

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-1-**

**APRIL 24, 2018**

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

**ALTERNATES PRESENT:** Mike LeBlanc, Kenny Young

**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 Thursday, April 12, 2018 and Thursday, April 19, 2018.

1. **Appl. 18-08P, Asticou Resubdivision** – request for a subdivision, approx. 5.5 acres, to create one new residential lot on property located on the southerly side of Deming Street easterly of Buckland Road (235 Deming Street), AA-30 and Buckland Gateway Development Zone

Mr. Ben Wheeler, Design Professionals, Inc. Connecticut licensed landscape architect, presented the request in the company of RSK-Kellco Inc. family members. A zone change and lot line modification were previously approved to create a 5.39 acre lot of mostly wetlands except for  $\frac{3}{4}$  of an acre for a single family house which will conform to zoning. IWA/CC approved the application on 4/18/18. There is a buffer requirement of 50' which extends into the wetland area. The wetlands will be planted with river birch, cedar and dogwood to provide screening. The new house and existing house will use one curb cut on Deming Street for the driveway which will then split for the two houses. Two mature trees on site were determined by the Town Engineer to impact sightlines and are proposed to be removed and replaced by two trees to be set further back from Deming Street.

Chairman Pacekonis seated Alternate Commissioner LeBlanc for Commissioner Greer.

Director of Planning Michele Lipe gave staff comments:

1. Request for a subdivision, approx. 5.5 acres, to create one new residential lot on property located on the southerly side of Deming Street easterly of Buckland Road (235 Deming Street), AA-30 and Buckland Gateway Development Zone
2. Minimum lot size required in the AA-30 zone is 30,000 sf. The lot size proposed is 33,260 square feet for the new lot.
3. The existing house has a driveway onto Felt Road that services 241 Deming Street; the new lot will share the entrance at Deming Street. The site line for this driveway should be shown on the plans. In the event that town trees are to be removed, the applicant must coordinate with the town tree warden.
4. There are no sidewalks along this side of Deming Street.
5. There are regulated wetlands on the property. The IWA/CC approved this application on 4/18/18 requiring a bond in the amount of \$3,000 for E and S; a conservation easement over the wetlands on the building lot to be marked in the field and bear root plantings in the wetlands area. This is the same area where a buffer is required so those plantings will be supplemented with red cedar and river birch.
6. Street trees are shown along Felt Road in a street trees easement. The proposed tree planting notes need to be replaced with the Town's standard tree planting specifications
7. The site will be serviced by public water and town sewers. WPCA approval is required.

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-2-**

**APRIL 24, 2018**

Director of Planning Michele Lipe read comments from Town Engineer Jeff Doolittle dated 4/24/18:

1. Show the sightline looking both west and east from the end of the proposed driveway opening.
2. The 2 existing trees to the west of the existing and proposed driveway appear to obstruct the sightline looking west and should be removed as shown on the plans, and replace with 2 new trees in the front yard of the new lot. These will need to be posted by the Town Tree Warden. Care must be taken not to damage the existing storm drain manhole or pipes directly in front of these trees.
3. WPCA review and approval is needed for the new lot at 241 Deming Street. A sewer assessment may be charged on this lot.

Chairman Pacekonis asked for public comment.

No one from the public spoke in favor or opposition.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Flagg asked about the width of the dual driveway and about sidewalks and tree maintenance. Mr. Wheeler stated the driveway at the curb is 20' wide, sidewalks are located on the opposite side of Deming Street and trees will be kept up by the property owner.

Commissioner Wagner asked if the wetlands will be farmed and where the access would be. Mr. Bruce Kelley stated there will not be an easement on the property but they will be able to get in once a year to hay the land which will be kept as a wet meadow.

Commissioner Dexter asked if other lots would be created from the acreage. Mr. Wheeler explained the majority of the land is wetlands and no other building lots can be created.

The Chairman closed the public hearing at 7:45 p.m.

**REGULAR MEETING / MADDEN ROOM**

**CALL TO ORDER:** The Chairman opened the Regular Meeting at 7:45 p.m.

**PUBLIC PARTICIPATION:** None

**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

Mr. Alan Lamson of FLB Architecture and Planning located in East Hartford representing Evergreen Walk LLC presented the request. A modification to the general plan was last approved in 2017. This request reconciles the square footage on the plan with the square footage on the table showing the amount and types of uses allowed and State Traffic Authority numbers. A site plan was shown with all uses constructed and the 5 units still to be developed all within the context of the table previously approved by the Commission.

Modifications include a small error of 450' sq ft on the plan which is being corrected. A purchase and sales agreement is in place between Evergreen Walk and the Town of South Windsor for a property with frontage

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-3-**

**APRIL 24, 2018**

along Buckland Road (just north of LA Fitness). This property, currently owned by the Town, will now be included on the Evergreen Walk overall general plan.

Unit 7C, behind the Tempo Apartments, and Unit 8 will include a mixture of retail and office use. Unit 12, behind LA Fitness, will include assisted living and independent living. Originally, the number of both assisted and independent living units was 290 total units proposed on 245,000 sq ft. The final site plan approved for the independent living facility is for less units on more square feet (185,000 sq ft) and the assisted living facility will now be on less square feet (115,000 sq ft). The total square footage has increased by 45,000 sq ft with the number of living units of the two facilities decreased by 40 units. Traffic has not been impacted. Other areas to be developed will focus on retail.

Director of Planning Michele Lipe gave staff comments:

1. The original general plan approved in 2001 and this plan was renewed in 2014 and modified last year. This is a request for a modification to the General Plan of Development layout to decrease/increase approved square footages/units of certain uses to the following 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
2. Proposed changes with this modification include:
  - Location of future assisted living development north of LA Fitness. Assisted Living facilities are permitted in the Buckland Gateway Development zone by special exception.
3. Utility impacts to assess proposed changes were addressed in the report that you received. This report was reviewed by Town Staff and no concerns were expressed. Adequate public water is and sewers are available in the area and details designs would be reviewed at the time of site plan approval. Changes in the traffic volumes have been submitted to OSTA for review and approval.
4. All of the parking proposed for this new facility shows parking distributed around buildings. The Gateway zone regulation notes that it is the intent of this regulation to create off-street parking that is creative and to achieve attractive, innovative parking layouts that will accent and highlight buildings and features of the zone.
5. There are regulated wetlands on the periphery of the proposal. Existing trees and hedgerows must be incorporated into site design and preserved to the maximum extent possible tree and hedgerow preservation must be addressed with the site plan, particularly in the 65 foot front yard setback.
6. Pedestrian access is shown throughout the site and is shown connecting to the sidewalk network within the development. At the time of the site plan, we would be looking for connection to the Buckland Road sidewalks as well.
7. At the time of the last general plan update, there was the requirement to complete the water loop as required by the Fire Marshal and CT Water. My understanding is from a recent correspondence from CT Water is that the work is scheduled to be completed this month.
8. Some of the remaining items include future phases of the walking trail.
9. Prior to any actual building or site construction, a full site plan of development that is in conformance with the approved general plan must be submitted and approved by the Commission as well as the Inland Wetlands Agency and the WPCA. The site plan will include all of the engineering details as well as final building design and site layout.

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-4-**

**APRIL 24, 2018**

10. If this General Plan is approved, Planning Department requests:

- All of the conditions of the 2014 general plan approval will remain in effect.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Wagner asked about the walking trails. Director Lipe stated the trails are being built in phases but completion has not yet occurred. With each approval more of the trail is proposed to be completed. Presently, the trail is required to be completed from the south up to the Evergreen Crossing Independent Living project. Commissioner Wagner asked about the zoning text to allow gas stations and Mr. Lamson confirmed there are no gas stations planned at this point. Commissioner Wagner also asked about the antique potato columbine on site. Mr. Lamson offered the columbine as well as the two antique barns to anyone in the area with historical interest.

Vice Chairman Foley asked about the two residential buildings and frontage along Buckland Road being sold to Evergreen Walk.

Commissioner LeBlanc voiced interest in any new construction being complementary to the surrounding buildings in appearance and number of stories.

Chairman Pacekonis asked what areas of the walking trail will now be addressed as part of this application. Mr. Lamson stated Evergreen Walk LLC is in conversation to determine how much of the trail they will undertake to build now. The Chairman stated the walking trail is an important element and if the proposed projects do not get constructed it is still important to have the walkway. The Chairman also asked about the completion of Tamarack Avenue and all sidewalks being cleared of snow throughout the development.

Commissioner Flagg discussed assisted living facilities and their location with Mr. Lamson.

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

The Commission notes that this approval is for a General Plan of Development, which does not address all engineering and site design details.

1. A Special Exception and/or Site Plan of Development approval is required prior to construction, per Section 4.2.15.D of the zoning regulations.
2. At the time of site plan submission, the Commission will review all specific details of the project, including, but not limited to, the following concerns raised during the General Plan of Development update application process:
  - Timeframe for completion of the walking trail;
  - Identify mature trees within the undeveloped pieces along the Buckland Road frontage on future site plans and incorporate into the site plan. An arborist report provided if removal of significant trees are proposed to be removed with the 65 foot setback.
3. No building permits will be issued until any required OSTA certificate has been issued (per CGS §14-311).
4. All approval conditions of the March 11, 2014 for Appl. 14-09P, Evergreen Walk General Plan of Development remain in effect.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-5-**

**APRIL 24, 2018**

- 2. Appl. 18-08P, Asticou Resubdivision** – request for a subdivision, approx. 5.5 acres, to create one new residential lot on property located on the southerly side of Deming Street easterly of Buckland Road (235 Deming Street), AA-30 and Buckland Gateway Development Zone

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

1. This approval is for 1 lot.
2. Drainage and construction for this subdivision are 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 including a bond in the amounts \$3,000 for erosion and sedimentation measures.
6. A landscape bond for the buffer plantings in the amount of \$3,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
7. Trees within the street trees easement and any other trees on land that is currently or will in the future become Town-owned land are to be planted in accordance with the enclosed Tree Planting Specifications. Any trees to be removed within the town ROW must be posted by the Town's tree warden.
8. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
9. 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. All deeds for open space, public improvements and roadways must be submitted prior to request for Town acceptance; all deeds must be in accordance with the policy for accepting deeds and must be approved by the Engineering Department and Town Attorney.
10. 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.
11. 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.
12. 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.
13. A drainage assessment fee in the amount of \$50.00 shall be submitted to this Commission.
14. 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.

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-6-**

**APRIL 24, 2018**

15. The Town Engineer's review comments dated 4/24/18 must be incorporated in the final plans.

Commissioner Wagner seconded the motion.

The motion carried and the vote was unanimous.

**3. General discussion** regarding future development of remaining land within Evergreen Walk - John Finguerra and Alan Lamson to be present

Mr. Alan Lamson and Mr. John Finguerra gave an overview of Evergreen Walk which they have been developing over the last 25 years. A site plan was shown of the 243 acre site, 90 acres of which are preserved as open space. The 5 remaining units of land to be built upon were described.

Unit 7C located behind the Tempo Apartments is currently shown as retail and office but because of the location behind the apartments its best use may be the expansion of more residential. Current regulations have a ceiling of 200 residential units in the Buckland Gateway zone which has already been met. Any additional residential will require a zoning amendment. Mr. Finguerra described an overall picture of retail in the area including Buckland Hills where economics lead retailers to preexisting storefronts there. He stated there still remains strong interest in Evergreen Walk which is supported by its housing which protects the viability of its retail and restaurants day and at night.

Unit 8 has approximately 8 acres and is shown as office and retail. Its location behind the Shops may limit accessibility for retail. The residential market is being considered for ownership or age restricted housing.

The location of Unit 4 can be accessed through both Evergreen Way and Tamarack Avenue and is shown as retail. The site is lower in elevation and located behind Old Navy. It could be combined with another unit or considered for a child day care facility, which could be permitted by special exception, for those who work in the area.

Unit 12, located behind LA Fitness, is ideal for retail use with direct access and visibility from Buckland Road. Mr. Finguerra stated all the sites have full utilities.

Unit 5 is shown as retail with visibility from Buckland Road. It presently has two houses on it with wetlands to the south and access from Evergreen Way. Unit 5 combined with Unit 12 could become the commercial retail area to be developed over the next few years.

Mr. Finguerra reflected about the development they have done measuring over 800,000 square feet of retail, including Target and Lowes, with the 45,000 square feet of LA Fitness, 100,000 square feet of medical offices, and 200 apartments. The apartments have added interest to Evergreen Walk with restaurants expanding and retail patronage supported for flagship stores including Apple, Brooks Brothers, and LL Bean.

Commissioner Dexter asked about the old Highland Park location. Mr. Finguerra stated Evergreen Walk LLC does not own the building which POAG manages and is owned by Prudential Insurance. Chairman Pacekonis asked about the partially developed unit next to Old Navy which Mr. Lamson stated is being marketed but also is not owned by Evergreen Walk LLC.

Vice Chairman Foley noted the preference to have quality rather than quantity. Mr. Michael Sarasin who handles the leasing of the properties described the tenants of Evergreen Run which has had only 2 tenants leave over 12 years.

Commissioner Wagner asked about the market for more residential. Chairman Pacekonis noted, more importantly, it is the appetite of the Planning & Zoning Commission of South Windsor whether to have more residential in the area. Evergreen Walk was originally approved and built for economic development.

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-7-**

**APRIL 24, 2018**

Commissioner Wagner asked for an explanation of the table which Mr. Lamson described as providing them with a palette from which they can draw people to Evergreen Walk if they fit within the table. Returning to the Commission every year or so in order to understand the direction the Commission wants to go helps with the marketing of the site.

Vice Chairman Foley stated the Commission did put a cap on the residential of 200 units. Mr. Lamson explained they would have to return to the Commission for a zoning amendment if that ceiling was to be increased. The Vice Chairman noted the impact of residential on the school system's cost per child which cannot be recovered. Mr. Finguerra noted statistics from Manchester's Broadleaf development of 235 apartments where there are 5 children between the ages of 5-18 and no two children are in the same grade. The majority of the tenants are 35 to 50 year olds. Apartments are a good way to attract young people to South Windsor to support retail and dining. Commissioners continued the conversation on average rents, available apartments in the area, and schools.

The Chairman encouraged retail development, especially to the north, to proceed full steam ahead but to tread lightly for residential proposals. The future may allow consideration for residential in the areas that are less ideal for retail but South Windsor's school system is already projected at capacity.

Mr. Finguerra thanked the Commission and the Town for being a great place in which to do business.

**BONDS: Callings/Reductions/Settings**

**Subdivision Bonds**

1. Appl. 06-03P, Tiger Lily Subdivision Bond in the amount of \$8,750 to be reduced by \$8,750 to leave a balance of -0-.

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

The motion carried and the vote was unanimous.

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 18-18P, MSKW, LLC** - request for a site plan to construct a new office for MK Construction, on property located at 140 Troy Road, I zone
2. **Appl. 18-19P, Musante Enterprises, LLC** - request for a Special Exception to Table 4.1.1.A for a used car dealership (Maximum of 4 cars), on property located at 41 Commerce Way, I zone
3. **Appl. 18-20P, Cynthia Foster dba Blue Heron Vineyard at Foster Farm** – request for a Special Exception to Table 3.1.1A 9 (Agri-Tourism) and site plan of development for a tasting room for sale of winery, on property located at 90 Foster Street, RR zone
4. **Appl. 18-22P, Keystone Novelties Distributors, LLC** - request for renewal of a 2 year temporary and conditional permit (Section 2.13.a) to allow for "tent" sale of fireworks from June 27 – July 5, 2018, on property located at 395 John Fitch Boulevard, GC zone

**MINUTES:** 4/10/18 adopted by consensus

**OLD BUSINESS:**

**CORRESPONDENCE / REPORTS:**

**TOWN OF SOUTH WINDSOR**  
**PLANNING & ZONING COMMISSION**

**MINUTES**

**-8-**

**APRIL 24, 2018**

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Director Lipe described the Sustainable CT kick off meeting for Town Boards, Committees and Commissions to be held on April 30<sup>th</sup> at 7 p.m. in the Council Chambers.

An inquiry was submitted from the party who is renovating the house which burned down at 713 Griffin Road. He would like to stay in an RV while working on the house as he travels back and forth to Connecticut over the next 6 months. Neighbors of the property have written a letter of support for his plan. The Commission concluded the RV could be used on the property in the time frame noted.

**ADJOURNMENT:**

Motion to adjourn the Regular Meeting at 9:21 p.m. was made by Commissioner Foley.  
Seconded by Commissioner Wagner  
The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo  
Recording Secretary