

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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JANUARY 23, 2018

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

ALTERNATES PRESENT: Mike LeBlanc, Teri Parrott

STAFF PRESENT: Michele Lipe, Director of Planning; Lauren Zarambo, Recording Secretary

PUBLIC HEARING / MADDEN ROOM

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 Friday, January 12, 2018 and Thursday, January 18, 2018.

Chairman Pacekonis disqualified himself from participation in matters concerning Appl. 17-50P, Russo In-Law Apartment.

Chairman Pacekonis appointed Alternate Commissioner LeBlanc to be seated for him for Appl. 17-50P and turned the meeting over to Vice Chairman Foley.

- 1. Appl. 17-50P, Russo In-Law Apartment** – request for a Special Exception to Section 7.1.3.A for a waiver to allow a 1,000 sf in-law apartment (900 sf permitted), on property located at 7 Deerfield Lane, AA-30 zone

Mr. Gregory Morsbach, property owner of 7 Deerfield Lane, presented the request for a special exception for a 1,000 sq in-law apartment within their finished basement for their mother-in-law who currently lives with them.

Director of Planning Michele Lipe gave staff comments:

1. Request for a Special Exception permit for an in-law apartment at 7 Deerfield Lane, AA-30 residential zone.
2. The applicant is requesting a waiver under Section 7.1.7 of the regulations to allow an in-law apartment larger than allowed under the regulations.
3. The PZC in-law apartment regulation has specific criteria for the unit; and provides for a 5-year permit period. These criteria include:
 - The in-law apartment cannot be larger than 900 sq ft or 40% of the gfa (whichever is smaller)
 - the entire structure must maintain the appearance of a single family dwelling;
 - off street parking for three vehicles must be accommodated;
 - adequate water and sewage disposal must be provided; and
 - the owner of the dwelling units must occupy either the in-law apartment or the main dwelling unit
 - The Commission may waive one or more of the provisions above (except the requirement that an owner live in the apartment or house) after determining:
 - There will be minimum adverse impact on existing uses in the area;

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- Surrounding property values will be conserved and the character of the neighborhood will not be unduly disrupted;
 - Due consideration to preservation of historic factors has been demonstrated.
4. The applicant has provided a floor plan of the apartment as well as a plot plan. This in-law apartment is approximately 1,000 square feet, and makes up the lower level of a raised ranch style home.

If this application is approved, the Commission may grant approval for up to five years. The applicant will be asked via letter to reaffirm ownership of the property every two years. At the end of the permit period, if the family situation has not changed, the applicant may request renewal by staff.

Vice Chairman Foley asked for public comment.

Ms. Susan Russo spoke in support of the application as the mother in law who will inhabit the lower level apartment where they will renovate an existing bedroom into a kitchen.

The Vice Chairman asked for comments from commissioners.

Commissioner Flagg discussed the layout, entrance, and heating zones with Ms. Russo.

The Vice Chairman closed the public hearing at 7:39 p.m.

REGULAR MEETING / MADDEN ROOM

CALL TO ORDER: Chairman Pacekonis called the Regular Meeting to order at 7:40 p.m.

PUBLIC PARTICIPATION:

Ms. Nancy Yario from 20 Andries Trail voiced her continued concern about living next to the dog park and disappointment in the results of their law suit and hearing. She asked if a new 8-24 Referral could be written by the Planning & Zoning Commission to the Town Council regarding the dog park.

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

1. **Appl. 18-03P, 85 Nutmeg South LLC** – request for a site plan modification to add a loading dock and parking waiver for proposed uses, on property located at 85 Nutmeg Road South, I zone (see attached)

Mr. Francis Vacca, project engineer for BSC Group in Glastonbury, representing applicant and property owner Dr. Constantinou, presented the application with project architect Mr. Art Hall. Drawings were shown for the installation of a new loading dock to be located in the rear southwest corner of the building which houses multiple uses including manufacturing, office, warehouse, and recreation. The new loading dock will face south and provide access to multiple tenant spaces and access for up to a 48' semi trailer truck. One of the primary curb cuts has been shifted to the north to allow direct access for traffic flow around the building. Any added pervious coverage to the site has been countered by the installation of additional grass areas so that there has been no increase of impervious coverage on the site.

As part of the application a parking waiver was requested for 57 spaces based on the uses associated with the property. The site in total requires 240 parking spaces and under the last approved site plan in 1993 there were 197 on the property. The total parking has been reduced by an additional 14 spaces in order to install

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the loading dock and provide truck turning movements. Various areas of parking have been removed to insure no increase in the peak runoff from the site. The current and anticipated future tenants are estimated to be a maximum of 115 people in the building at a time which frees up 103 parking spaces. The parking waiver requested is for 57 spaces with an additional 46 spaces remaining as a buffer if the uses should change in the future. A letter had been submitted with the application addressing the uses and parking requirements.

Director of Planning Lipe gave staff comments:

1. Request for a site plan modification to add a loading dock to the rear of the existing building, relocate the northern entrance drive and waiver for parking space requirements at 85 Nutmeg Road, I zone. Maximum impervious coverage allowed is 65%, 72.7% existing through a previous variance granted.
2. Proposed loading dock will be to the rear of the building adjacent to the rail line, to best accommodate the truck traffic through the site, one of the existing curb cuts is being relocated to the northern end of the site so that the trucks will have the ability to circle the building and back into the loading area with the least amount of moves. A map of the turning radius has been provided.
3. The applicant's narrative illustrates the parking requirements for this building based on the uses is 240 spaces. They have provided 183 spaces and are requesting a waiver of 57 parking spaces in accordance with Section 6.4.9. This allows the PZC to reduce the number required when demonstrated that:
 - The increase in stormwater run-off rate shall be held to a minimum by reducing the parking spaces, and/or
 - The applicant demonstrates through actual experience that a lesser number of parking spaces will suffice, and further that due to the nature of the building or business, future owners/occupants of the building are also unlikely to need to number of parking spaces required by the zoning regulations.
4. The PZC may recall that two of the users in this building have recreational uses and operate hours that are generally outside of normal workday hours. The configuration of the parking areas are changing and we would recommend that signage be added so that it is clear on site.
5. If this application is approved, signage should be added for the one way drive connecting the two parking areas.

Director Lipe noted the engineering comments previously forwarded to the applicant from Town Engineer Jeff Doolittle to be incorporated into the final plans:

1. The new driveway should be narrowed to from 40' to 35' wide at the street line.
2. Spot elevations are to be shown for the existing pavement in the parking lot, the street, and the driveway to determine which way the slope of the driveway runs so that the surface water in the parking lot and street remains in place.
3. The two existing spaces located in the front of the site should be relocated in order to give trucks clearer entry from parked vehicles.
4. The small interconnecting driveway should be labeled as a one way driveway or to have a do not enter sign. The primary purpose of that driveway is to connect one way into the parking lot so that a truck could provide off loading.

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5. The loading dock and associated drainage system looks good. There should be an overflow outlet for the infiltration system away from the building so it does not back up and clog the trench drain.

Chairman Pacekonis asked for comments from commissioners.

Vice Chairman Foley suggested the width of the northern driveway entrance for tractor trailers should remain at 40' as shown on the plan and not reduced to 35' per the Town Engineer's comments.

Commissioners Bonzani and Flagg agreed with the Vice Chair. Commissioner Flagg asked about driveway widths for exiting traffic which Mr. Vacca described in detail.

Chairman Pacekonis asked about the 48' size truck accommodation but that the present standard is 53'. Mr. Vacca stated the standard for the American Association of Highway Traffic Engineers is WB-62 as the standard size which is transitioning to WB-67 which are large cabs over land trucks. The use for this building does not anticipate the need for trucks of that capacity accessing the site. The Chairman noted approval is based upon present and future needs. Mr. Vacca described truck accommodations and the loading dock design.

Vice Chairman Foley discussed the reinforced turf proposed to be used on the site.

Secretary Commissioner Bonzani confirmed the number of tractor trailer trucks to be one per day on site.

Mr. Vacca confirmed for Commissioner LeBlanc that the design was exact rather than created with a factor of safety of one or two feet.

Chairman Pacekonis discussed the traffic pattern, number of occupants, and parking with Mr. Vacca who anticipated 46 extra parking spaces if the building was 100% occupied given the uses. Architect Art Hall described what portions of building were presently occupied. Mr. Vacca verified all calculations for existing and anticipated parking were based on all the tenant spaces and the 115 people using the building.

Commissioner Greer discussed with Mr. Vacca how parked trucks could maneuver from the loading dock.

Commissioner Wagner noted the parking waiver is contingent on anticipated uses staying in bounds of what the new waiver provides but parking will need to be addressed to be consistent with the uses if they were to change. Director Lipe noted a parking waiver is for the particular uses on the property at that time.

Dr. Constantinos described the original section of the building occupied by tenants and that the newer part of the building is vacant and includes warehouse and office spaces. If uses change in the future he will return to the Commission. Director Lipe noted a change of use for a building requires zoning compliance at which time the existing site plan is reviewed to be sure parking requirements are met.

Commissioner Flagg 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 as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
4. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
5. The building street number must be included on the final plan.

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6. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
7. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
8. If a State Traffic Commission certificate is required, no building permits will be issued until the certificate has been issued (per CGS §14-311).
9. In accordance with Section 6.4.9, the Commission has granted a 57 parking space modification to the required number of parking spaces based on the uses presented to be 183 spaces.
10. Engineering comments dated 1/23/18 must be incorporated into the final plans with the exception of the reference in Item #1 to narrowing the driveway opening which is to remain 40 feet at the street line and not to be reduced in width.

Vice Chairman Foley seconded the motion.

The motion carried and the vote was unanimous.

- 2. Appl. 17-50P, Russo In-Law Apartment** – request for a Special Exception to Section 7.1.3.A for a waiver to allow a 1,000 sf in-law apartment (900 sf permitted), on property located at 7 Deerfield Lane, AA-30 zone

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

1. This approval is for an in-law apartment for a family member/relative only. When the in-law apartment is no longer occupied by a relative of the family, the apartment cannot be treated as a second dwelling unit. Instead, the kitchen must be removed and the living area must be converted into other living space for the main dwelling.
2. This permit will expire in five years, on January 23, 2023, and will have to be renewed at that time if the use is to be continued. 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.
3. A waiver has been granted to allow the apartment to be 1,000 square feet.

Commissioner LeBlanc seconded the motion.

The motion carried and the vote was unanimous.

Chairman Pacekonis, after not participating in deliberation or the decision, stated he had recused himself from the application because the subject property is close to his property.

- 3. Preliminary Discussion** with Craig Robbins of Monroe Tractor regarding three lots on westerly side Kimberly Drive

Mr. Craig Robbins described Monroe Tractor as a construction equipment company based out of New York with 12 locations throughout New York and Massachusetts for sales, service, and rentals. An aerial layout was distributed to commissioners of their proposed use for three lots on Sandra Drive. The footprint of the building at 6 Sandra Drive would remain the same and be used for service, sales, parts, and rentals. The two adjacent wooded lots measuring one acre each were proposed to be cleared and used to store equipment 100

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feet from the rear property line and 10 feet from the side and front property lines. The cleared area would not be paved but have a gravel or dirt base.

Director of Planning Lipe stated equipment sales is allowed by special exception in the Industrial zone.

Commissioner Dexter asked if the two lots would be cleared except for the 100' buffer. Director Lipe stated when the lots were subdivided the developer agreed to a 75' area to act as a buffer and there is a requirement which regulates activity within the side yard against the buffer. This creates 100 feet of non-disturbance which is subject to a buffer requirement with inter-planting of deciduous trees.

Vice Chairman Foley asked if the lots would be used as a staging or display area. Mr. Robbins anticipated the use to be static where equipment would be parked or staged.

Chairman Pacekonis asked if the equipment was new for purchase or could there be used equipment parked in the lots that could leak into the soil. Mr. Robbins stated most of what they handle is new but they do rental and take trade-ins. The 4 bays in the paved area are intended for service where they will keep their service machines. Director Lipe stated a parking area would have to be designed to take care of that potential.

Commissioner Flagg compared other business along Route 5 which store equipment. Director Lipe stated this kind of use has a provision which allows for display but other than that outdoor storage would need to be screened from the public way and asked how the industrial street side of the property would be handled.

Commissioners discussed fencing and plantings options for arborvitaes and parking of stored equipment with Mr. Robbins and Mr. Chuck Miller, general manager with Monroe Tractor.

The Chairman asked about business hours which Mr. Robbins described as 7:30 a.m. to 5 p.m.

Commissioners reached consensus the use could be compatible for the area and encouraged Mr. Robbins to move forward with a special exception site plan application.

Commissioner Wagner made a motion to add move an item from Correspondence forward on the agenda for Kaz Equipment Company.

Vice Chairman Foley seconded the motion.

The motion carried and the vote was unanimous.

Director Lipe described a project where the Kaz Equipment Company will be relocating to the former Hartford Truck building at 67 McGuire Road. The use of equipment sales is a permitted use and they intend to use the site as previously approved by Hartford Truck. Kaz Equipment will be going before ZBA for DMV licensing for trailer sales. The Commission indicated a change order could go before Staff for approval of the change of use prior to submitting their application to ZBA.

4. Discussion of survey questions to be submitted to the Town Council for the 2018 Citizen Survey

Director Lipe discussed possible survey questions with commissioners about housing types, sidewalks, and use of the Priest Farm.

5. Reappointment of Architectural & Design Review Committee Members

Director Lipe stated all current members wish to be reappointed for two years to the ADRC. Members include: Charles Regulbuto, Dave Goslin, David Schwabe, Marshall Montana, Sue Larsen, and John Scheib.

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Commissioners reappointed all members by consensus leaving 2 public and 3 alternate positions to be filled.

6. Discussion regarding the Implementation Plan for the Town Plan of Conservation and Development (updated copy enclosed)

Director Lipe discussed the updated Implementation Plan with commissioners.

BONDS: Callings/Reductions/Settings

IWA/CC Bonds

1. Appl. 17-35P, The Bike Shop IWA/CC 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. 18-03P, 85 Nutmeg South LLC** – request for a site plan modification to add a loading dock and parking waiver for proposed uses, on property located at 85 Nutmeg Road South, I zone

MINUTES: 1/9/18 approved by consensus

OLD BUSINESS:

CORRESPONDENCE / REPORTS:

Flyers were distributed to the Commission for the 2018 CT Federation of Planning and Zoning Agencies Annual Conference to be held March 22nd.

Chairman Pacekonis stated he and Commissioner Wagner attended the CRCOG Regional Planning Commission meeting on January 18th which focused on Complete Streets and pedestrian activities.

Director Lipe stated a new day care facility will be opening at the Wapping Church. The use was previously approved many years ago.

Director Lipe suggested creating a new staff report on pending applications to be sent out with agendas in commissioner's packets and distributed a template to commissioners to consider.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 9:47 p.m. was made by Commissioner Parrot
Seconded by Commissioner Flagg
The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary