

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

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**DECEMBER 8, 2015**

**MEMBERS PRESENT:** Bart Pacekonis, Kevin Foley, Frank Bonzani, Stephanie Dexter, Gary Bazzano

**ALTERNATES PRESENT:** William Flagg

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

**APPLICATIONS OFFICIALLY RECEIVED:**

**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 in the Journal Inquirer on Friday, November 27, 2015 and Thursday, December 3, 2015.

Chairman Pacekonis appointed Alternate Commissioner Flagg to be seated for Commissioner Kuehnel.

- 1. Appl. 15-57P, Mannarino Builders, Inc.** – request for a Zone Change of approximately 8.75 acres from Rural Residential to Designed Residence Zone and a General Plan of Development for a 26 unit development to be known as ‘Clark Estates II’, on property located on the easterly side of Clark Street, approx. 480+/- feet north of Burnham Street

Attorney Ralph Alexander, representing applicant Mannarino Builders, Inc., introduced the request for the zone change.

Mr. Robert Mannarino gave an overview of Clark Estates II and recounted the March 24, 2015 preliminary discussion held with the Commission about the possibilities of developing the parcel. Mr. Mannarino distributed the meeting notes from the March 24<sup>th</sup> meeting at which it was the general consensus of the Commission to come forward with an application.

Engineer for the project, Mr. Christopher Alford of Alford Associates, Inc. of Windsor, gave a power point presentation showing aerial views and site plan for the 26 homes proposed. Open space areas were described to include a sports field and a playscape in the southwest corner connected by a stone dust path. Drainage was described. A traffic report had been submitted documenting Clark Street’s capacity to accommodate the traffic for the proposed development. Public sewer, water, and gas are available. Open space area will act as a buffer to Clark Street with plantings described as similar to those at Clark Estates I. New sidewalks are proposed along the Clark Street frontage and within the interior of the property along the private street which will be owned and maintained by the owners association.

All criteria for the Designed Residence Zone are outlined in Section 3.3 of the zoning regulations. The number of homes permitted was calculated as 26 on 8.7 buildable acres. Six homes, 20% of the 26 units, will be dedicated as affordable. Homes will be similar in style to those at Clark Estates I. Required open space areas were described in detail. The bus shelter and parking requirements were noted.

In summary, Attorney Alexander stated the application meets requirements for the zone change described in Section 8.3 and general plan of development as well as goals of the Plan of Conservation and Development increasing the number of affordable units in South Windsor.

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Director of Planning Michele Lipe gave staff comments:

1. Request for a zone change from RR to Designed Residence Zone and a General Plan of Development for an 8.75 acre parcel to create a 26 unit development, located on the easterly side of Clark Street, approx. 400 feet north of Burnham Street and the Manchester Town Line.
2. This site is currently surrounded by single family zoned property. The three single family homes along Clark Street to the west are in the A-20 zone, and the remainder of the surrounding property is in the RR zone. A zoning map has been provided.
3. This proposal is for 26 single family homes to be part of a common interest community. Twenty percent of the units, or 6, are proposed to be “affordable units”. These affordable units would be deed restricted for forty years and count towards the state’s goal of each community 10% of their housing units as affordable. The town would need over 180 more units to meet that goal.
4. Section 8.3 includes criteria for evaluating a zone change. These criteria include:
  - The goals, objectives, and recommendations of the Plan of Conservation and Development;
  - The purposes of zoning and of these regulations;
  - Changes that have taken place in the rate and pattern of development and land use within the Town and adjoining communities;
  - The supply of land available in the present and proposed zone;
  - The physical suitability of the land for the proposed zone;
  - The impact on the capacity of the present and proposed utilities, streets, drainage systems, and other improvements;
  - The general character and zoning of the neighborhood;
  - Impacts on the surrounding area;
  - Traffic congestion impacts;
  - The impact on surrounding property values;
  - The environmental impacts;
  - The health and general welfare of the community;
  - Neighborhood acceptance weighed against community needs; and
  - The protection of historic factors.

The Housing Element of the Town Plan of Conservation includes goals that are relevant to this application, including:

- Allow flexibility in meeting emerging housing preferences and needs – allow a multi-family type development as a transition.
- Monitor Housing Affordability - Town could encourage affordable housing and provides such tools as density bonuses to create affordable units.

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5. A zone change is the appropriate time to discuss traffic impacts. The applicant's traffic report indicates that the area roadway network is sufficient to accommodate traffic generated by the proposed development and site lines at the two new intersections are adequate.
6. The purpose of the general plan is to show the planned use and layout of the property if the zone change is approved, including the general layout of utilities, drainage, open space/ recreation areas. The engineering details would be provided at the site plan stage. This two-step method provides the opportunity for the Commission to determine whether the designed residence use is appropriate for this site, and to make meaningful revisions if appropriate, prior to the applicant spending a substantial amount of money on full engineering. Special exception and site plan of development approval would be required prior to any construction on this site.
7. The general plan shows a loop road that will be privately owned with a sidewalk proposed along the Clark Street frontage as well as one side of the new roadway.
8. The applicant has provided a breakdown of unit types, open space requirements, parking requirements in accordance with the Designed Residence regulations.
9. The DRZ zone requires 600 sq ft of developed recreation area per unit (.36 acres) or 3,600 square feet of undeveloped recreation area per unit which equates to 2 acres. The applicant has designated open field/lawn area one (1) acre on the southerly end of the parcel with a short walkway to a playscape area for active recreation and has set aside land in the front of the parcel along the Clark Street frontage and in between the units as passive recreation, exceeding the open space requirements.
10. There is no buffer requirement along all property boundaries; however landscaping screening and treatments are to be incorporated into the yards of the development. The applicant has planned a soft berm with a evergreens along the Clark Street frontage, similar to what was done in Clark Estates. Staff would suggest that other varieties of plantings be added to the berm to provide more visual interest.
11. All units are proposed to be single-family units and will range in size and unit type. The affordable units must be dispersed among the other units. With the layout proposed, the applicant should be aware that placement of decks, pools and sheds will be very limited.
12. There is a small area of regulated wetlands on this site. IWA/CC approval is not required for the general plan; but would be required at site plan stage.
13. Public water and sewer are available. The applicant's engineer has indicated that the utilities have adequate capacity to support this development. Trash disposal will be handled through the use of individual containers. The police have indicated that addition street lighting may be necessary along Clark Street and would be reviewed at site plan stage.
14. The site is within 500 feet from a Town boundary, and a CRCOG referral was sent and replied to with the comment: "The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with the regional plans and policies or the concerns of neighboring towns. The site is within a Middle

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Intensity-2 Development Areas as shown on the regional Land Use Policy Map. Such areas are consistent with higher density zoning including planned residential. “

If this zone change is approved, the Commission should state on the record that the Commission has found the zone change to be consistent with the Town Plan of Conservation and Development.

Town Engineer Jeff Doolittle had one additional comment stating existing infrastructure of the road and utilities are all suitable and can handle the development.

Attorney Alexander commented the development will be a planned community form of ownership with exclusive use areas owned in fee simple by the unit owner and everything else owned by the association which will maintain all lawns throughout the development. Mr. Doolittle stated this will have a private road maintained by the association, not by the Town and not adding extra burden to the Town in terms of road maintenance.

Chairman Pacekonis asked for public comment on the application.

Mr. Robert Dickinson, resident of Birch Road, spoke in support of the application and asked if the open space will be owned and maintained by the developer, if the development will be denser than the previous DRZ development, and if there will be an expansion area to the 4’ sidewalk to be increased to 8’ or 10’ in the future.

No one from the public spoke in opposition.

Chairman Pacekonis asked commissioners for questions and welcomed Commissioner Bazzano, who asked who would be responsible for the parking restrictions of not allowing trailers or mobile homes in the development. Attorney Alexander replied the homeowners’ association would be responsible. The association would be made up of those having a deed to a unit and who would then be subject to its requirements.

Commissioner Dexter asked if the new development would be the same as Clark Estates I in terms of roads and density. Attorney Alexander stated Clark Estates I has a public road where as the new development would have a private road, because of the shorter site distances, maintained entirely by the association. The density will be the same as Clark Estates I.

Commissioner Foley asked about the percentage of affordable units. Attorney Alexander clarified there is currently 7% with a 10% threshold, based on the Plan of Conservation and Development, so that affordable housing could not be forced into any area of town. The Commissioner asked about the size of the homes. Mr. Mannarino stated the DRZ requires 1,400 sq ft and described the potential additional square footage over the garage areas. Commissioner Foley asked if on-street parking will be allowed on the non-conforming private road. Mr. Mannarino described the road width as the same as a standard town road. Mr. Alford noted each home will have a two car garage and private driveway for parking. Calculations for the density of the development were explained.

Commissioner Bonzani asked if the configuration of the street was the reason for the road to be private. Mr. Alford described Town road standard to be used and hydrants installed. Director of Planning stated regulations allow for DRZ developments to have combinations of public and/or private roads.

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Commissioner Flagg asked about the width of the sidewalks, and about the playscape area and stone dust path. Mr. Alford replied sidewalks are four feet wide and the stone dust path measures 160 feet from road to playscape. The Commissioner suggested the path to be paved for the benefit of children's bikes and strollers. Mr. Alford stated it could be incorporated into final site plan.

Chairman Pacekonis asked about trash and recycling. Mr. Mannarino stated it would be handled by the Town as it is on all town roads. Director Lipe stated the Town would require a 'hold harmless' from the trash pickup. The Chairman asked about the sports field. Mr. Mannarino stated it would be graded for drainage, and mowed weekly and fertilized. A playscape is being added for uniformity of yards which will be maintained by the association and stand the test of time. The Chairman asked how many children might be added to the school system. Mr. Mannarino stated he would verify the information but estimated approximately 1.5 children per unit. They see four to five children waiting for the school bus at Clark Estates and estimated the new development could add 15 to 20 children.

Chairman Pacekonis voiced concern about adding the average cost of \$17,000 per student annually and stated he was not convinced a DRZ was best for the property. A reason for approving the original Clark Estates was to act as a transition from residential to high density residential. He also noted, after visiting Clark Estates, that it appeared a little barren with the absence of developed trees and plantings. Mr. Mannarino stated on the approved plan they were to provide 4' to 6' trees and a bond is carried for a few years for the trees to grow to the proper size by the time the bond is released. He offered trees could be started out a little bigger on this project if requested. The Chairman asked how close the houses are to each other. Mr. Mannarino stated 20' to 22' between the houses. The Chairman indicated the project appears to be a lot for the property and for the area and it warrants further consideration.

Commissioner Foley asked about any differentiation between back yards and open space. Mr. Alford noted the areas of the sports field and playscape meet the open space requirement. Back yards and the common areas would be delineated with shrubbery and all areas maintained weekly by the association. Chairman Pacekonis asked if it is a dry bottom detention basin. Mr. Alford described the detention basin just installed at Clark Estates I which will be similar to what will be designed for Clark Estates II.

Commissioner Bazzano noted the PZC looks at how a development can fit into the adjacent neighborhoods and asked the size of homes on Rugby Lane and Margaret Drive. Mr. Mannarino estimated the homes to be 1,800 to 2,200 square feet or larger. The Commissioner asked Director Lipe if the DRZ was looked at to increase the square footage of home. Ms. Lipe replied the Commission could consider an increase but the premise of the DRZ, when it was first put into the regulations in 1990, was to create smaller type, starter homes, with this kind of development. Mr. Mannarino clarified it is not possible to increase the footprint of the homes, without a variance, only to add an additional room over the garage area.

Director Lipe asked if the Commission would like any further information submitted through Town Staff if the public hearing is to be closed. Chairman Pacekonis asked for an estimated number of children in the development. Ms. Lipe will contact the Board of Education for the numbers at Clark Estates.

Commissioner Foley asked Mr. Mannarino if he considered creating ½ acre lots which could be more conforming to the neighborhood. Mr. Mannarino replied it was not economically feasible to build six or eight

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lots unless they were to build \$500,000 to \$600,000 homes which are not conducive to the area. The sale price of homes in the DRZ will be comparable to those on Margaret Drive.

Chairman Pacekonis asked for the percentage of houses sold at Clark Estates. Mr. Mannarino stated there is one home left which is under construction and under contract to be sold, one model unit which will not be sold, and one vacant plot.

Chairman Pacekonis closed the public hearing at 8:37 p.m.

**REGULAR MEETING / MADDEN ROOM**

**CALL TO ORDER:** The Chairman opened the Regular Meeting at 8:44 p.m.

**PUBLIC PARTICIPATION:** none

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

1. Annual Organization Meeting postponed until the next regular meeting since all Commissioners were not present.
2. Request by Shawn Jacobaccio for an interpretation, in accordance with Section 4.1.2 "Other Permitted Uses", that the establishment of a distillery and tasting room in the Industrial zone is similar to the establishment of a brewery (currently a permitted use in the Industrial zone). See attached request.

Mr. Shawn Jacobaccio asked the Commission for an interpretation of the regulations regarding the definition of brewery and distillery.

Director of Planning Lipe stated a definition of brewery and use were recently added to the regulations and a distillery falls into a similar definition and use.

After discussion the Commission voiced consensus for Mr. Jacobaccio to move forward with an application.

3. **Appl. 15-48P, One Buckland Center** – request for a site plan of development approval for two commercial buildings totaling 17,853 square foot, on property located southerly of Smith Street, on the westerly side of Buckland Road at the Manchester town line, RC zone

By email request, the applicant is not ready to proceed and agrees to an extension to go forward on January 12, 2016.

4. **Appl. 15-62P, Evergreen Walk Lifestyle Center LLC** – request for site plan approval for a 7,385 square foot retail building including a drive-thru, parking lot, and associated site improvements for Tenant Space 500E (west side of Buckland Road and north side of Hemlock Avenue) on property known as 151 Buckland Road, Buckland Gateway Development Zone

Mr. Dominick Celtruda, landscape architect for BL Companies, presented the request and showed a site plan for the 7,358 sq ft retail building which will house three tenants. A text amendment was previously approved by the Commission to allow drive-through facilities in the Buckland Gateway Zone. Two entrances of access were described with queuing for the drive-through shown behind the building. IWA/CC approval and favorable comments from ADRC were previously received.

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Director of Planning Lipe gave staff comments:

1. Request for site plan approval to construct a 7,358 sf retail building, including the provisions for a drive-through facility, on property located on the northerly side of Hemlock Avenue, westerly side of Buckland Road, Buckland Gateway Development Zone.
2. The General Plan originally showed a restaurant and parking in this location and the parking area had previously been installed. The parking configuration is slightly different; however conforms with the desired Gateway Zone parking objective of distributing the parking and including the 10% interior landscaping within the parking areas.
3. In the Gateway Zone, the entire project is treated as one lot for development purposes, so the cumulative impervious coverage on the entire 232-acre site. Since the entire Evergreen Walk site is a consolidated lot, individual yard setbacks do not apply except around the perimeter of the site. This site is subject to a 65 foot front yard setback.
4. This site will be accessed solely from Evergreen Walk's internal road network, off of Hemlock Avenue.
5. The PZC recently adopted a text amendment for drive thru restaurants in Buckland Gateway Development Zone including specific design criteria. One of the primary considerations for such facilities is that the primary access to the drive through facility is not permitted directly from Buckland Road.
6. Other design criteria included: Demonstration that the traffic flow and pedestrian flow had minimal conflicts; the incorporation of the drive through into the building design and specific requirements for the menu and preview signage boards; include architectural features, including lighting, roofs/canopies to be similar to the building in form and style and that service area be off set from the property lines to prevent noise and lighting impacts.
7. Specific requirements are screening of the drive through lane from public views; limited the number of queue lanes to two with a by-pass lane, defines minimum widths, striping how separation of the lanes is handled; and the requirement for queuing of at least 7 vehicles form the order board.
8. Internal sidewalks are shown to be extended from the existing sidewalk south of this site leading to the main entrance of the buildings.
9. Lighting pole height is 24 feet. Luminaries are full cutoff fixtures of the same type used for than the shorter, decorative light poles used in the remainder of Evergreen Walk Lifestyle Center.
10. Architectural and Design Review Committee reviewed this plan on December 3, 2015 and forwarded a favorable recommendation of the design with two comments. The screening of rooftop units needs to be adequately addressed and the dumpster area requires a better design since it is located in a more visible area on the site.
11. There are no regulated wetlands on site. IWA/CC approved an erosion and sedimentation plan on December 2 with a bond in the amount of \$5,000 to ensure compliance with the erosion and sediment control.

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12. Public water and sewers are available in Hemlock Avenue. Water Pollution Control Authority approval is required.
13. There is show on a dumpster on a concrete pad with screening. Staff would request the applicant consider upgrading the dumpster screening as it will be a visible part of their site.
14. If this site plan is approved, the Planning Department additionally requests a drive-through signage plan.

Mr. Celtruda stated the concept chosen works well for circulation and for future adaptive use if additional spaces need to be added. The rooftop units will be behind the upper portion of the building and screened from site lines from Buckland Road. He agreed with the comments about the dumpster area and stated they will do more with an enclosed unit with doors to match the color with the existing building or retaining wall.

Chairman Pacekonis asked about the drawings for lines of site for the rooftop units. Mr. Steven Iovanna from BL Companies and Mr. Celtruda described elevations and views.

The Chairman asked how many cars could be queued. Ms. Lipe stated regulations require seven cars from the menu board. Mr. Iovanna stated there is room for ten cars with room for additional cars after that. The Chairman voiced appreciation for 10 vehicle queuing stating he visited the Glastonbury Panera at 1:30 that day and saw 10 cars in the drive-through lane. On a previous visit at noon there were 12 cars. He asked if there is way of exiting the lane. Mr. Iovanna replied there will be a mountable curb if a car needs to get out of the queue. The Chairman noted the curb island goes further than would allow for making a 90 degree turn into the drive-in lane. Mr. Iovanna replied it can be pulled back and replaced with an at-grade area that can be driven over.

Commissioner Bazzano asked about the stop sign on the plan at 'Car 8' and traffic flow within the area. It was indicated there will be signage to control queuing and traffic flow with a design that offers alternative ways to address it and assure queuing does not block parking spaces. Mr. Bazzano asked about the drive-through sign in the northwest corner and asked whether the drive-through could be restricted from the first entrance. The Commissioner stated he also visited the Glastonbury Panera that day and saw a queue of cars at 1:30 stacked into the parking areas. Vehicle circulation within the site, building materials, and signage allowed were discussed.

Commissioner Bazzano made a motion to approve with modifications:

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 E&S bonds in the amount of \$5,000.
4. A landscape bond in the amount of \$5000 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.



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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.
12. If a State Traffic Commission certificate is required, no building permits will be issued until the certificate has been issued (per CGS §14-311).
13. The aesthetic of the dumpster screening should be enhanced to better compliment the surrounding area.
14. A directional signage plan for 'Drive-through' traffic pattern shall be submitted.
15. All mechanicals shall be screened from public views.
16. Site signage for the buildings must return to this Commission for approval.
17. Safe pedestrian access from the former Highland Park Market parking lot to the sidewalk shall be provided.

Commissioner Flagg seconded the motion

The motion carried and the vote was unanimous.

**BONDS: Callings/Reductions/Settings**

**MINUTES:** 11/10/15 adopted by consensus with a correction to the 07-69P, Dzen Tree Farm Phase 3 Subdivision Bond reported in the amount of \$130,000, reduced by \$32,600, to leave a balance of \$97,400 corrected to the amount of \$100,000, reduced by \$2,600, to leave a balance of \$97,400.

**OLD BUSINESS:** *see page 2*

A change order has been received for South Windsor Stone and Landscape to add a canvas canopy at the rear of the site to cover topsoil over the winter. Consensus to sign off on the change order was reached by the Commission.

**OTHER BUSINESS:**

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

Motion to adjourn the Regular Meeting at 9:46 p.m. was made by Commissioner Foley  
Seconded by Commissioner Flagg

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The motion carried and the vote was unanimous.

Respectfully Submitted,  
Lauren Zarambo  
Recording Secretary