

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-1-

MAY 22, 2018

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

ALTERNATES PRESENT: Michael LeBlanc, Kenny Young

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

PUBLIC HEARING / COUNCIL CHAMBERS

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

Acting Secretary Commissioner Dexter read the legal notice as it was published on Thursday, May 10, 2018 and Thursday, May 17, 2018.

1. **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 wine, on property located at 90 Foster Street, RR zone

Mrs. Cynthia Foster presented the request for a wine tasting room at Foster Farm where the Foster family has been farming since 1790. This is a new opportunity for agricultural use to continue on the property along with the seasonal greenhouses and annual corn maze. The wine tasting room would be a seasonal activity following the timeframe of the Connecticut Wine Trail with limited hours Friday and Saturday 11 a.m. to 6 p.m. and Sunday 11 a.m. to 5 p.m. One corner of an existing barn would be converted into the 272 sq ft tasting room plus a 677 sq ft production storage area. The barn is far back from the road with an access road and parking located opposite the tasting room.

Director of Planning Michele Lipe gave staff comments:

1. Request for approval for a Special Exception to Table 3.1.1A 9 (Agri-tourism) and site plan of development for a tasting room for sale of wine, on property located at 90 Foster Street, RR zone
2. This is the first application the Commission has received since adopting the Agri-tourism provisions in the zoning regulations. In addition to the special exception criteria of Section 8.4, other criteria from the Agri-tourism regulations include:
 - The farm is a minimum of 5 acres.
 - The lot has to have frontage for access from a public road. Adequate line of sight entering and exiting the site shall be demonstrated based on Connecticut Department of Transportation standard and able to accommodate anticipated traffic volumes.
 - Adequate internal access thereto and be provided with sufficient parking to accommodate projected visitors. Pervious parking areas are encouraged.
 - Any building proposed for commercial use shall be located not less than 100 feet from any street or property line.
 - Maximum impervious coverage shall be 25%.
 - Side and rear yards shall contain landscaped buffers of 10 feet in width. The provisions of Section 6.2.4 Buffers shall apply.
 - All local, state, and federal applicable regulations must be complied with prior to the issuance of a zoning permit.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-2-

MAY 22, 2018

- Activities are generally conducted during day time hours. The Commission may set restrictions on entertainment to mitigate the potential noise to surrounding properties. Limitations may include, but are not limited to, time of day, limitation on outdoor entertainment, and use of amplified equipment.
- 3. The applicant submitted a narrative which describes farm related activity that currently takes place on site e.g. greenhouse and corn maze. The winery is proposed to be open seasonally (Spring through Fall) and is proposing to be open Friday and Saturday from 11:00 a.m. – 6:00 p.m. and Sundays 11:00 a.m. to 5:00 p.m.
- 4. The area for the winery is proposed in an existing barn map which is highlighted on the map submitted. The parking area is shown as the area closest to the barn.
- 5. This property is serviced by private well and septic system. The applicant is working with the Town Sanitarian on providing appropriate facilities on site to meet all health codes.
- 6. There are no regulated wetlands on the property in the area of the winery and no construction is proposed.
- 7. This proposal is for a small scale winery. In the event that the applicant wants to expand hours or activities on site, the applicant will have to return to this Commission for additional approvals.
- 8. If this application is approved, Town staff requests no additional approval conditions except as already noted.
- 9. Septic comment from Heather Oatis. We do not know the size or capacity. They would need to apply for a variance from the Director of Health to use a port-a-potty as a permanent fixture to meet bathroom requirements.

Chairman Pacekonis asked for public comment.

Mr. Andrew Paterna of 301 Strawberry Lane spoke in favor of the application stating the time has come for Agri-tourism in South Windsor. Bringing the Connecticut Wine Trail to South Windsor will bring dollars into town and to the family.

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

The Chairman asked for comments from commissioners.

Commissioner Wagner asked if wine making would create odors that would propagate to other properties and if the wine will be fermenting in the same area it will be sold. Mrs. Foster indicated the fragrance of wine is confined within the small area of the tasting room and fermentation would take place in the production storage area. The commissioner noted the Fosters will be using grapes grown on their farm. Mrs. Foster explained their federal permit will allow them to sell wine that they have produced from grapes or grape juice which they may purchase but they will not be a re-seller of wines produced by someone else.

The Chairman closed the public hearing at 7:44 p.m.

- 2. Appl. 18-25P, Keystone Novelties Distributors, LLC**– request for 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 690 Ellington Road, RC zone

Mr. Neil Shaw representing Keystone Novelties Distributors, LLC presented the request stating each location will have a tent set up by a local tent company for Connecticut legal fireworks which are sparkling devices that do not fly in the air. Hours of operation will be 9:00 a.m. to 9:00 p.m. from June 27th to July 5th.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-3-

MAY 22, 2018

Director of Planning Michele Lipe gave staff comments:

1. Request for a temporary and conditional permit to allow the sale of fireworks from June 27 – July 5 on property located at 690 Ellington Road, RC zone.
2. The applicant is proposing to erect a 20' x 40' tent. The tent will have 2 exits, and be posted with "No Smoking" signs. In addition, there will be an ABC fire extinguisher and a water only fire extinguisher in the tent.
3. The applicant is estimating 2-3 cars at a time in the parking area and 5-10 people in the tent at any given time.
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."

Chairman Pacekonis asked for public comment.

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

The Chairman asked for comments from commissioners.

Alternate Commissioner LeBlanc asked if a generator would be run for power in the tent. Mr. Shaw indicated there will be a generator running while the tent is open with a cable located around the parking lot rather than running through the lot.

Commissioner Flagg asked if the tent will be the same size as used at the Route 5 location. Director Lipe confirmed the size to be the same size 20' x 40' tent.

Commissioner Dexter confirmed with Mr. Shaw that there will be overnight security on site.

Commissioner Wagner noted there are residences nearby and asked if the Fire Marshal had reviewed the plan. Director Lipe stated the Fire Marshal has looked at the plan conceptually and will review the tent for approval when it comes in for the building permit. A condition of approval can be crafted that it will be subject to review and approval of location by the Fire Marshal. Mr. Shaw stated the applicant has never had an accident or fire in 25 years.

The Chairman closed the public hearing at 7:52 p.m.

- 3. Appl. 18-15P, Monroe Tractor** – request for a Special Exception to Table 4.1.1A and site plan of development for equipment sales, service and rentals on property located at 6, 14 and 24 Sandra Drive, I zone (continued from 5/8/18)

Attorney Meghan Hope of Alter & Pearson, LLC of Glastonbury continued the presentation from the May 8th public hearing with Mr. Ben Wheeler and Mr. Dane LeBonte of Design Professionals, Inc. and applicants Mr. Craig Robbins and Mr. Chuck Miller of Monroe Tractor. Attorney Hope referenced a letter from Mr. Robbins to the commission dated May 18th regarding hours of operation. The posted business hours are Monday to Friday 7:30 a.m. to 5:00 p.m. Employees may arrive prior to 7:30 in order to start work at 7:30 but there will be no outside activity prior to the 7:30 start time. Shipping and receiving hours are 8:00 a.m. to 4 p.m. If an emergency situation arises when a part would need to be accessed for use off site someone may need to enter the building after hours or in a rare emergency situation to access the site outside of the 7:30 a.m. to 5 p.m. hours.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-4-

MAY 22, 2018

Mr. Wheeler, licensed landscape architect in Connecticut with Design Professionals Inc. which prepared the site plans, stated revised plans and narrative were submitted last week based on feedback from the May 8th meeting. The possibility of the earthen berm had been reviewed and was determined to require more tree clearing in the buffer area and that it would block drainage currently designed to flow across the buffer area and into the yard drainage. Also considered was a suggestion from Vice Chairman Foley for storing the equipment at a lower elevation by re-grading the storage yard. It was determined anything lower than the 2% slope designed would compromise the integrity of the millings being used. The location of the loading dock was also reviewed and was determined to be in the best area of the yard for functionality. The fuel storage tank shown next to the loading dock will be relocated to the eastern side of the site near the service bays on a concrete pad on the existing pavement along side the dumpster.

The row of arborvitae proposed to be added to the buffer has been eliminated and replaced with an 8' high board on board stockade fence in natural wood color as requested by the neighbors in their May 8th presentation. The fencing proposed along the Sandra Drive frontage will be changed from white vinyl to a split rail style natural wood color fence to match. The site lighting has been eliminated and the existing street lights when made functional on Sandra Drive will serve as lighting for the site.

Mr. Robbins from Monroe Tractor clarified information and materials presented at May 8th meeting stating Monroe Tractor covers 4 states with 4 distinct markets. Photographs had been shown of larger equipment from the New York market where large farming operations are common. Connecticut has fewer farms with smaller operations. The milling machines and crushing plants shown are already marketed in Connecticut so Monroe Tractor will not be allowed to sell them in state. Pictures taken in April were shown of their Wooster location which they moved to on March 23rd and share with another company. The site has been put in order since April and serves a much larger market with much more traffic and volume. Photos of the Woburn, MA location, where Monroe Tractor rents one bay for parts sales and no equipment sales, showed lifts from Sunbelt Rentals. Mr. Robbins stated they have no plans to sell any type of aerial lift equipment at their Connecticut location. He distributed street view pictures of their locations to commissioners (Exhibit A) and stated the diesel engines in their machines are quiet and clean running meeting today's emission standards unlike equipment from a decade ago.

Mr. Robbins reported he met with company owner Chuck Miller and a number of abutting property owners to go over their concerns and the changes to the site plan made at the neighbors' request from the May 8th meeting. The equipment to be sold on site was described as compact with a very small percentage of larger stock. The neighbors had no questions or feedback at the meeting. Mr. Robbins described their commitment to transparency and the process they have taken starting with meeting preliminarily with the commission in January. He stated they are committed to being a good neighbor and have given the neighbors their cell phone numbers to call anytime and that of the main office to speak directly to the owner.

Director of Planning Michele Lipe had no additional staff comments.

Chairman Pacekonis asked for public comment in favor of the application.

No one from the public spoke in favor of the application.

Chairman Pacekonis asked for public comment in opposition or with concerns.

Mr. Brian Beckwith of 53 Old Parish Drive spoke in opposition distributing packets of information to commissioners (Exhibit B) and read from an updated cover letter signed by an additional 45 neighbors: Kanchana Patlolla of 24 Fitch Meadow Lane, Shweta Gupta of 28 Fitch Meadow Lane, Paul and Daryl Ramsey of 1688 Main Street, Lori Panora of 959 Main Street, Regina Pilatti of 1031 Main Street, Janet Spielmon Prior of 1042 Main Street, Janet Belknap of 988 Main Street, Joy Ebanks-Frederick of 2 Old

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-5-

MAY 22, 2018

Parish Drive, David and Ronna Goslin of 1906 Main Street, Louise C. Evans of 1678 Main Street, Jane L. Gordon of 1624 Main Street, Lisa M. Bretz of 66 Fitch Meadow Lane, Donna Brennan of 55 Fitch Meadow Lane, Donald Sfreddo of 56 Fitch Meadow Lane, Duane Pichay of 69 Fitch Meadow Lane, Nancy Mulroy of 45 Fitch Meadow Lane, Huy Vo of 35 Fitch Meadow Lane, Brenda Sanders of 21 Fitch Meadow Lane, Matthew Willis of 14 Fitch Meadow Lane, John D. Habif of 1772 Main Street, Marc Ogorman of 1810 Main Street, Kathryn and James Kerrigan of 1838 Main Street, Nicole Rossetti of 52 Fitch Meadow Lane, Kristel Scott of 48 Fitch Meadow Lane, Barbara Semino of 40 Fitch Meadow Lane, Helen Regan of 36 Fitch Meadow Lane, Virginia Macro of 1828 Main Street, Rosalie Giansiracusa of 68 Fitch Meadow Lane, Krishna Veerapaneni of 65 Fitch Meadow Lane, Sandra Cataldi of 59 Fitch Meadow Lane, David Melinosky of 7 Fitch Meadow Lane, Susan Havens of 1696 Main Street, Claudius Cole of 1713 Main Street, Doug Grover of 1752 Main Street, Constance L. Jones of 1760 Main Street, Walter J. Fitzpatrick of 1846 Main Street, Tom Laflamme of 1891 Main Street, Wilma Willoughby of 1612 Main Street, Sally A. Terry of 49 Fitch Meadow Lane, Paul Barbour of 2 Wildlife Trail and Tom Wholley of 1533 Main Street.

Mr. Stan Grivers of 32 Old Parish Drive went over their revised proposed plan modifications and photographs requesting a 12' high wooden stockade fence option for the buffer rather than the 8' high fence previously requested; site lighting to be put on a timer if not removed from site; equipment maintenance to be done indoors in the bays and when possible with bay doors closed in order to reduce any echo chamber effect of noise; restriction on equipment demonstration on site; an equipment storage yard limit based on the number of pieces of equipment Attorney Alter provided at the May 8th meeting; limitation of equipment height to 12' based on the applicant's table numbers; removing 'agricultural equipment' from the narrative since the applicant has indicated they will not have any; provide landscaping and maintenance of the buffer area; and restriction or permission for any tree trimming or tree removal in the buffer area.

Mr. Beckwith referenced a site map of the neighborhood showing the industrial neighbors on Sandra Drive and Mr. Grivers referenced a photograph of a berm used at one of the Sandra Drive properties as an example of the type of berm (with fence on top) which will be the best option for them to screen from visual and noise issues. Mr. Beckwith stated they have no objection to Monroe Tractor coming to South Windsor but are opposed to the location chosen which is less than 3 acres in size and backs up to a residential neighborhood and does not meet the special exception criteria. Other South Windsor locations were described as options, examples of types of industrial businesses working next to residential neighbors shown, and special exception criteria described.

Chairman Pacekonis asked for any information presented to be new, directly pertinent to the application, and not redundant.

Mr. Beckwith stated the application lists both construction and agricultural equipment to be sold but when the neighbors met with Monroe Tractor it was indicated they would not be carrying agricultural equipment. Mr. Beckwith asked for 'agricultural equipment' to be removed from their application. This is a current business plan but could change and the neighbors want to know there will be limits on the size of equipment to be sold directly abutting their residential property.

Mr. Beckwith noted there are 6 properties that reside in the South Windsor Historic District that would be directly impacted by the application: 44, 30, 27 and 43 Oxbow Lane, 53 Old Parish Drive, and 1668 Main Street and noted Town regulations put in place to protect designated properties. A table concerning the degradation of property values was included of 48 residents that will be adversely affected by Monroe Tractor's proposed location on Sandra Drive. Chairman Pacekonis asked if a professional opinion accompanied the table about the possible reduction of property values. Mr. Beckwith stated he did not have a professional opinion and then spoke about anticipated truck traffic with back up alarms impacting the

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-6-

MAY 22, 2018

abutting residential neighborhood. Mr. Beckwith stated he met with Mr. Bob Delise of Metal Testings located on Sandra Drive who is in opposition to the application and does not feel Monroe Tractor is a proper fit for the industrial park.

Mr. Earl Moores, abutting property owner from 40 Old Parish Drive, stated after looking at Monroe Tractor's website he visited the Wooster Massachusetts site twice where he took photographs and witnessed a great deal of activity, sources of noise, traffic and diesel engines and asked how they will tolerate that level of noise and activity in their backyard. The 75' buffer to their property has a lot of open areas and will be a minimal barrier to noise. All other 13 Monroe Tractor locations are in rural or hard core industrial areas from 500' feet to miles away from residential areas. A 12' fence will help but noise travels. Mr. Moores asked the commission to deny the application stating other industrial businesses on Sandra Drive are appropriate but this one is not and deserves close attention with 55 neighbors signing their petition.

Mrs. Elizabeth Gehris of 58 Bailey Circle received a flyer today about loud diesel emitting equipment from this project and is concerned about the noise even on Bailey Circle where they have noise day and night from Old Dominion.

Mrs. Daryl Ramsey of 1688 Main Street stated she toured Sandra Drive and Old Parish Road and is concerned that most of the Sandra Drive area will be taken up with construction and agricultural equipment and noted how close the business will be to the residential neighborhoods and asked the commission not to approve the special exception for an industrial property which will take away the value and quality of the residential properties.

Ms. Lisa Bretz of 66 Fitch Meadow Lane stated she is a teacher who tutors at home in the summer and noted other neighbors who are home during the day and others who are trying to sell their homes. Ms. Bretz stated she is in consideration of updating her backyard but questioned whether the investment is a good idea if there will be noise day and night and asked that the applicant find another location for their business.

Mrs. Zane Colabrese of 11 Old Parish Drive stated their neighborhood is in a time of change with houses up for sale. She noted back up alarm beeps from Old Dominion are audible from Strong Road and stated if this business comes in with sound and visual impacts their property values will come down and houses will not sell.

Mr. Patrick Colabrese of 11 Old Parish Drive stated this application is a bad deal for Monroe Tractor, the residents and the Town. Tax revenues will go down and Monroe Tractor will be stuck in an area where they cannot expand. He noted his photographs of the Henrietta and Adams Center sites as examples of what they do not want in South Windsor.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Wagner noted the buffer area of the site has been flagged making it possible to see exactly where clearing could take place and asked about site lighting. Mr. Wheeler described the street lights on aluminum poles with cobra heads with new LED street lighting and underground wiring. Some fixtures are not currently working. Commissioner Wagner suggested someone from the Town report it to Eversource so the lights are repaired.

Commissioner Wagner asked for the site to be compared to the one in Wooster. Mr. Miller, general manager of Monroe Tractor, described their Wooster site with a 16,000 sq ft facility. Half of the 32,000 sq ft building is shared with another company on a 2 ½ acre lot. Monroe Tractor has two to three deliveries daily but there are 12 trucking companies in their area with 50 to 60 trucks running through that site daily which have nothing to do with Monroe Tractor but make it a very noisy site. Commissioner Wagner asked how much

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-7-

MAY 22, 2018

control they have over the hours deliveries can be made. Mr. Miller stated all of their main suppliers are given their hours of operation of when deliveries can be made weekdays 8-4. A few times a year, usually in spring, a customer with a breakdown could deliver a piece of equipment in the evening.

Commissioner Wagner asked the Director of Planning if any of the Oxbow properties are in the historic district. Director Lipe indicated there are 4 Oxbow properties 600 feet from Main Street which are modern structures within the historic district and other Oxbow properties are part of a newer subdivision. One property on Old Parish Drive has 10' within the historic district but the structure is not.

Commissioner Wagner asked what the objection to is to agricultural equipment than any other type of equipment. Mr. Beckwith noted agricultural equipment is a lot larger is described in their application but were told by the applicant they will not have agricultural equipment, only construction equipment, so they are not sure how the operation will be run. Attorney Hope clarified that Monroe Tractor will not be stocking agricultural equipment on site but a customer could order it which is why they want to keep it in their narrative. If an order was placed it would be delivered to the site and then taken away within a day or two.

Commissioner Greer noted the efforts of Monroe Tractor to meet and work with the neighbors with the buffer and fencing.

Vice Chairman Foley asked Mr. Robbins if the height of the fence was discussed at the meeting held between neighbors and Monroe Tractor and whether a 12' high fence could be accommodated. Mr. Robbins stated the fence was not brought up at the meeting and they are in process of finding a fencing contractor that can handle wind load ratings of an 8' fence. Ratings for a 12' high fence will be significant. The Vice Chairman discussed with Mr. Miller the condition of the rear yard of Monroe's Adams Center facility shown in photographs stating the store fronts of the facilities are impressive but to be a good neighbor the rear yard is as important and the buffer is going to be key.

Commissioner Flagg asked where the deliveries of equipment are coming from. Mr. Miller stated all new equipment will come in from all across the country and from ports. Manufacturers have specific guidelines on the times any deliveries can be made that will be adhered to especially at this site. Commissioner Flagg stated he visited the site and found both the buffer and the 50' high canopy sparse and discussed the buffer options of arborvitae, fencing and berms with Mr. Wheeler. The use of back up alarms was discussed with Mr. Miller.

Alternate Commissioner LeBlanc voiced concern about the noise factor and impact on the residents.

Chairman Pacekonis stated he walked the site the day after the May 8th public hearing from 6 to 7 p.m. He requested removal of one dead tree located behind a pine tree near the parking lot on the building end of the buffer zone. The buffer has grown tall and has thinned with pine trees losing branches and lessened light to the understory. Back alarms were audible, 90% of which were coming from Metals Testing. The Chairman spoke with 2 fork lift operators working at that time stating they run their lifts until 7 p.m. and have received complaints from the Fitch Meadow neighborhood which they compensated for by disconnecting their back up alarms. The Chairman stated hours of operation in an Industrial zone can go 24 hours a day, 7 days a week.

The Chairman asked the neighbors if they prefer an 8' fence as described or arborvitae which can grow to be 20' tall and maintain the thickness of their growth. He confirmed with Mr. Robbins that there will be no demonstrations of equipment on site other than briefly driving a piece of equipment down an aisle; and there will be no rock crushers on site. He asked for conditions of approval to make every effort to minimize the height of any stored equipment; maintenance of fencing and the buffer; and that no new lighting will be added to the site at this time. The Chairman asked about keeping the bay doors closed when servicing

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-8-

MAY 22, 2018

equipment and asked for the number of bays and technicians. Mr. Robbins stated in general they try to keep the bay doors closed but with no air conditioning in the shop they may be open on hot days in the summer. To start they will have one technician and may have 2 or 3 in the coming year dictated by how much business is generated.

Attorney Hope indicated they would have difficulty complying with a cap on the limits of machinery because they order equipment 4 to 8 months in advance which may arrive before or after estimated arrival times but expect their initial estimate of 30 pieces to be correct. They anticipate all equipment will be under 12' in height but if a customer special ordered a taller piece of equipment it could arrive on site. The attorney concluded with their compliance for the permitted uses allowed by special exception in the Industrial zone.

Acting Secretary Commissioner Dexter read a letter written in opposition from Mrs. Virginia Macro of 1828 Main Street (Exhibit C).

Chairman Pacekonis asked the neighbors' preference for an 8' high wooden fence or a hedge row of arborvitae. Mr. Grivers and Mr. Beckwith conferred with the abutting property owners and indicated their preference for a 4' berm with 8' fence on top or a 12' fence but would choose an 8' high fence rather than an arborvitae buffer given the choice.

Vice Chairman Foley asked that all trucks are loaded and unloaded on site and not in the road.

The Chairman closed the public hearing at 10:07 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: Chairman Pacekonis opened the Regular Meeting at 10:10 p.m.

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

Seconded by Vice Chairman Foley

The motion carried and the vote was unanimous.

PUBLIC PARTICIPATION: none

Chairman Pacekonis appointed Alternate Commissioner Young to be seated for Commissioner Bonzani.

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

1. **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 wine, on property located at 90 Foster Street, RR zone

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

1. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
2. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
3. The building street number must be included on the final plan.
4. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
5. All building, fire and health code requirements must be complied with prior to opening.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-9-

MAY 22, 2018

6. All state and federal permits must be obtained prior to opening.
7. In the event that the applicant wants to expand hours or activities on site, the applicant will have to return to this Commission for additional approvals.

Commissioner Foley seconded the motion.

The motion carried and the vote was unanimous.

- 2. 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

Director Lipe gave staff comments:

1. Request for renewal of a temporary and conditional permit to allow the sale of fireworks from June 27 – July 5 on property located at 395 John Fitch Boulevard, GC zone. The T&C permit was originally issued in 2014.
2. The applicant is proposing to erect a 20' x 40' tent. The tent will have 2 exits, and be posted with "No Smoking" signs. In addition, there will be an ABC fire extinguisher and a water only fire extinguisher in the tent.
3. The applicant is estimating 2-3 cars at a time in the parking area and 5-10 people in the tent at any given time.
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." Renewals may be permitted without a public hearing.

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

1. The Temporary and Condition permit will expire on May 17, 2020 and must be renewed if the use is going to continue.
2. This approval is for sale of Fireworks at 395 John Fitch Boulevard from June 27 – July 5, 2018. If the applicant decides to sell from this property next year, the dates must be submitted to the Planning Department.
3. Building Department and Fire Marshal's office must be consulted and proper permits obtained to for the outdoor storage tent and location reviewed for safety concerns.
4. If there are buildings, structures, signs or other items that require a building permit or other Town approvals/permits, all such approvals or permits must be obtained prior to construction or use of the site. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 18-25P, Keystone Novelties Distributors, LLC**– request for 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 690 Ellington Road, RC zone

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-10-

MAY 22, 2018

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

1. The Temporary and Condition permit will expire on May 17, 2020 and must be renewed if the use is going to continue.
2. This approval is for sale of Fireworks at 690 Ellington Road from June 27 – July 5, 2018. If the applicant decides to sell from this property next year, the dates must be submitted to the Planning Department.
3. Building Department and Fire Marshal's office must be consulted and proper permits obtained to for the outdoor storage tent.
4. If there are buildings, structures, signs or other items that require a building permit or other Town approvals/permits, all such approvals or permits must be obtained prior to construction or use of the site. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.

Commissioner Young seconded the motion.

Commissioner Wagner added a friendly amendment that the Fire Marshal approve the installation of the fireworks stand to address fire safety concerns for the nearby residential properties in case of emergency.

The friendly amendment was accepted.

The motion carried and the vote was unanimous.

- 4. Appl. 18-15P, Monroe Tractor** – request for a Special Exception to Table 4.1.1A and site plan of development for equipment sales, service and rentals on property located at 6, 14 and 24 Sandra Drive, I zone

Vice Chairman Foley stated Mr. Moores made a good point that if the buffer canopy is very tall and the understory is insignificant for noise and visual abatement, the 4' berm with the 8' fence atop would be reasonable. The Vice Chair also added the condition that all loading and unloading is to take place on site and not in the road.

Commissioner Wagner requested maintenance requirements for the berm and fence. Director Lipe stated an operation and maintenance plan for the berm and fence is to be included on the plans.

Commissioner Wagner 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. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$5,000 for installation and maintenance of erosion and sediment controls on the site; and a bond in the amount of \$3,000 for installation of the stormwater system.
4. A landscape bond 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.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.
6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-11-

MAY 22, 2018

7. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
8. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
9. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. Hours of operation are Monday through Friday from 7:30 a.m. – 5:00 p.m., with deliveries generally during the hours of 8:00 a.m. – 4:00 p.m.
13. All equipment repairs must take place inside of the building.
14. The three properties are required to be combined by deed as this approval is for a single site.
15. No aerial lifts or cranes are permitted. No booms are permitted to remain extended.
16. All loading and unloading of materials and equipment must take place on the property (not within the Town ROW).
17. A four foot high earthen berm and with an eight foot high wooden stockade fence on top is required along the western edge of the storage area to meet the buffer requirements. An operation and maintenance plan for the berm is to be added onto the plans.

Commissioner Greer seconded the motion.

The motion carried and the vote was unanimous.

BONDS: Callings/Reductions/Settings

IWA/CC

1. Appl. 15-06P, Evergreen Walk Apartments E&S Bond in the amount of \$50,000 to be reduced by \$50,000 to leave a balance of -0-.

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

Landscaping

2. Appl. 17-08P, G&R Valley, 350 Chapel Road, Landscaping Bond in the amount of \$3,000 to be reduced by \$3,000 to leave a balance of -0-.

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

3. Appl. 04-80P, Environmental Services, 90 Brookfield Street, Landscaping Bond in the amount of \$5,000 to be reduced by \$5,000 to leave a balance of -0-.

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

MINUTES: 4/24/18 and 5/8/18 approved by consensus.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-12-

MAY 22, 2018

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 18-29P, HarborChase of Evergreen Walk** - request for a Special Exception to Section 7.3 Assisted Living/Independent Living Facilities and site plan approval for a 111,976 sf Assisted Living Facility with 111 units, on property located at 151 Buckland Road, Unit 16 totaling 4.8+ acres, Buckland Road Gateway Development zone

OLD BUSINESS:

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

Staff approved with modifications Appl. 18-16P, Truth Baptist Church for a minor site plan modification for a 3,000 sf addition and parking lot expansion, 60 Burnham Street, RR zone (applicant requests staff approval in accordance with Sec. 8.6)

Staff approved with modifications Appl. 18-27P, Doosan Fuel Cell America for a minor site plan modification for an 800 sf storage building, 90 Bidwell Road, I zone (applicant requests staff approval in accordance with Sec. 8.6)

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 10:33 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