

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

**MINUTES**

**-1-**

**NOVEMBER 13, 2018**

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

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

**STAFF PRESENT:** Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; 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 into the record as published in the Journal Inquirer on Thursday, November 1, 2018 and Thursday, November 8, 2018.

- 1. Appl. 18-54P, Horseshoe Lane Associates, LLC** – request for a 3 lot resubdivision to be known as Nevers Ridge of 2+ acres to create two new building lots on property located at 655 Nevers Road, A-20 zone

Mr. Benjamin Wheeler of Design Professionals, Inc. representing Horseshoe Lane Associates LLC presented the request. The existing house at 655 Nevers Road will remain and the lot subdivided to create 3 separate building lots. All three lots conform to A-20 zoning. The proposed houses will be set back 95' from Nevers Road lining up with the front of the existing house on the middle lot. The southern lot will share a curb cut with the existing house and the northern lot will have its own curb cut north of Riverside Drive. There is gas, electric, water and sewer available and the new utilities for the houses will be underground. The overhead electrical service for the existing house will be changed to underground. At the rear of the property there are existing woods which is proposed to remain untouched. Comments from the Town Engineer dated November 9<sup>th</sup> will be addressed on the final plans.

Director of Planning Michele Lipe gave staff comments:

1. Request for approval of a three lot resubdivision to create two new building lots at 655 Nevers Road, A-20 zone. The site is about 2 acres and there is an existing house.
2. Minimum lot size required in the A-20 zone is 20,000 sf. Lot size proposed is 29,000 square feet for the existing house as well as for the two new lots. It appears that all other zoning requirements have been met.
3. The existing house has a driveway onto Nevers Road; one of the new lots will share the existing driveway and the lot to the north will have a new curb cut onto Nevers Road. There are sidewalks along Nevers Road across the street from this site.
4. There are no regulated wetlands nor watercourses on the property.
5. The site will be serviced by public water and sewers. There is an existing 20 foot sewer line easement along the northern property boundary. WPCA approval is required.
6. Street trees are shown along Nevers Road frontage for the southern two lots. Existing trees are proposed to remain for the northern lot. They should be protected during construction.
7. Rain gardens are proposed on the two new lots. As these rain gardens are proposed as an integral part of the storm water system, we would request an approval condition requiring a note stating: At the time of

**TOWN OF SOUTH WINDSOR**  
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**MINUTES**

**-2-**

**NOVEMBER 13, 2018**

the building permit, details of the rain gardens, including the proposed plantings, shall be shown on the plot plan submitted.

If this application is approved, Planning Department requests the following:

- Key map show the proposed lots;
- Easement table should include all existing easements and proposed easements;
- Addresses of 649 and 665 be given to the new house lots.

Town Engineer Jeff Doolittle gave staff comments:

1. Show iron pins to be set at all lot corners where they do not already exist.
2. A quit claim deed to the Town needs to be prepared for the land in front of these lots between the property line shown along Nevers Road and the center of this road.
3. The scale on sheet C-SP1 does not appear to be accurate and needs to be corrected.
4. The new driveways should be labeled as having Bituminous Pavement.
5. The proposed utilities, including sanitary sewer lateral for Lot 2 and foundation drains for all lots need to have proper separating distances from the existing well to remain on Lot 2, in accordance with the State health code. I believe the required distance is 75 feet for the sewer lateral but this can be reduced to a minimum 25 feet if the lateral is pressure tested. This would be simpler if the existing house on Lot 2 were to connect to the water main in Nevers Road.
6. The proposed driveways on Lots 1 and 3 should be graded to 10% slope or less from the property line to a landing by the garage and this appears to be what is shown.
7. The Town standard for sanitary sewer laterals is 6" diameter SDR 35 PVC pipe at a minimum slope of 2%, with clean-outs every 100 feet and at bends. Revise the utility plan accordingly.
8. I appreciate the inclusion of new rain gardens on Lots 1 and 3 and these seem to be sized ok. Details need to be shown for their construction including plants, soils, stone and any underdrains to be installed therein.
9. What are the soils like on these lots? What is the expected ground water level? Any soils test pit information available for these lots should be shown on the plans.
10. WPCA review and approval is needed for this subdivision.

Chairman Pacekonis asked for public comment in favor or against the application.

No one from the public spoke in favor or against the application.

The Chairman asked for comments from commissioners.

Commissioner Greer asked why the existing house would be remaining on well water. Mr. Wheeler stated the well is in good condition.

Commissioner Wagner stated the WPCA is in process of clearing trees from easement areas and a condition of WPCA approval will likely have trees cleared to the north of the property. Mr. Wheeler concurred.

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

**MINUTES**

**-3-**

**NOVEMBER 13, 2018**

Commissioner Flagg confirmed with Director Lipe that the trees at rear of the lot were not in a buffer zone and asked if fencing or protection of the trees would be required for the lots behind the property. Chairman Pacekonis stated there are no regulations requiring it and property rights would prevail.

The Chairman closed the public hearing at 7:43 p.m.

**REGULAR MEETING / MADDEN ROOM**

**CALL TO ORDER:** The Chairman opened the Regular Meeting at 7:43 p.m.

**PUBLIC PARTICIPATION:**

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

**1. Annual Organization Meeting**

**• Election of Officers**

Commissioner Bonzani nominated Bart Pacekonis for Chairman.

Having no opposition, the secretary casts one ballot for Bart Pacekonis for Chairman.

Commissioner Dexter nominated Kevin Foley for Vice Chairman.

Having no opposition, the secretary casts one ballot for Kevin Foley for Vice Chairman.

Commissioner Wagner nominated Frank Bonzani for Secretary.

Having no opposition, the secretary casts one ballot for Frank Bonzani for Secretary.

**• Review of Bylaws**

Vice Chairman Foley suggested a change to Article IX, Section 3 to change start time of meetings from 7:30 p.m. to 7:00 p.m. and change the time to adjourn from 10 p.m. to 9:30 p.m.

Commissioner Wagner suggested a change to Article XVI, Section 4 to add "Staff shall give comments." after "The applicant shall present a summary of the proposal."

Commissioner Dexter suggested a change to Article XII to add the Pledge of Allegiance after (a) Call to Order.

Chairman Pacekonis suggested a change to Article XII to move (d) Minutes after (f) Correspondence / Reports.

Director Lipe will draft changes in red and distribute. The Commission will move on the suggested changes at the next meeting.

**• Review of 2019 Meeting Dates**

October 8<sup>th</sup> meeting falls on Yom Kippur so the October dates will be changed to October 15 and October 22 by consensus.

**2. Appl. 18-57P, Mike and Tony's Auto Repairs, LLC – request for a site plan modification for use of the site for automotive repairs on property located at 1179 John Fitch Boulevard, I zone**

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

**MINUTES**

**-4-**

**NOVEMBER 13, 2018**

Mr. Timothy Coon, Project Engineer from J.R. Russo and Associates, LLC representing the applicant presented the request. A site plan was shown of the property which was formally a gas station and has 98% impervious coverage. The majority of the drainage goes to the rear of the property to an onsite catch basin onto easements to the south and west.

The abutting parcel at 1161 John Fitch Boulevard is the current location of Mike and Tony's Auto Repair for used car sales and their plan is to lease the subject property as well which has a variance for auto sales and display of up to 6 vehicles. Proposed improvements include the removal of 0.4 acres of impervious coverage to be restored to lawn. The northern curb cut is proposed to be removed and restored as lawn. Landscaped islands are proposed. Two connections will be maintained to Mike and Tony's original site for access.

Mr. Coon handed a set of revised plans to Town Engineer Doolittle addressing all engineering comments previously received.

Director of Planning Lipe gave staff comments:

1. Request a site plan modification to conduct automotive repairs on property located at 1179 John Fitch Boulevard, I zone. This site, previously known as a South Windsor Garage, has a long history of being used for gas sales, automotive repairs and limited car sales by variance.
2. This applicant currently operates a used car sales lot on the adjacent property to the south. His current proposal is to operate a general repairer's business from this location and utilize the existing approval for the sale of up to six vehicles.
3. The site plan shows the layout of display vehicles on a paved area.
4. Exterior improvements proposed include: pulling up pavement in the front parking area as well as closing off one of the curb cuts adding additional green space. Full cutoff wall parking lighting is proposed on the building. Is there a dumpster proposed? If so, it should be on a concrete pad and screened.
5. The existing impervious coverage is about 98% and is being reduced to 68.9%; 65% is allowed under current zoning. Staff has worked with the applicant previously to introduce some water quality measures on the site to the south.
6. Based on the uses on the site the number of parking spaces required are 12; 12 spaces have been shown. The site is served by public water and sewer. WPCA approval is not required as there are no inside drains.
7. With this request, the applicant is seeking approval for a used car dealer's license which is issued from the DMV. DMV licensing is to be handled with an application to the ZBA.

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

Town Engineer Doolittle gave staff comments:

1. The two driveway curb cuts on Glendale Road should be reduced in width to 24 feet wide at the property line.
2. Where is the 6" or 8" PVC pipe from the back of the building draining? If this is roof runoff, I suggest it be separated from the pavement runoff and this pipe routed to underground infiltration in the lawn area.
3. Does the existing CB to John Fitch Boulevard by the northern driveway need to be closed or need to be replaced? Can new curb be installed over the top?
4. Are four customer parking spaces enough?

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

**MINUTES**

**-5-**

**NOVEMBER 13, 2018**

5. Revise the sidewalk detail to show 4000 psi, Class F concrete.
6. What is the condition of the existing oil/water separator next to the building? This should be inspected and cleaned, and repaired or replaced as necessary to insure it is working properly.

Commissioner Wagner asked about the variance and voiced support for bringing the site into compliance.

Commissioner Foley spoke highly of the applicant cleaning up and keeping their existing site in great shape.

Commissioner Bonzani asked if new lighting was planned for the front of the building. Mr. Coon indicated pole lighting on site will remain and any new lighting will be compliant.

Commissioner Wagner discussed a dumpster pad for the site with Mr. Coon who indicated the applicant would be using the one on their existing site.

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

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.
3. An erosion and sedimentation bond in the amount of \$ 3,000 must be submitted prior to the start of construction.
4. All bonds must be in one of the forms described in the enclosed Bond Policy.
5. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
7. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
8. The building street number must be included on the final plan.
9. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
10. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
11. Engineering comments dated 11/9/18 must be incorporated into the final plans.

Commissioner Foley seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 18-54P, Horseshoe Lane Associates, LLC** – request for a 3 lot resubdivision of 2+ acres to be known as Nevers Ridge to create two new building lots on property located at 655 Nevers Road, A-20 zone

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

1. This approval is for 3 lots, numbered 1-3.
2. Drainage and construction for this subdivision is 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.

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

**MINUTES**

**-6-**

**NOVEMBER 13, 2018**

4. Water shall be supplied to this subdivision by public water.
5. 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. Trees remaining in the ROW are to be protected during construction.
6. 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.
7. 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.
8. 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.
9. 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.

If the developer chooses to submit a Letter of Credit for a one year term, said Letter of Credit must be renewed on a yearly basis until completion of the development. If a new Letter of Credit has not been received within 30 days before the expiration date, the Commission may, at its option, call the Letter it is holding.

10. A drainage assessment fee in the amount of \$100.00 shall be submitted to this Commission.
11. 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.
12. The Town Engineer's review comments dated 11/9/18 must be incorporated in the final plans.
13. The proposed rain gardens are an integral part of the storm water system. A note is to be added to the plans stating: At the time of the building permit, details of the rain gardens, including the proposed plantings, shall be shown on the plot plan submitted.
14. The Key Map shall show the proposed lots.
15. The Easement Table should include all existing easements and proposed easements.
16. Street addresses of 649 and 665 shall be noted on the plans.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

**4. Discussion** with John Caldwell, Superintendent of Parks regarding subdivision long term maintenance of existing open space improvements

Superintendent of Parks and Grounds John Caldwell described the deteriorated condition of the Margaret Drive subdivision tennis courts and suggested returning the courts back to a grass open space area since

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

**MINUTES**

**-7-**

**NOVEMBER 13, 2018**

repair work would be costly to replace the courts or temporary due to large cracks, some of which are up to a foot wide, in the pavement.

Director Lipe gave a report describing the history of the tennis courts installed in 1986 as part of dedicated active open space area within the Pleasant Valley Subdivision. The open space was dedicated to the Town to take ownership and has legal responsibility to maintain it. There may need to be a public process to make changes.

Discussion followed. Director Lipe will consult with the Town Attorney and return to the Commission for action.

**5. Appl. 17-38P, Evergreen Crossing - landscaping change order request**

Director of Planning Lipe distributed a revised landscaping plan for Evergreen Crossing with a proposed request for the elimination of eight trees to be relocated to a different area and to add proposed shrub beds.

The Commission reached consensus to keep the trees in their original location because of their importance to the entrance drive.

**BONDS: Callings/Reductions/Settings**

**Site Bonds**

| APPLICATION                          | AMOUNT    | REDUCTION | BALANCE   |
|--------------------------------------|-----------|-----------|-----------|
| 13-50P, South Windsor Woods Phase II | \$235,782 | \$91,972  | \$143,810 |

Commissioner Wagner made a motion to reduce the above mentioned site bond. Seconded by Commissioner Foley. The motion carried and the vote was unanimous.

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 18-59P, Craig Kochanski** - request for a zone change of 2.6 acres of land from General Commercial to Residential A-30 and subdivision for property located on the southerly side of Troy Road, west of Brookfield Street (known as 118 Troy Road)
2. **Appl. 18-60P, Electron Technologies Corporation** – request for a site plan approval for a PV Ground Mounted Solar Array on property located at 300 Governors Highway, I zone

**MINUTES:** 10/9/18 and 10/23/18 adopted by consensus.

**OLD BUSINESS: *see page 3***

Director Lipe reported working on a zoning text amendment for barbed wire and discussed wording with the commission. The Director will check with the State and keep the text language simple.

A concept drawing of a Village Green area at The Shops at Evergreen Walk was shown as a public green space and was well received by the Commission to go ahead with the plan.

**OTHER BUSINESS:**

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

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

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**-8-**

**NOVEMBER 13, 2018**

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Motion to adjourn the Regular Meeting at 8:47 p.m. was made by Vice Chairman Foley  
Seconded by Commissioner Greer.  
The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo  
Recording Secretary

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

**MINUTES**

**-1-**

**NOVEMBER 13, 2018**

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

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

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**TOWN OF SOUTH WINDSOR**  
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**-3-**

**NOVEMBER 13, 2018**

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**-4-**

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**TOWN OF SOUTH WINDSOR**  
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**-5-**

**NOVEMBER 13, 2018**

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5. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
7. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
8. The building street number must be included on the final plan.
9. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
10. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
11. Engineering comments dated 11/9/18 must be incorporated into the final plans.

Commissioner Foley seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 18-54P, Horseshoe Lane Associates, LLC** – request for a 3 lot resubdivision of 2+ acres to be known as Nevers Ridge to create two new building lots on property located at 655 Nevers Road, A-20 zone

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

1. This approval is for 3 lots, numbered 1-3.
2. Drainage and construction for this subdivision is 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.

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

**MINUTES**

**-6-**

**NOVEMBER 13, 2018**

4. Water shall be supplied to this subdivision by public water.
5. 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. Trees remaining in the ROW are to be protected during construction.
6. 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.
7. 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.
8. 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.
9. 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.

If the developer chooses to submit a Letter of Credit for a one year term, said Letter of Credit must be renewed on a yearly basis until completion of the development. If a new Letter of Credit has not been received within 30 days before the expiration date, the Commission may, at its option, call the Letter it is holding.

10. A drainage assessment fee in the amount of \$100.00 shall be submitted to this Commission.
11. 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.
12. The Town Engineer's review comments dated 11/9/18 must be incorporated in the final plans.
13. The proposed rain gardens are an integral part of the storm water system. A note is to be added to the plans stating: At the time of the building permit, details of the rain gardens, including the proposed plantings, shall be shown on the plot plan submitted.
14. The Key Map shall show the proposed lots.
15. The Easement Table should include all existing easements and proposed easements.
16. Street addresses of 649 and 665 shall be noted on the plans.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

**4. Discussion** with John Caldwell, Superintendent of Parks regarding subdivision long term maintenance of existing open space improvements

Superintendent of Parks and Grounds John Caldwell described the deteriorated condition of the Margaret Drive subdivision tennis courts and suggested returning the courts back to a grass open space area since

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

**MINUTES**

**-7-**

**NOVEMBER 13, 2018**

repair work would be costly to replace the courts or temporary due to large cracks, some of which are up to a foot wide, in the pavement.

Director Lipe gave a report describing the history of the tennis courts installed in 1986 as part of dedicated active open space area within the Pleasant Valley Subdivision. The open space was dedicated to the Town to take ownership and has legal responsibility to maintain it. There may need to be a public process to make changes.

Discussion followed. Director Lipe will consult with the Town Attorney and return to the Commission for action.

**5. Appl. 17-38P, Evergreen Crossing - landscaping change order request**

Director of Planning Lipe distributed a revised landscaping plan for Evergreen Crossing with a proposed request for the elimination of eight trees to be relocated to a different area and to add proposed shrub beds.

The Commission reached consensus to keep the trees in their original location because of their importance to the entrance drive.

**BONDS: Callings/Reductions/Settings**

**Site Bonds**

| APPLICATION                          | AMOUNT    | REDUCTION | BALANCE   |
|--------------------------------------|-----------|-----------|-----------|
| 13-50P, South Windsor Woods Phase II | \$235,782 | \$91,972  | \$143,810 |

Commissioner Wagner made a motion to reduce the above mentioned site bond. Seconded by Commissioner Foley. The motion carried and the vote was unanimous.

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 18-59P, Craig Kochanski** - request for a zone change of 2.6 acres of land from General Commercial to Residential A-30 and subdivision for property located on the southerly side of Troy Road, west of Brookfield Street (known as 118 Troy Road)
2. **Appl. 18-60P, Electron Technologies Corporation** – request for a site plan approval for a PV Ground Mounted Solar Array on property located at 300 Governors Highway, I zone

**MINUTES:** 10/9/18 and 10/23/18 adopted by consensus.

**OLD BUSINESS: *see page 3***

Director Lipe reported working on a zoning text amendment for barbed wire and discussed wording with the commission. The Director will check with the State and keep the text language simple.

A concept drawing of a Village Green area at The Shops at Evergreen Walk was shown as a public green space and was well received by the Commission to go ahead with the plan.

**OTHER BUSINESS:**

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

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

**MINUTES**

**-8-**

**NOVEMBER 13, 2018**

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Motion to adjourn the Regular Meeting at 8:47 p.m. was made by Vice Chairman Foley  
Seconded by Commissioner Greer.  
The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo  
Recording Secretary