

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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APRIL 10, 2018

MEMBERS PRESENT: Bart Pacekonis, Stephanie Dexter

ALTERNATES PRESENT: Teri Parrott, Kenny Young

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

REGULAR MEETING / MADDEN ROOM

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

Chairman Pacekonis seated Alternate Commissioner Young for Commissioner Foley and Alternate Commissioner Parrott for Commissioner Bonzani.

Chairman Pacekonis regrettfully accepted a letter of resignation from Alternate Commissioner Parrott who would resign her position as of the end of the meeting.

PUBLIC PARTICIPATION:

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

1. **Appl. 17-48P, Evergreen Walk LLC** - request for a modification to the General Plan of Development layout to show the location of a proposed assisted living facility on Unit 16, on property located at 151 Buckland Road (within 'Evergreen Walk'), on the westerly side of Buckland Road, on the southerly side of Deming Street and northerly of Smith Street, Buckland Road Gateway Development Zone

Application postponed until the next meeting by request of the applicant.

2. **Appl. 18-11P, J.E. Shepard Company**– request for renewal of a 2 year temporary and conditional permit (Section 2.13.a) to allow a two-family house on property located at 2019 John Fitch Boulevard, I zone

Mr. James Stafford King representing the J.E. Shepard Company presented the request for renewal stating there are some issues with the property and that they would like to table the permit until a later date.

Director of Planning Michele Lipe gave staff comments:

1. Request for renewal of a temporary and conditional permit for an apartment in the existing house at 2019 John Fitch Boulevard, I zone.
2. The applicant applied to the ZBA in October 2005 to make this into a permanent two family house, however, the applicant was denied a variance as the Board did not think there was any hardship demonstrated. The applicant then applied to this commission for a T & C permit, which was granted in April 2006 and renewed in 2008, 2010, 2012 and 2014.
3. This site is currently under violation with the Planning Department, for non-compliance with the approved site plan, and storing junk vehicles as a motor vehicle junk yard.
4. 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."

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5. If this application is approved, the Planning Department would recommend only a 3 month extension to review the status of the cleanup at that time.

Chairman Pacekonis asked what the process would be if a 3 month renewal is granted. The Director stated the applicant would come back before the Commission in 3 months.

Commissioner Dexter asked if the tenant had anything to do with the non-compliance issues. Mr. King stated they did not.

The Chairman asked if the applicant would be able to resolve the site issues within 3 months and Mr. King stated they would.

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

1. The temporary and conditional permit for this apartment is being renewed for three months only and will expire on July 10, 2018.
2. No application for renewal will be entertained by this Commission unless the existing zoning violations on the property (for which the property only has been cited) have been resolved by this date.
3. In the event the property is still in violation, the town will proceed with zoning enforcement action and potentially blight enforcement.

Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 18-12P, J.E. Shepard Company**– request for renewal of a 2 year temporary and conditional permit (Section 2.13.a) to allow a modular office at 185 Governor’s Highway, I zone

Mr. James Stafford King representing the J.E. Shepard Company presented the request for renewal for an office which may not be presently in use.

Director of Planning Michele Lipe gave staff comments

1. Request for renewal of a two year temporary and conditional permit for a modular office at 195 Governor’s Highway, I zone.
2. This temporary and conditional permit was originally granted in 1991. The office area is approximately 880 sq ft. (40’ x 22’) and it is located slightly outside the building line along Governor’s Highway.
3. The modular office is currently not in use.
4. The wording of the T & C permit regulation is that, “Temporary and conditional permits may be granted by the Commission for a period not to exceed 2 years. Such approval may be given after a public hearing if, in the judgment of the Commission, the public convenience and welfare will be substantially served, and the appropriate use of neighboring property will not be substantially or permanently injured, and traffic and other hazards will not result from such use.”
5. If this application is approved, the Planning Department has no modifications to request.

Commissioner Dexter asked how many feet the building is located off the road and it was determined to be approximately 5 feet.

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Chairman Pacekonis noted the temporary and conditional nature of the permit and asked what the plan was for the office. After discussion with the Director of Planning, the Commission determined a final two year temporary and conditional approval would be granted and that the structure should be put into compliance.

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

1. The permit is for a two year renewal and will expire on April 10, 2020.
2. The Planning & Zoning Commission has indicated the property should be brought into compliance at that time.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

- 4. Appl. 18-13P, J.E. Shepard Company**– request for renewal of a 2 year temporary and conditional permit (Section 2.13.a) to allow an office for the ‘Inspiration House Publishers’ at 1865 Main Street, A-40 zone

Mr. James Stafford King representing the J.E. Shepard Company presented the request for renewal stating nothing has changed with the use or property.

Director of Planning Michele Lipe gave staff comments:

1. Request for renewal of a temporary and conditional permit that had originally been granted by the ZBA in 1974 for an office for Inspiration House Publishers in the existing Post Office building at 1865 Main Street, A-40 zone.
2. This property is owned by the applicant and currently houses the East Windsor Hill Post Office as well as an apartment. The applicant has used this location in the past for Inspiration House as well as for the Giving Tree (a card, gift and book shop) approved through a ZBA temporary and conditional permit. The current use is the inventorying of the cards and books of the “Inspiration House Publishers.” There are no retail sales and all shipments are made directly from the East Windsor Hill Post Office.
3. The applicant’s previous description indicates that the level of activity is approximately 4 hours a week and would entail the owner’s car being parked in the East Windsor Post Office parking area.
4. 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.”

If this application is approved, the Planning Department has no modifications to request.

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

1. The permit is for a two year renewal and will expire on April 10, 2020. If this use is to continue beyond that date, a renewal will be required.

Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

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- 5. Appl. 18-14P, J.E. Shepard Company**– request for renewal of a 2 year temporary and conditional permit (Section 2.13.a) to allow two apartments, known as ‘Home Farm Apartments’, on property located at 176 Windsorville Road, RR zone

Mr. James Stafford King representing the J.E. Shepard Company presented the request.

Director of Planning Michele Lipe gave staff comments:

1. Request for renewal of a temporary & conditional permit for two apartments located at 176 Windsorville Road, RR zone. The original approval was granted in January 1993. The building was constructed in 1911, and the subject building had been used for a variety of nonconforming uses in the past, including a boarding house, teen center, manufacturing and apartment, and studio.
2. The RR zone does allow for accessory apartments; however there is no provision for multiple apartments in separate buildings on a site.
3. This property is served by wells. The Environmental Health Officer has been in contact with the owner regarding the testing of the well on an annual basis. He has complied and the results have been submitted to the health department.
4. 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.”

If this application is approved, the Planning Department has no modifications to request.

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

1. The applicant must test the water annually and provide the results to the Town Environmental Health Officer.
2. The permit is for a two year renewal and will expire on April 10, 2020. If this use is to continue beyond that date, a renewal will be required.

Commissioner Dexter seconded the motion.

Chairman Pacekonis asked where the well testing results would be submitted. The Director indicated the results would go to Heather Oatis in the Health Department.

The motion carried and the vote was unanimous.

- 6. CGS 8-24 Referral** regarding the purchase of development rights for approximately 49.7 acres known as the Shepard Farm on the easterly side of Main Street and southerly side of Pleasant Valley Road (R043, R044, 726, and R048 Main Street, and R011 Pleasant Valley Road)

Director of Planning Michele Lipe described the 8-24 Referral for the purchase of development rights for a significant amount of farmland known as the Shepard Farm which will have a public hearing before the Town Council on April 16th. An aerial map for the properties was shown and described. The purchase of the development rights would cost the Town of South Windsor approximately \$250,000 and the State of Connecticut \$500,000 and would protect the land from being subdivided and developed into housing. Preservation of land is an important goal for the Main Street area as written in the Town Plan of

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Conservation and Development and the Main Street Study which stressed the preservation of farmland. One year ago the Town Council adopted a policy of purchasing development rights.

Chairman Pacekonis recalled that while serving on the OSTF the potential for development of 300 houses in the area of Main Street was indicated. If development can be limited by the purchase of this prime farmland it will benefit the town and the school system.

Councilor Jan Synder commented this purchase will be the first coming before the Town Council under the new resolution and is very exciting for the Council.

Director Lipe stated the Town has a bond for open space purchases which will cover the Town's portion of the cost.

Commissioner Parrott asked for an explanation of development rights. Director Lipe stated the Town would not own the land directly but would purchase the development rights to restrict the deed so that the land would not be developed into housing in the future. Coverage up to 5%-10% would be allowed for agricultural buildings, such as a barn, to be added to the site.

After discuss the Commission reached consensus to submit a favorable report to Town Council.

BONDS: Callings/Reductions/Settings

APPLICATIONS OFFICIALLY RECEIVED:

MINUTES: 3/27/18 adopted by consensus

OLD BUSINESS:

Director Lipe noted the April 24th PZC agenda will include the public hearing for Appl. 18-08P, Asticou Resubdivision, Appl. 17-48P Evergreen Walk, a general discussion with the Town Manager regarding I-291 corridor development, and a general discussion with Evergreen Walk regarding development of their remaining land. The public hearing for Appl. 18-15P for Monroe Tractor is now scheduled for the May 8th meeting.

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 7:58 p.m. was made by Commissioner Parrott.

Seconded by Commissioner Young

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo
Recording Secretary