

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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NOVEMBER 27, 2018

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

ALTERNATES PRESENT: Mike LeBlanc, 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 Friday, November 16, 2018 and Friday, November 23, 2018.

1. **Appl. 18-59P, Craig Kochanski** - request for a zone change of 2.6 acres of land from General Commercial to Residential A-30 zone and subdivision for property located on the southerly side of Troy Road west of Brookfield Street (known as 118 Troy Road)

Mr. Craig Kochanski presented the request for a zone change and subdivision of his property. A site map was shown of the property that he had previously subdivided into three lots in the General Commercial zone but had found the properties were better suited for residential use in the A-30 zone. Zoning maps and photos of an existing shed building were shown. Notifications have been sent out to abutting properties.

Director of Planning Michele Lipe gave staff comments:

1. Request for a request for a zone change of 2.6 acres of land from General Commercial to Residential A-30 zone and subdivision for property located on the southerly side of Troy Road west of Brookfield Street (known as 118 Troy Road)
2. The applicant was in front of this Commission about 2 years ago and received a three lot subdivision for commercial lots. The site contains a single family house and a previous commercial building. There is residential property to the north of the site and commercial properties to the west and south.
3. The minimum lot size in the A-30 zone is 30,000 sf minimum lot size. Frontage requirement in the A-30 zone is 150 feet. The existing house lot is being adjusted slightly to conform to the A-30 setback.
4. Section 16 includes criteria for zone change:
 - a. How the zone change compares with the Comprehensive Plan of Development;
 - b. How the land shall be secured from flooding and other dangers;
 - c. How the land upstream and downstream in the same watershed shall be secured from flooding and other dangers;
 - d. How the land shall be served by water, sewerage, transportation, and other public utilities; and
 - e. How the proposed zone change will affect any wetlands in the area.
5. The POCD depicts this area as a transition area between single family residential category and commercial development. The plans does encourage the protection of established neighborhoods and maintaining residential densities and patterns.

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6. The possible uses in this zoning category include, in addition to single-family housing, farming uses, keeping of horses and ponies, municipal buildings, Town parks and playgrounds, places of worship, schools, housing for the elderly and senior residence developments.
7. There is existing water and sewer availability in Troy Road. The properties will continue to be serviced by well water and public sewers. WPCA approval will be required for any new sewer connections.
8. There is a buffer requirement between single-family zones and commercial that would be addressed at the time of the subdivision and the plan must be modified to reflect the buffer requirement.
9. If this zone change is approved, the Commission must state on the record that you have found the zone change to be consistent with the plan of conservation and development.

With respect to the changes to the plans for the residential subdivision, the proposal is to allow for three single family houses with no commercial activities and if approved, this would supercede any existing approvals on the property.

10. It should be noted that all three lots would be conforming the A-30 zoning requirements. In addition, the lots are subject to a buffer requirement wherever the new residential zone meets the commercial zone. The buffer setback line and lot setback requirements should be corrected on the plans and details of how the buffer area will be treated should be provided.
11. It should be noted that there is an existing 25 foot right of way approximately 12 feet in from the western property line which provides access to and from the property at 468 Sullivan Ave. The easement should be clearly marked on the plans so that any residential buyer is aware of this.
12. The proposed driveway for the new lot would require the removal of a large town owned tree. We would request the applicant be required to locate the driveway to preserve the tree if the tree is healthy.
13. There are regulated wetlands on the properties. The applicant previously received IWA/CC approval for the subdivision on 9/21/16, with no unusual approval conditions.
14. At the time of house construction, the applicant will have to submit plot plans for the building permit on these properties.

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

Town Engineer Jeff Doolittle gave staff comments:

1. Some of the labeling, for driveways on Lots 1 and 3 needs to be cleaned up.
2. The ROW line appears to have a curve or angle point in front of Lot 3. This needs to be confirmed and monument(s) needs to be installed at the angle point or end points of the curve. The driveway for Lot 3 should NOT be located over any street line monuments.
3. The proposed driveway for Lot 3 goes through an existing 30" oak tree in the Town's ROW. This driveway should be relocated away from any large trees so they may be saved. Note that the driveway for Lot 3 is to be located to avoid any significant trees and must be reviewed and approved by the Town.
4. The Town Tree Warden needs to approve the removal of any street trees.

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

No one from the public spoke for the application.

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The Chairman asked for public comment with concerns or against the application.

No one from the public spoke against the application.

The Chairman asked for comments from commissioners.

Commissioner Wagner asked about the surrounding properties and discussed buffer requirements with Director Lipe and noted it is a good change for the surrounding neighborhood.

Commissioner Flagg noted he lives in the area recounting when the garages were used commercially and agreed the parcel should revert to a residential zone.

The Chairman closed the public hearing at 7:48 p.m.

REGULAR MEETING / MADDEN ROOM

CALL TO ORDER: The Chairman opened the Regular Meeting at 7:48 p.m.

PUBLIC PARTICIPATION:

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

1. **CGS 8-24 Referral** from Town Council for the proposed purchase of approximately 7+ acres fronting on Ellington Road and Long Hill Road owned by St. Francis of Assisi Church Corporation
2. **CGS 8-24 Referral** from Town Council for the proposed purchase of approximately 2.2 acres on the easterly side of Ellington Road owned by Barbara J. Burnham

Town Manager Matthew Galligan showed site maps and described the parcels of land owned by St. Francis of Assisi Church Corporation and Barbara J. Burnham which could support the Pleasant Valley School site when the new school is built. The purchases make good economic sense and have been discussed with the Superintendent of Schools who agrees purchasing the properties is a good idea.

Commissioners discussed the properties with questions for Town Staff.

The Commission reached consensus to send favorable recommendations to Town Council for both referrals.

3. **CGS 8-24 Referral** from Town Council for the proposed purchase of approximately 7 acres on the northern side of Burgess Road owned by Mario and Rosa DiLoreto

Town Manager Matthew Galligan described the property owned by Mario and Rosa DiLoreto that abuts the Town Garage property on Burgess Road. Purchase of the property could act as a key component for composting which will bring overall refuse costs down for the Town. Mr. Peter DeMallie described the parcel and commissioners asked questions.

The Commission reached consensus to send a favorable recommendation to Town Council for the referral.

4. **Appl. 18-60P, Electron Technologies Corporation** - request for site plan approval for a PV Ground Mounted Solar Array, on property located at 300 Governors Highway, I zone

Mr. Keith Sleeper of Energy Resources presented the request and distributed cut sheets and a visual layout of the structure. The ground mounted solar array is proposed to be installed at the back of the property which is now brush. It will not be installed with piers but uses augers and ground screws which can be easily removed when the array is no longer in use. The installation will produce all the electricity needed.

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Director of Planning Michele Lipe gave staff comments:

1. This is a request for site plan approval for a PV Ground Mounted Solar Array, on property located at 300 Governors Highway, I zone
2. This project is being proposed in conformance with Section 7.20.4 – small ground mounted solar array. The facility is proposed to be behind the existing facility and will cover approximately 10,000 sf of area.
3. The site of the solar currently is a tree'd area. The applicant is proposing to clear this area to install three rows of solar panel, approximately 280 feet in length. The panels will not exceed 12 feet in height and will be surrounded by a chain link. It appears that all other requirements have been met.
4. There are regulated wetlands on the site; however there is no work proposed in the wetlands, just minor work in the buffer area. The applicant received IWA/CC approval on 11/21/18 with the requirement of a \$2,000 Erosion and Sedimentation bond.

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

Town Engineer Jeff Doolittle gave staff comments:

1. A picture or sketch of the solar panels and their ground mounts would be helpful to depict how this will look when installed. This should be provided to the PZC.
2. The Storm Water Management report does not consider the solar panels and any change in runoff they may create. What is the impact of solar panels on storm water runoff volume and concentration under the drip edges of the panels?
3. The Storm MH directly to the south of the building shows an invert elevation for a pipe coming in from the north. The Town recently discovered a discharge from the building directly into this storm water manhole of hot cooling water. The Town is concerned that this discharge may have adverse impacts on the downstream storm water system and does not comply with the State's storm water regulations. This stormwater discharge needs to be addressed as soon as possible. The engineer and building owner / manager need to contact me about this issue.

Chairman Pacekonis asked if trees would be clear cut in the area of the panels and about the fencing. Mr. Sleeper stated trees would be cut to within 20' of the panels and fencing would be chain link. An area of piles of concrete and asphalt indicated on the plan was mentioned and maintenance of the grass by the owner was discussed with Alternate Commissioner LeBlanc and the Chairman.

Commissioner Wagner pointed out a detail about the location of the inverters on the plan to be clarified on the final plan.

Director Lipe discussed potential shading from the tree line with Mr. Sleeper who stated the boundaries indicated on the plan will not impact the array with shading. The property has significant southern exposure.

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 to ensure compliance with the erosion and sediment control measures.

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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. The building street number must be included on the final plan.
8. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
9. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
10. Engineering comments dated 11/26/18 must be incorporated into the final plans.

Commissioner Flagg seconded the motion.

The motion carried and the vote was unanimous.

- 5. Appl. 18-59P, Craig Kochanski** - request for a zone change of 2.6 acres of land from General Commercial to Residential A-30 zone and subdivision for property located on the southerly side of Troy Road west of Brookfield Street (known as 118 Troy Road)

Commissioner Greer made a motion to approve the zone change with the following conditions:

1. The Planning and Zoning Commission finds that the zone change is in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone change is December 16, 2018.
3. Within ninety days, by 3/1/19, a zone change map (1" = 40') with an A-2 certification must be filed on the land records, showing all boundary lines and the acreage of the land where the zone change was granted. The map shall be drawn in accordance with the rules and regulations of the State Board of Registration for Professionals Engineers and Land Surveyors and shall be stamped and signed by a Registered Land Surveyor. The zone change map must be submitted on black and white mylars, with this approval letter thereon, together with three blueprint copies of the Zone Change.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

Commissioner Bonzani made a motion to approve the Kochanski subdivision 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.
4. Water shall be supplied to this subdivision by well. Private well final design(s) must be submitted to and approved by the Environmental Health Officer prior to issuance of building permits.
5. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.

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6. This application is subject to the condition of approval of the Inland Wetlands Agency/Conservation Commission.
7. All easements for conservation purposes, drainage or utilities, that may be required in connection with the approval of this subdivision, must be submitted on standard Town easement form where appropriate, to this Commission prior to filing the mylars and issuance of building permits. All deeds for open space, public improvements and roadways must be submitted prior to request for Town acceptance; all deeds must be in accordance with the policy for accepting deeds and must be approved by the Engineering Department and Town Attorney.
8. 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.
9. 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.
10. 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.
11. The Town Engineer's review comments dated 11/27/18 must be incorporated in the final plans.
12. The buffer and lot setback lines shall reflect the 50 foot buffer in addition to the lot setbacks. Details of the buffer treatment shall be provided on the plans.
13. Driveway location for lot #3 shall be located such to protect existing town trees within the 50 foot ROW to the maximum extent possible.

Commissioner Wagner seconded the motion.

The motion carried and the vote was unanimous.

- 6. Discussion** with Alan Lamson regarding potential amendments to the zoning regulations and Evergreen Walk's general plan of development for additional age-restricted independent living

Mr. Alan Lamson recounted modifications made to the General Plan of Development for assisted independent living facilities at Evergreen Walk and described a managed care facility with 150 - 153 residential rental units within a multi-story building. A modification to the General Plan would be required since there is presently a limitation of 140 units per facility. Mr. Lamson asked the Commission about adding such a facility to Evergreen Walk.

Commissioners asked questions, discussed the location, and need for another facility. Concerns were voiced about adding more housing of this type and how the facilities will fare over time. The need for additional senior housing in South Windsor was noted but for housing that is affordable for seniors. A desire to see

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how the two new assisted/independent living facilities, Evergreen Crossing and HarborChase, develop was indicated.

7. Review of Bylaws changes (enclosed)

Vice Chairman Foley made a motion to accept the changes to the Bylaws proposed at the November 13, 2018 meeting.

Commissioner Bonzani seconded the motion.
The motion carried and the vote was unanimous.

Director Lipe stated changes will be effective January 1, 2019.

BONDS: Callings/Reductions/Settings

APPLICATIONS OFFICIALLY RECEIVED:

Appl. 18-61P, R & L Trucking – request for a site plan modification, including the combination of two properties, for the expansion of the existing loading docks at 540 Sullivan and two new industrial building (12,600 sf and 1,920 sf), on property located at 540 and 570 Sullivan Avenue, I zone

Appl. 18-62P, Able Tool & Equipment – request for a special exception to Table 4.1.1A and site plan of development for tool and equipment rental and lease and construction of an 8,000 sf storage facility, on property located at 430 Burnham Street, I zone

Appl. 18-64P, Bryan Kerachsky – request for a special exception to Table 4.1.1A and site plan approval for an indoor recreational facility to be known as the South Windsor Soccer Training Center, on property located in Bays 4 and 5 at 1265, 1257 John Fitch Boulevard, I zone

MINUTES: 11/13/18 adopted by consensus.

OLD BUSINESS: *see page 3*

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 8:58 p.m. was made by Commissioner Wagner
Seconded by Commissioner Flagg
The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary