples were taken.

The Chairman closed the public hearing at 8:00 p.m.

- 3. Appl. 17-46P, Lady Marion Woods Subdivision** – request for a Minor Subdivision and a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval for one interior lot and two frontage lots, on property located at 902 Foster Street Extension, RR zone

Mr. Steve Aeschliman of Aeschliman Land Surveying representing applicant Jones Farmlands LLC, presented the request for a three lot subdivision describing the site to be serviced by public utilities.

Director of Planning Michele Lipe gave staff comments.

1. Request for approval of a Subdivision and Special Exception to create one interior lot and two conventional lots for property on 4.32 acres, located on the northerly side of Foster Street Extension, easterly of Ellington Road, RR zone.
2. The conventional lots are just under. 1 ac. and 2.4 acres. The lots appear to meet all other zoning requirements.
3. The requirements for the interior lot in the RR zone include 80,000 sf minimum lot size and 262.5 feet minimum lot width. This lot is 2.4 ac. with a frontage line parallel to the street of 495 feet.
4. The criteria for approval of interior lots include:
 - The subject area's boundary configurations, topography, soils or other natural resource characteristics;
 - Proximity to neighboring properties and dwelling units;
 - Restriction of existing views;
 - Proposed buffering/screening;
 - Potential drainage, traffic & environmental impacts
 - Driveway locations, slopes & sight lines
 - Utility service capabilities
 - Property value impacts; and
 - Future land use alternatives.
5. The interior lot will and the lot to the north will share a common driveway. This is a requirement of the subdivision regulations (B.4.a) when subdividing on a collector street. The driveway is designed to be 18 feet wide. The interior lot has been designed with a turnaround the ability to turn-around to satisfy the fire department's requirement.
6. The property is currently wooded and the applicant has shown the limits of clearing on the plans. There are several large trees that are proposed to be preserved in both the town ROW and on the lots. Site lines should be reviewed for the proposed driveways and added to the final plans. In the event there is a site line problem with the southernmost driveway because of trees in the town's ROW, staff would recommend that the shared driveway be with that lot rather than the northern lot.

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7. The site will be serviced by public sewers and public water. WPCA approval is required.
8. There are regulated wetlands on the northerly lot, and the applicant has received IWA/CC approval on 12/20/17 with the following condition: Prior to issuance of a building permit a wetlands application shall be submitted for Lot #1. The existing watercourse must be evaluated for the presence of obligate vernal pool species
9. We note that a “representative” house footprint is shown. If this application is approved, when an actual house plan is submitted, it is especially critical for elements to remain as shown on this application. The applicant and any purchasers need to understand that any modifications other than very minor ones would need to return to the Commission for approval

If this application is approved, the Planning Department requests the following modifications: an approval condition that reflects the need for additional approval in the event of proposed modification.

Town Engineer Jeff Doolittle gave staff comments:

1. There is a 48” oak tree in good shape on the southern part of southern most Lot 3 which should be saved if it does not conflict with the development.
2. The driveway for Lot 3 has a flat slope that should be checked. Typically driveways should have at least a 1% slope for drainage.
3. The back of Lot 3 drains under the driveway of rear Lot 2. There should be a drain easement onto Lot 1 so the drainage pattern can be fully established and maintained by all the lot owners.
3. WPCA review and approval is required. All three lots are to be connected to public sewer and water.

Chairman Pacekonis asked for public comment.

No one from the public spoke in favor or opposition.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Dexter confirmed Robin Wood Lane was a private road and could not be used to provide access and asked whether the site was previously used for farming requiring soil testing. Mr. Aeschliman stated they had not done soil testing. Director Lipe stated soil testing is not required through zoning but any potential owner could require it before purchase.

Commissioner Wagner noted the lowest area of the site. Mr. Aeschliman described a culvert which has been designed to go under the low point of the driveway to address water flow.

Commissioner Parrott clarified with Mr. Doolittle that the subject property was not part of Robins Wood.

The Chairman closed the public hearing at 8:12 p.m.

- 4. Appl. 17-47P, Mactaw CT Inc, dba Vans RV** – request for a two year temporary and conditional permit for the storage of up to 50 campers on property located at 317 Chapel Road, I-291 Corridor Development Zone

Mr. Chad Shepard representing Mactaw CT Inc. presented the request for the temporary storage of campers at 317 Chapel Road.

Director of Planning Michele Lipe gave staff comments.

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1. A request for a two year temporary and conditional permit for the storage of approximately 50 new campers, the excessive stock for Vans Leisure Living, on approximately 2 acres located to the rear of 317 Chapel Road, I-291 Corridor Development zone. The PZC had recently approved storage for this company on another site off of Sullivan Ave and Chapel Road.
2. 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 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.”
3. There are no provisions for storage yards in the I-291 Corridor Development zone.
4. The site is currently vacant and the storage is located to the rear in an existing parking area. This area had been cleared and used for temporary storage of engineered wood products in 2004. At the time the owner added pines approximately 4-6 feet in height, to provide for some screening of the area from Chapel Road.

If this application is approved, the applicant will have to renew in two years if the use is to continue.

Town Engineer Jeff Doolittle had no additional staff comments.

Chairman Pacekonis asked for public comment.

No one from the public spoke in favor or opposition.

Chairman Pacekonis asked for comments from commissioners.

Commissioner LeBlanc recounted a previous issue with camper storage and vandalism at another site. Mr. Shepard stated they annually contend with theft around the holidays and will be setting up WiFi cameras on their sites.

Vice Chairman Foley asked if the Chapel Road site would be used as a showroom. Mr. Shepard clarified only their John Fitch Boulevard site would be used for showroom sales.

The Chairman closed the public hearing at 8:17 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: Chairman Pacekonis called the Regular Meeting to order at 8:30 p.m.

PUBLIC PARTICIPATION: NONE

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

1. **Appl. 17-42P, Kochanski Duplex Dwelling Units Zoning Text Amendment** – request to modify Section 4.1.1 Permitted Uses in Industrial and Commercial zones to add the use ‘Duplex’ by Special Exception in the General Commercial zone; and add Section 7.5.1.A.b to allow duplex units in Commercial zones under certain criteria

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

1. The revised language presented at the public hearing for Section 7.5.1.A.b to read as follows:
Located in a commercial zone when a residential zone is contiguous to or across the street. Limited to secondary roads only. Not allowed on arterial roads such as Sullivan Avenue and John Fitch Blvd.

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Lot coverage is limited to 15%.

Section 4.1.1 Permitted Uses in Industrial and Commercial zones for duplex in GC zones to be allowed by Special Exception.

2. The Planning and Zoning Commission finds that the zone text amendment in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zone text change is 1/28/2018.

Commissioner Greer seconded the motion.

The motion carried and the vote was unanimous.

- 2. Appl. 17-44P, MK Construction Inc.** – request for a Zone Change of .84 acres of land from General Commercial to Industrial on property located at L005 (140) Troy Road

Commissioner Parrot made motion to approve with the following conditions:

1. The Planning and Zoning Commission finds that the zone change is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone change is upon filing of required map in the Office of the Town Clerk.
3. Within ninety days, a zone change map (1" = 40') with an A-2 certification must be filed on the land records, showing all boundary lines and the acreage of the land where the zone change was granted. The map shall be drawn in accordance with the rules and regulations of the State Board of Registration for Professionals Engineers and Land Surveyors and shall be stamped and signed by a Registered Land Surveyor. The zone change map must be submitted on black and white mylars, with this approval letter thereon, together with three print copies of the Zone Change.

Secretary Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 17-46P, Lady Marion Woods Subdivision** – request for a Minor Subdivision and a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval for one interior lot and two frontage lots, on property located at 902 Foster Street Extension, RR zone

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

1. This approval is for 3 lots, numbered 1-3.
2. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
3. All lots shall be serviced by the Town of South Windsor sanitary sewer system and are subject to the approval of the Water Pollution Control Authority.
4. Water shall be supplied to this subdivision by public water.
5. This application is subject to the condition of approval of the Inland Wetlands Agency/Conservation Commission.
6. Prior to commencement of any site work, a preconstruction meeting must be held with Town Staff.
7. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.

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8. All easements for conservation purposes, drainage or utilities, that may be required in connection with the approval of this subdivision, must be submitted on standard Town easement form where appropriate, to this Commission prior to filing the mylars and issuance of building permits.
9. Footing drains are required for each house. Prior to the building of any structure on a lot, a topographic map, drawn to a scale of 1" = 40', shall be submitted for each lot in the subdivision, showing proposed contours, elevations and the location of the footing drains. No building permits will be issued until the proposed contours, floor elevations and location of footing drains have been approved by the Town Engineer.
10. If, for any reason, finished grading and other individual lot site work is not completed, the Town Engineer shall determine the amount of a cash bond to ensure final grading and site work. This cash bond must be submitted prior to issuance of a Certificate of Occupancy.
11. Quantity estimates must be submitted to the Town Engineer (on the enclosed form) for the purpose of determining subdivision bonding. All bonds shall conform to the enclosed bond policy and shall be posted prior to filing the final plans in the Town Clerk's office.

If the developer chooses to submit a Letter of Credit for a one year term, said Letter of Credit must be renewed on a yearly basis until completion of the development. If a new Letter of Credit has not been received within 30 days before the expiration date, the Commission may, at its option, call the Letter it is holding.
12. A drainage assessment fee in the amount of \$100.00 shall be submitted to this Commission.
13. No building permits will be issued until all modifications have been complied with, and the final plans have been filed in the Town Clerk's office.
14. The Town Engineer's review comments dated 12/17/17 must be incorporated in the final plans.
15. The driveway easement for the shared driveway should be shown on the plot plan.
16. Site lines for the proposed driveways are required to be shown on the plans. In the event the town trees impede the site line, the applicant may be required to reconfigure the shared driveways to include the southernmost lot.
17. The approved location of the house, garage and driveway for the interior lot are an integral part of this special exception. If modifications are proposed subsequent to this approval, further approval from this Commission may be required.

Commissioner Parrot seconded the motion.

The motion carried and the vote was unanimous.

- 4. Appl. 17-47P, Mactaw CT Inc, dba Vans RV** – request for a two year temporary and conditional permit for the storage of up to 50 campers on property located at 317 Chapel Road, I-291 Corridor Development Zone

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

1. The Temporary and Condition permit will expire on 1/9/20 and will have to be renewed that time if the use is to continue.

Vice Chairman Foley seconded the motion.

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The motion carried and the vote was unanimous.

BONDS: Callings/Reductions/Settings

Subdivision Bonds

1. Appl. 16-59P, Sunset Hill Estates Subdivision Bond in the amount of \$588,791 to be reduced by \$488,795 to leave a balance of \$99,996.

Commissioner Dexter made a motion to reduce the above mentioned bonds. Commissioner Wagner seconded the motion. The motion carried and the vote was unanimous.

Landscaping Bonds

2. Appl. 11-29P, CREC Landscaping Bond in the amount of \$10,000 to be reduced by \$10,000 to leave a balance of -0-.

Secretary Commissioner Bonzani made a motion to reduce the above mentioned bonds. Commissioner Dexter seconded the motion. The motion carried and the vote was unanimous.

IWA/CC Bonds

3. Appl. 14-57P, CT Valley Brewing Company Stormwater Bond in the amount of \$2,000 to be reduced by \$2,000 to leave a balance of -0-.

Commissioner Greer made a motion to reduce the above mentioned bonds. Commissioner Dexter seconded the motion. The motion carried and the vote was unanimous.

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 17-49P, Unique Pavers LLC** - request for modification to site plan of development for the construction of a 1,000 sf. addition on property located at 785 John Fitch Boulevard, I zone; Staff Approved 12/22/17
2. **Appl. 17-50P, Russo In Law Apartment** – request for a special exception, on property located at 7 Deerfield Lane, AA-30 zone
3. **Appl. 18-01P, PAR Electric** – request for a site plan modification, on property located at 55 Corneau Way

MINUTES: 12/12/17 approved by consensus

OLD BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 8:40 p.m. was made by Commissioner Wagner
Seconded by Commissioner Dexter
The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren Zarambo
Planning Department Secretary