

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

**MINUTES**

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**MAY 28, 2019**

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

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

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

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING / MADDEN ROOM 7:00 PM**

**CALL TO ORDER:** Chairman Pacekonis called the Public Hearing to order at 7:00 p.m.

Secretary Commissioner Bonzani read the legal notice as it was published in the Journal Inquirer on Thursday, May 16, 2019 and Thursday, May 23, 2019.

1. **Appl. 19-26P, Lowes Outdoor Storage** -request for a 2-year temporary and conditional permit (Section 2.13.a) to allow seasonal outdoor display/storage of garden products from April – July, in an area southerly side of the building, on property located at 31 Buckland Hills Drive (Manchester, CT), Buckland Gateway Development zone

Mr. Marco D’Occhio, property manager for Lowes in charge of 160 locations in the northeast, presented the request with store manager Mr. Vejay Chandarpal and district manager Mr. Kevin Becker. Mr. D’Occhio stated he met with the Director of Planning to discuss their request concerning the site, safety measures and cleanliness of the site. Lowes has been on the site that straddles South Windsor and Manchester for twenty years. Retail has become more competitive and their seasonal outdoor storage displays have crept beyond their limits. A modified site plan with a photo of temporary fencing that they would like to use to screen their product during their peak seasons were distributed to commissioners.

Director of Planning Michele Lipe gave staff comments:

1. Request for a two-year temporary and conditional permit for the outdoor storage and display of garden/landscaping materials at Lowe’s Home Center, 31 Buckland Hills Drive, Buckland Gateway Development zone. Outdoor storage is prohibited in the Buckland Gateway Zone under Section 4.2.9.I.
2. The use goes back several years and as it grew, the PZC decided in 2015 that the storage/display was best handled as a 2-year temporary and conditional permit. The original T&C permit was issued May 12, 2015, and was renewed in 2017. The current permit expired on April 18, 2019.
3. The staff has received complaints in the past regarding the excess storage, but also recognizes the need for additional storage on a seasonal basis. We have been working with the applicant in better defining the area to be utilized as it appears to get larger with the start of each year.
4. This new application would allow the temporary outdoor storage of grills, chairs, tractors and wheel barrows in front of the store. It would also allow the storage of garden plants in front of the garden center. In addition, it would allow the storage of excess bagged goods (mulch, soil, rocks) to the north of the garden center, encompassing the entire side parking area in the spring and summer months. The marked up site plan shows the area to be used in conjunction with this T&C permit.
5. The Fire Marshal has reviewed this request and has asked Lowe’s to keep the fire lane around the building clear and has required them to relocate pallets from that area.

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6. The wording of the T & C permit regulation is that, "Temporary and conditional permits may be granted by the Commission for a use which is not specified elsewhere in these regulations for a period not to exceed two 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, we would suggest this new plan be implemented prior to the start of outdoor sales in 2020.

The Chairman asked for comments from the public in support of the application.

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

The Chairman asked for comments from the public in opposition to the application.

No one from the public spoke against the application.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Flagg noted he had observed trucks, trailers and cones blocking areas along the back fence. Mr. D'Occhio stated trailers are used to store pallets as product sells and they are emptied.

Commissioner Greer asked about the racks in front of the garden center located where cars park. Director Lipe stated those racks should be up against the store in the permitted area and out of the fire lane. It was determined racks were seen in parking areas in the previous year.

Commissioner LeBlanc noted he had visited the store twice over the weekend and the outdoor mulch stock was selling fast and was orderly.

Commissioner Wagner noted temporary and conditional permits are granted for two years and suggested increasing the time frame. Director Lipe stated a text amendment could be proposed to make the change and Chairman Pacekonis stated it could be a text amendment to the zoning regulations in the gateway zone.

Vice Chairman Foley asked about the type of temporary screening proposed. Mr. D'Occhio described the construction fence with a tarp in a blue color to match the store. Discussion verified the fencing will be secured to the asphalt to counter any wind load.

Chairman Pacekonis verified with Mr. D'Occhio the height of the temporary fencing will be 6 feet tall. The Chairman noted trailers and sheds for sale outdoors and asked for verification if sales are to be year round and the number of trailers and sheds displayed. Mr. Chandarpal stated there are more than 20 on sale year round (except in heavy snow). Director Lipe noted the site plan will be looked at for the specific areas of storage.

The Chairman closed the public hearing at 7:17 p.m.

**REGULAR MEETING / MADDEN ROOM**

**CALL TO ORDER:** Chairman Pacekonis called the Regular Meeting to order at 7:18 p.m.

**PUBLIC PARTICIPATION:** None

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

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1. Preliminary discussion with Metro Realty regarding 'Gateway Development' signage for the new development at 190 Buckland Road (draft concept included)

Director of Development for Metro Realty, Mr. Benjamin Tripp, showed a concept plan for their development entrance monument signage showing a limited number of tenant names in a limited color palette. Mr. Tripp confirmed Chase Bank has signed their lease and negotiations are underway for a 20,000 square foot retail space. First class medical office space with frontage on Buckland Road is also being offered. The development planned shares an intersection with Evergreen Walk but will be different from the Evergreen Walk life style center and more geared toward a largely medical driven environment. Feedback from the Commission concerning allowable signage will be helpful as leasing moves forward.

Director Lipe gave a historical perspective on the Evergreen Walk monument signage that began as a single name development sign measuring 50 square feet at a major intersection. This commission allowed two major tenant names to be added to the bottom for Tempo Apartments and Cambria Suites. From a legal perspective, size and location can be regulated but a goal to be consistent with what has been done for Evergreen Walk will result in a tasteful sign that is readable and will enhance the Gateway area.

Commissioner Bernstein clarified with Mr. Tripp their request to know what kind of signage can be allowed and the limitations in order to best lease to tenants.

Commissioner LeBlanc compared different signage in the area with the Gateway signage for Evergreen Walk and the new development's concept for signage that looks good.

Vice Chairman Foley agreed the rendering shown is classy and limiting the signage to white lettering on the background color without the addition of logos will work.

Commissioner Dexter confirmed with Mr. Tripp that tenants will also have individual building signs.

Commissioner Bonzani noted a medical facility recently visited which was only identified by address.

Commissioner Wagner noticed the proposed signage included no street name or number. Director Lipe suggested an address range could be added. Commissioner Bernstein noted the trend of using street addresses as business' names and the prevalent use of GPS.

Chairman Pacekonis noted how the sign location was indicated at a 45 degree angle to Buckland Road on the layout. Commissioners discussed the second entrance's sign that is to mirror the first entrance sign and traffic circulation pattern with Mr. Tripp and President of Metro Realty Group Mr. Geoffrey Sager.

Director of Planning Lipe stated the PZC is the approving body of this type of sign for design review control but not content control. Regulations for signage are to be reviewed by the Commission every four years and Gateway signage could be clarified. The Commission reached consensus on the concept. Mr. Tripp stated the feedback was helpful and will come back with specifics for the Commission to review when tenants are finalized.

2. Preliminary discussion with Rob Mannarino regarding a potential open space subdivision development on property located on the easterly side of Abbe Road, northerly of Maskel Road

Mr. Rob Mannarino described two parcels of land totaling 21 acres off Abbe Road and Maskel Road with RR and A-30 zoning and asked the Commission for direction on developing either an open space or conventional subdivision. Concept site plans were shown. They have reviewed the open space requirements,

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slopes, wetlands and utilities with city water and sewer with Town staff. Based on calculations there could be up to 17 lots but the layout yields 14 lots. There could be 4 acres of open space with 2,400 feet of road for a conventional subdivision or an open space subdivision could add 1,100 feet of road with 12 acres (10 acres required) of open space. All lots will be ½ acre RR zoned with the exception of one A-30 lot. The surrounding neighborhoods are zoned A-20 and A-30 with about 70 acres of existing continuous open space from Maskel Road, Dzen Tree Farm and Vintage Lane going out to Barber Hill Road. A 30' easement buffer with a no cut provision to protect the trees remaining was described in the area abutting neighbors on Abbe Road. Any wetlands applications needed will be submitted.

Commissioners discussed the concepts with Mr. Mannarino and Director Lipe. Commissioners Foley and Flagg voiced a preference for a conventional subdivision and Commissioners Dexter, LeBlanc, Wagner and Pacekonis voiced a preference for an open space subdivision.

3. Request from Vintage Hills II, LLC for a waiver to Section C3.c(1) of the subdivision Regulations for the extension of a cul-de-sac to the northern property boundary on property located at L006 Barber Hill Road, RR zone (narrative enclosed)

President of Design Professionals, Inc., Mr. Peter DeMallie, presented the request describing the original Vintage Hills 17 lot subdivision approved in 2002 with a temporary cul de sac designed to be extended someday. Exhibits of a conceptual subdivision plan were distributed to commissioners. The property north of Vintage Hills is narrow and does not support a road with lots on both sides. A concept plan has been designed to accommodate 7 lots with the extension of the Vintage Lane cul de sac into the property with four of the lots on either side of the cul de sac. From Barber Hill Road there would be 2 frontage lots and one interior lot. The lot sizes range from 1.3 acres to just under 3 acres and would be serviced by public water and septic. A road could conceptually extend in the future from the cul de sac through the Dzen property to Barber Hill Road. Mr. Robert Urso approached almost all of the neighbors from the Vintage Hills subdivision about the plan. Plans were originally designed for the temporary cul de sac to be extended with 15' slope rights deeded to the Town up to the property line. There is a 15' hedgerow easement on the north side of the lots in Vintage Hills I and another 15' could be added to create a 30' corridor with the existing mature trees along the common property line.

Director of Planning Lipe gave staff comments referring to the narrative sent in commissioners' packets for the Cul de Sac Extension Waiver. The Subdivision Regulations allow that a dead end street cannot exceed 1,500 feet in length and the proposed request extends the cul de sac 1601 feet. The premise of the waiver is that there is agreement that there is a logical road pattern into the future. The action requires a super majority vote from the Commission as their role as the Planning Commission.

Chairman Pacekonis asked how long cul de sac is proposed. Mr. DeMallie stated 1601 feet. Director Lipe stated it is not shown on the plan quite as far as would be required and Mr. DeMallie indicated there were several reasons transferred from a prior hearing why. The Chairman asked if there are other cul de sacs in town over 1,500 feet. Director Lipe noted Maskel Road ends at 1,500 feet and Mr. DeMallie noted Greenfield and Cornerstone.

Commissioner Dexter asked about access from Barber Hill Road to 3 of the 7 lots and why a road could not be accommodated. Mr. DeMallie explained access was through a driveway and described the narrow parcel.

Vice Chairman Foley complemented the size of the lots proposed with a minimum of 1.3 acres. Mr. DeMallie noted abutting Vintage Lane neighbors voiced a preference to Mr. Urso that nothing directly

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backed up to their house lots. The layout shown has the least impact visually from that perspective with the 3 houses on Barber Hill Road pretty far away and only the sides of the houses seen from the cul de sac.

Commissioner Bonzani asked how long the cul de sac is being extended. Mr. DeMallie answered 338 feet. Chairman Pacekonis noted it could be extended further if it is brought to the end of the property line. Vice Chairman Foley and Commissioner Greer noted the property line where the road would conceptually extend if development were to occur. Mr. DeMallie noted when Vintage Hills I was approved at the 2002 hearing there were two reasons why it did not go all the way to the property line. Until the site design is shown for future development the exact profile of the road going forward is not known and asked why develop property when it can be left unaltered. Director Lipe stated people then claim the 50 feet of right of way as their own. Chairman Pacekonis questioned why the possible future developer would have to bear the cost of a road running short. Mr. DeMallie stated it can be reviewed when a plan is designed.

Director Lipe clarified the waiver before the commission is to allow it to be a temporary cul de sac and remain as temporary until it can go forward as a future roadway. Chairman Pacekonis clarified what is being waived is extending the length over what is allowed.

Commissioner Greer agreed the concept of extending the road 338 feet could be closer to the property line if it is extended 400 feet. Director Lipe stated the road would have to meet all Town standards and reviewed at the time of application. Vice Chairman Foley confirmed with Mr. DeMallie the road could be extended 75 to 80 feet more. Mr. Urso confirmed the four property owners at the Vintage Lane cul de sac are aware their cul de sac will be extended.

Commissioner Greer made a motion to approve the waiver to Section C3.c(1) of the Subdivision Regulations.

Vice Chairman Foley seconded the motion.

Chairman Pacekonis stated he is not in favor of extending cul de sacs more than 1500 feet and does not want a precedent to be set for waivers for longer cul de sacs.

The Chairman called for a vote on the motion. The motion passed 6-1; Roll Call Vote taken: Commissioners Foley, Bonzani, Dexter, Greer, Flagg and Wagner voting in favor of the waiver request; Chairman Pacekonis voting against the waiver request.

**4. Appl. 19-26P, Lowes Outdoor Storage** -request for a 2-year temporary and conditional permit (Section 2.13.a) to allow seasonal outdoor display/storage of garden products from April – July, in an area southerly side of the building, on property located at 31 Buckland Hills Drive (Manchester, CT), Buckland Gateway Development zone

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

1. The Temporary and Condition permit will expire on May 28, 2020 and will have to be renewed at that time if the use is to continue.
2. If there are buildings, structures, signs or other items that require a building permit or other Town approvals/permits, all such approvals or permits must be obtained prior to construction or use of the site.
3. The new outdoor screening plan shall be implemented prior to the start of outdoor sales in 2020.

Commissioner Dexter seconded the motion.

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The motion carried and the vote was unanimous.

5. Review of 2019 Housing Data Analysis – information compiled as a part of a Housing Needs Assessment (Sustainable CT application enclosure included)

Director Michele Lipe presented and described the Housing Needs Assessment to the Commission before submission this year. New deed restricted units have come from Clark Estates I and II and the apartments at 175 Oakland Road. Accuracy of data was discussed. Data will be updated with the 2020 census and through the Town Assessor. Types of housing and affordable housing were discussed.

6. General discussion regarding housing densities as outlined in the Plan of Conservation and Development (POCD) and Main Street Study

Director Lipe discussed with commissioners potential housing densities for the remaining undeveloped land in town most of which is located along Main Street and referenced in the Town Plan of Conservation and Development and the Main Street Study Final Report. Vice Chairman Foley noted how the town and property owners would be impacted by future development of subdivisions. An overlay agricultural zone was suggested to be considered and discussed with the public in future town meetings.

**MINUTES:** 4/30/19 Special Meeting revised draft and 5/14/19 were approved by consensus.

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

**APPLICATIONS OFFICIALLY RECEIVED:**

**Appl. 19-28P, Scannell Properties #392 LLC** – request for Special Exception to Section 4.4.5.E and Site Plan approval for a 421,152 sf distribution facility to include outdoor product storage, to be known as 360 Ellington Road Distribution Center, on properties located at 360 Ellington Road, 245 Chapel Road and R008 Ellington Road, I-291 Corridor Development zone

**OTHER BUSINESS:**

**CORRESPONDENCE / REPORTS:**

**ADJOURNMENT:**

Motion to adjourn the Regular Meeting at 9:31 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