

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

**MINUTES**

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**JUNE 12, 2018**

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

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

**STAFF PRESENT:** Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Lauren Zarambo, Recording Secretary

**PUBLIC HEARING / COUNCIL CHAMBERS**

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

Secretary Commissioner Bonzani read the legal notice as it was published on Thursday, May 24, 2018 and Thursday, May 31, 2018.

The Chairman appointed Alternate Commissioner LeBlanc to be seated for Commissioner Foley.

- 1. Appl. 18-26P, KAZ Equipment LLC** – request for a 2 year temporary and conditional permit for a wash bay on property located at 67 McGuire Road, GC zone

Mr. Joseph Kazimir presented the request for a temporary wash bay with a self cleaning system for small equipment to be placed on the side of the building.

Director of Planning Michele Lipe gave staff comments:

1. Request for renewal of a two year temporary and conditional permit for a storage tent to be used to set up a wash bay for equipment at 67 McGuire Road, GC zone.
2. The storage tent is approximately 40' X 20' and is proposed to be located approximately 10 feet south of the existing building on an existing paved area. The washing system proposed is a self-contained unit that does not discharge any water into the storm system.
3. A picture of the structure and brochure of the equipment has been provided. The applicant is proposing to screen the tent structure from Route 5 by creating an equipment display area along the edge of the tent. In the future, he hopes to replace this temporary structure with a permanent structure.
4. The building code limits the duration of temporary structures. The applicant will be responsible for obtaining a building permit and ensuring this temporary structure maintains a current building permit.
5. The property is currently serviced by a well and septic system. At the time of construction, a permit will be required from the Health Department.
6. The regulations state 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.

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

Town Engineer Jeff Doolittle had no comments.

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Chairman Pacekonis asked for public comment.

No one from the public spoke in support or opposition.

The Chairman asked for comments from commissioners.

Commissioner Wagner asked about the structure's location which Mr. Kazimir showed on the site plan.

The Chairman closed the public hearing at 7:38 p.m.

- 2. Appl. 18-23P, 150 Sullivan LLC** – request for site plan of development and special exception to Table 4.1.1A and site plan approval for three buildings totaling 32,000 sf of retail/office space, on property located at 150 Sullivan Avenue, GC zone

Mr. Phil Tartsinis for 150 Sullivan LLC presented the request with project engineer Mr. Robert Arsenault of East Hartford and traffic engineer Mr. Kermit Hua of KWH Enterprise, LLC of Meriden.

Mr. Tartsinis described the property which was originally zoned Industrial and rezoned to General Commercial, to be used to create a service center for the surrounding industrial neighbors, the Main Street neighborhood, and Route 5 travelers. Two of the three buildings proposed will have street side exposure and a rear building will be geared toward office use. Bushes will be planted and a 6' vinyl stockade fence installed along the western property line which borders the Town's animal control facility per recommendations from Town Staff. A one-way drive aisle is planned for the front of the property. The plan also shows a theoretical drive-through. Soil test pits were successfully dug showing sandy soil down to about 10'. The main access is on Rye Street, right in right out full access, with a secondary access on Sullivan Avenue managed with a triangular island. There will be 22 extra parking spaces over the 136 spaces required.

Mr. Arsenault described the front sidewalks going from each building's front entrance with two pedestrian access points and to the rear of the buildings. Bike racks will be located at each building. The site has full access to utilities. Soil testing and access to the site were described. Approval from IWA/CC was received on April 4, 2018.

Mr. Hua described the traffic study he prepared for the site collecting volume data and adjusting it to the busiest times of the year. Exact uses for the site are still to be determined but by using Institute of Transportation data future traffic volume showed the site as favorable to the area with no impact to the neighborhood.

Mr. Tartsinis stated he met with ADRC with favorable review. An elevation of a building was shown with mechanicals hidden on the rooftop. They are amenable to the ADRC suggestion of returning to them once the colors and materials have been finalized.

Director of Planning Michele Lipe gave staff comments:

1. Request for a request for Site Plan of Development and Special Exception to Table 4.1.1A and site plan approval for three buildings totaling 32,000 sf of retail/office space, on property located at 150 Sullivan Avenue, GC zone

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2. The reason this is a special exception request is the regulation requires any development in the General Commercial zone designed with parking areas in excess of 50 cars require a special exception approval. There are 158 parking spaces proposed. The Special Exception criteria include:
  - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
  - The application has met the requirements of the zoning regulations.
  - The land is physically suited to the proposed use.
  - Minimal, if any, adverse environmental impacts are created.
  - No traffic or other hazards will be created.
  - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
  - There will be minimal or no adverse effects on existing uses in the area.
  - Surrounding property values will be conserved.
  - The character of the neighborhood will be maintained or minimally disrupted.
  - The general welfare of the community will be served.
  - There is a balance between neighborhood acceptance and community needs.
  - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
  - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
  - The architectural design is aesthetically pleasing and blends well into the surrounding area.

The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above and/or within a particular use category are satisfied.
3. The PZC previously approved a zone change from Industrial to General Commercial, a site clearing and access plan last year.
4. There are two accesses proposed into the site. The access from Sullivan Ave, which will be right and right out, is over a 60 foot access easement that was retained by the owner of 150 Sullivan Ave when the land was conveyed to the Town. The developer is proposing a six foot high vinyl fence to screen his development from the TRACS facility. An agreement will be put in place for long term maintenance.
5. The second access will be a full access off of Rye Street. The site plan does show the potential for a drive-thru facility; however the applicant has no commitment at this time. The site is designed for to allow for a mix of retail, office and restaurant tenants. Some areas could accommodate outside dining. The applicant has provided a phasing plan showing his current development plans.
6. Parking requirements based on the proposed uses are 146 spaces; 158 have been provided. There is a five foot sidewalk shown along the Sullivan Ave frontage connecting with the existing crosswalk that

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connects to the multi-use path that runs on the southerly side of Sullivan Ave. A pedestrian access easement will be required over this sidewalk as it is on private property.

7. This project is subject to the PZC's new Pedestrian and Bicycle accommodation regulations. The applicant has provided bike racks as required as well as pedestrian connections to and from sidewalks and through the parking areas. All sidewalks that have parking adjacent to them have been designed as six feet wide.
8. Maximum impervious coverage allowed is 65%, 61% proposed. Front yard setback is about 50 feet, minimum of 50 feet required. Lot coverage is 15%; 50% allowed.
9. The site will be serviced by public sewer and public water. Parking lot lighting will be distributed throughout the parking areas. WPCA approval is required.
10. A permit from the IWA/CC has been granted. This application was heard by IWA/CC on April 4, 2018 and approval was granted including the following requirements: \$5,000.00 to ensure proper placement and maintenance of erosion and sediment controls \$10,000.00 for installation of stormwater structures.
11. The applicant went to the ADRC on March 1. The Committee indicated that they were generally pleased the architecture and plans as presented. They did request the applicant consider a using a lighter color brick. They recommended that once the applicant finalized the buildings (based on tenants) that he return to ADRC with final building design and colors.
12. There is no specific signage proposed at this time. Per the regulations, only one monument sign is allowed as well as tenant signage. Once the signs designed, a zoning and building permit will be required.

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

Town Engineer Doolittle gave staff comments stating most of his Engineering comments dated June 4, 2018 had been addressed except for the following:

1. Show stop bars and signs (one way and do not enter signs) in the driveway and parking lots.
2. Provide design and sizing information for the proposed infiltrators by each building, including expected flows, storage volume and percolation rate of the underlying soil and any test pit data.
3. Show expected or possible daily and peak sewer flows from each building.
4. WPCA review and approval of this plan is required.

Chairman Pacekonis asked for public comment.

Mr. Robert Dickinson 19 Birch Road spoke in favor of the application and for a 10' wide bituminous path.

The Chairman asked for comments from commissioners.

Commissioner Flagg discussed access for the site and the potential drive through building with Mr. Arsenault and Mr. Tartsinis who described the phases of development. Commissioner Wager asked about access from Route 5 which Mr. Tartsinis stated would be from the improved intersection at the light at Rye Street. Commissioner Flagg also noted the number of parking spaces with only two handicap spaces provided for each building and suggested adding an additional handicap accessible space for each.

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Commissioner Dexter asked if there is a crosswalk and if the buildings are to be daytime operated. Director Lipe stated there is a crosswalk on Sullivan Avenue at the Mobis site and Mr. Arsenault stated there will be a connection sidewalk from there. Mr. Tartsinis described the sidewalks throughout the site and indicated hours will be determined as the site develops.

Commissioner Greer asked about the distance from the corner of Rye Street to the site's driveway which Mr. Arsenault indicated as 150'.

Commissioner Wagner asked if the sidewalks could be extended the entire length of the property line. Mr. Arsenault stated there is no place to put a sidewalk at eastern end of the site which has a guard rail and ditch where the grading drops and if a bridge was to be constructed it would extend onto the abutting property and to the west there is an easement.

Chairman Pacekonis discussed increasing the width of the walkway to 10' but acknowledged the obstacles. Mr. Tartsinis stated he is not opposed to installing a 10' walkway and has bike racks throughout the site but voiced concerns that its location could be confused with a 10' roadway. The Chairman asked about adding one handicap space per building to which Mr. Tartsinis agreed and stated his intention to create a safe and accommodating project for the community. Site lighting and ADRC recommendations were discussed.

Commissioner LeBlanc asked about the building's design and working with future tenants.

The Chairman confirmed with Mr. Tartsinis that all buildings would have rooftop parapet walls for the mechanicals. Mr. Arsenault described one dumpster pad for each building as shown on the plans.

The Chairman closed the public hearing at 8:27 p.m.

**REGULAR MEETING / MADDEN ROOM**

**CALL TO ORDER:** Chairman Pacekonis opened the Regular Meeting at 8:32p.m.

**PUBLIC PARTICIPATION:**

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

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

Application postponed per applicant's request.

2. **Appl. 18-24P, South Windsor Wellness Center** -request for renewal of a 5-year major home occupation to operate a chiropractic, therapeutic massage and hydrotherapy office on property located at 88 Nevers Road, RR zone

Applicant Mr. Thomas Theroux presented the request for renewal of his 5-year major home occupation for the South Windsor Wellness Center established in 1997.

Director of Planning Michele Lipe gave staff comments:

1. Request for renewal of an existing major home occupation at 88 Nevers Road, RR zone. Approval was first granted by the Commission in 1997 for a chiropractic office. The Commission approved a modification in 1998 to add massage therapy and hydrotherapy, and a renewal was approved in 2003, 2008 and 2013 as required.

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2. The approval conditions of previous approvals include:
  - The business must be operated by the present homeowners.
  - Hours of operation are limited to Monday 4:00 – 8:00 p.m., Wednesday and Friday 7:00 – 8:00 a.m. and 4:00 - 8:00 p.m.; Tuesday 7:00 – 8:00 a.m. and 2:00 - 6:00 p.m.; Thursday 9:00 a.m. -1:00 p.m.; and Saturday 8:00 a.m. - 2:00 p.m.
  - Refuse from the business cannot be disposed of with residential refuse. Adequate arrangements must be made for business refuse disposal.
3. We have had no concerns expressed about this business.
4. If this application is approved, the applicant would be required to return to this Commission upon expiration of the 5-year permit period.

Town Engineer Doolittle had no comments.

The Chairman asked for comments from commissioners.

Commissioner Wagner thanked Mr. Theroux for coming before the WPCA to help understand the impact of sewer rates on businesses like his.

Commissioner LeBlanc noted how the business fits into the neighborhood.

Chairman Pacekonis confirmed with Director Lipe that there have been no complaints about the business and noted that he has been a client in the past.

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

1. The business must be operated by the homeowner.
2. The permit will expire on May 14, 2023, and will have to be renewed at that time.
3. Only one non-resident employee can be hired.
4. Hours of operation are limited to Monday 4:00-8:00 p.m., Tuesday 7:00 – 8:00 a.m. and 2:00-6:00 p.m., Wednesday and Friday 7:00 a.m. – 8 a.m. and 4:00 – 8:00 p.m., Thursday 9:00 a.m.-1:00 p.m., and Saturday 8:00 a.m. - 2:00 p.m.
5. Refuse from the business cannot be disposed of with residential refuse. Adequate arrangements must be made for business refuse disposal.

Commissioner Wagner seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 18-26P, KAZ Equipment LLC** – request for a 2 year temporary and conditional permit for a wash bay on property located at 67 McGuire Road, GC zone

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

1. The Temporary and Condition permit will expire on June 12, 2020.

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2. Building Department, Fire Marshal's office and Health Department must be consulted and proper permits obtained to for the outdoor storage tent.

Commissioner Flagg seconded the motion.

The motion carried and the vote was unanimous.

4. **Appl. 18-23P, 150 Sullivan LLC** – request for site plan of development and special exception to Table 4.1.1A and site plan approval for three buildings totaling 32,000 sf of retail/office space, on property located at 150 Sullivan Avenue, GC zone

Commissioner LeBlanc 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 to ensure compliance with the erosion and sediment control measures and \$10,000 to ensure establishment of storm water 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.
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. Only one free standing sign is permitted.
12. A maintenance agreement with the TOSW must be entered into for the vinyl fence and plantings along the westerly property boundary.
13. The applicant must return to the ADRC once final design for the buildings have been completed.
14. The sidewalk easement must include a metes and bounds description.
15. Engineering comments dated 6/4/18 must be incorporated into the final plans.

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16. Three additional handicap parking spaces to be added to the site plan.

Commissioner Wagner seconded the motion.

Commissioners discussed the changing the width of the bituminous sidewalk to 10' and agreed it will remain at the 5' width as designed.

The motion carried and the vote was unanimous.

**5. Request for 5-year extension** of subdivision/site plan approval for Appl. 09-25P, Hidden Woods Subdivision, 93 -99 Dart Hill Road

Director of Planning Lipe described the original subdivision/site plan approval.

Commissioner Dexter made a motion to approve the 5-year extension subject to the original approval conditions dated June 11, 2009.

Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

**6. Overview** of Sustainable CT program and PZC's role

Director Lipe gave an overview of the Sustainable CT program for which the Town Council has passed a resolution and the Town has begun the process to be recognized as a sustainable community. The voluntary program helps towns look at their current practices and gives ideas for future practices to become more sustainable long term. A brochure had been distributed illustrating eight topic categories with associated tasks regarding the environment and agricultural practices, energy, community related to business and place making. The program relates to the PZC through the Plan of Conservation and Development, solar regulations, low impact development, types of housing such as cluster development and open space subdivisions, how housing meets community needs, among others.

Commissioner Dexter has been working with the Director of Planning who is leading the town effort for the application. Commissioner Wagner stated the Energy Committee, on which he is also a member, shares roles with the PZC in changing the regulations for solar energy systems and the LED street light program which resulted in annual savings of \$90,000 to the Town.

Chairman Pacekonis noted the category of Inclusive and Equitable Community Impacts and asked how the program optimizes for equity. Director Lipe indicated the need for knowing a community's demographics and gearing the planning of programs toward all groups; for instance, an International Day is being proposed by Deputy Mayor Andrew Paterna for the community farmers market. Commissioner Wagner noted a series of inclusive programs through the Human Relations Commission. Commissioner Greer asked about the benefit of the program for South Windsor. Director Lipe stated the benefit as recognition as a sustainable community.

**BONDS: Callings/Reductions/Settings**



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**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 18-31P, Carla's Pasta** – request for renewal of a 2-year temporary and conditional permit for an 814 sq ft temporary office trailer, on property located at 50 Talbot Lane, I zone
2. **Appl. 18-32P, Friends of Wood Memorial** – request for a two-year temporary and conditional permit for the Wood Memorial Library Native American Village Exhibition, on property located at L066 Main Street (westerly of Wood Memorial Library), A-40 and FP zone
3. **Appl. 18-34P, Goodwin Youth & Family Counseling, LLC** -request for a 5-year major home occupation to operate a youth and family counseling office on property located at 1512 Main Street, A40 zone
4. **Appl. 18-35P, TOSW Pleasant Valley Elementary School Temporary Classrooms** – request for a minor site plan modification for four (4) portable classrooms, totaling 3,641 sf, 591 Ellington Road, RR zone (applicant requests staff approval in accordance with Sec. 8.6)

**OLD BUSINESS:**

**OTHER BUSINESS:**

Director Lipe described a minor site plan application for the Town for four (4) portable classrooms at Pleasant Valley School which the Commission determined will be staff reviewed.

A memo from the Chair of the IWA/CC Barbara Kelly and photographs of the Barton property berm planted with perennial wildflowers was distributed to commissioners. The Conservation Commission has requested the PZC consider adopting a standard for a perennial wildflower mix on any permanent earthen berms. The Commission reached consensus to adopt the standard.

Director Lipe noted an approval condition to be considered for the apartments at Evergreen Walk to add a 4-way stop at the intersection of Tamarack Avenue and Evergreen Way if traffic warranted it. The Commission approved by consensus the addition of the 4-way stop sign on the recommendation of the PD and Evergreen Walk POAG Shopping Centers management.

Town Engineer Doolittle distributed aerial plans of the Wapping School parking lot which has been proposed to be redesigned to increase the number of spaces from 75 to 100. The Commission approved the redesign by consensus and requested any changes in lighting to be brought before the Commission for review.

**MINUTES:** 5/22/18 approved by consensus with a correction to the bond reduction amount for Appl. 15-06P, Evergreen Walk Apartments, E&S bond.

**CORRESPONDENCE / REPORTS:**

Appl. 18-33P, Electro-Methods Inc. site plan modification will be placed on the June 26<sup>th</sup> agenda.

**ADJOURNMENT:**

Motion to adjourn the Regular Meeting at 9:28 p.m. was made by Commissioner Flagg  
Seconded by Commissioner Young  
The motion carried and the vote was unanimous.

Respectfully Submitted,  
Lauren L. Zarambo  
Recording Secretary