

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-1-

JANUARY 26, 2016

MEMBERS PRESENT: Bart Pacekonis, Elizabeth Kuehnel, Kevin Foley, Gary Bazzano, Kevin Greer, Frank Bonzani

ALTERNATES PRESENT: Bill Flagg, Teri Parrott

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

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 16-05P, Collins Corner Resubdivision** – request for a resubdivision to create two new building lots, on property located on the southerly side of Strong Road and easterly side of Foster Road, RR zone

PUBLIC HEARING / COUNCIL CHAMBERS

Chairman Pacekonis called the public hearing to order at 7:30 PM.

Secretary Commissioner Bonzani read the legal notice as it was published in the Journal Inquirer on Thursday, January 14, 2016 and Thursday, January 21, 2016.

Chairman Pacekonis appointed Alternate Commissioner Parrott to be seated for Commissioner Dexter.

1. **Appl. 15-59P, Evergreen Walk LLC** - request for a modification to the approved General Plan of Development layout to include a Continuing Care institutional use within 'Evergreen Walk' (reducing approved retail and recreation space) on property known as 151 Buckland Road, on the westerly side of Buckland Road, on the southerly side of Deming Street and northerly of Smith Street, Buckland Road Gateway Development Zone

Attorney Chris Smith of Shipman & Goodwin LLP representing Evergreen Walk, LLC presented the application to amend the approved general plan to permit a continuing care use within Evergreen Walk. He introduced principle planning consultant for Evergreen Walk LLC, Mr. Alan Lamson, president of FLB Architecture & Planning Inc., Mr. Stephen Mitchell, highway and traffic engineering department manager for AECOM who prepared the traffic impact memo, and Ms. Haley Busch, PE from Fuss & O'Neill, who had prepared the utility impact statement for the project.

Mr. Alan Lamson described the amendment to the general plan to create a continuing care facility as part of Evergreen Walk. The location behind the former Highland Market site, known as Unit 3/4, was shown on a map. The proposal removes 80,000 sq ft of retail use from the area and the balance of the recreational use from the general plan and substitutes it for a continuing care facility to include independent living, assisted living, and critical care. There will be 15,000 sq ft of the retail left on Unit 3/4. The traffic report shows there will be a decrease in traffic generated as a result. If approved, they will come back with a site plan/special exception application.

Director of Planning Michele Lipe gave staff comments:

1. This is a request for modification to the General Plan of Development approved in 2014 for the 243 acres on the westerly side of Buckland Road, Buckland Gateway Development zone.
2. The original general plan was approved in 2001 and this plan was renewed in 2014.
3. Proposed changes with this modification include:

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-2-

JANUARY 26, 2016

- The addition of a 255,200 sf of continuing care (institutional use) which would include 160 units of independent living; 160 units of assisted living; and 55 units of institutional in a four story facility.
 - Eliminate 80,000 sf of potential retail and 30,000 sf of potential recreational use
4. The applicant's traffic impact statement for the changes in the proposed use shows a reduction in the traffic during all peak times evaluated.
 5. Recent improvements with the current ongoing development include the addition of an additional turn lane off Buckland Road on to Tamarack Drive and the interconnection of the access drive connecting to Tamarack Road and to Deming Street.
 6. Utility impacts to assess this change was addressed in the report you received a copy of. This report was reviewed by Town Staff. Adequate public water is and sewers are available in the area and details designs would be reviewed at the time of site plan approval. The Police/Fire commented they would review specific parking for emergency services at the site plan stage.
 7. Pedestrian access is shown throughout the site and is shown connecting north and south and to the Shops. A walking trail system is proposed along the western portion of the site. This trail system should be underway with the apartment construction. As development continues, we want to continue to ensure that there is a strong pedestrian and bicycle connection between the many facets of the project.
 8. All of the parking proposed for this institution use is proposed to be surface parking and distributed around buildings. The Gateway zone regulation notes that it is the intent of this regulation to create off-street parking that is creative and to achieve attractive, innovative parking layouts that will accent and highlight buildings and features of the zone. To the fullest extent possible, existing trees shall be saved by appropriate welling and mounding. Other landscaping elements such as decorative fencing, sculpture, fountains, stone walls, or attractive walkways and pedestrian spaces are highly encouraged.
 9. There are regulated wetlands on the site in the area of the proposal. Existing trees and hedgerows must be incorporated into site design and preserved to the maximum extent possible tree and hedgerow preservation must be addressed with the site plan.
 10. Prior to any actual building or site construction, a full site plan of development that is in conformance with the approved general plan must be submitted and approved by the Commission as well as the Inland Wetlands Agency and the WPCA. The site plan will include all of the engineering details as well as final building design and site layout.
 11. If this General Plan is approved, Planning Dept. requests that the general plan be corrected to reflect the hotel that has been approved in the southern portion of the site; also recommend that all the conditions of the 2014 general plan approval remain in effect.

Town Engineer Jeff Doolittle had no additional comments.

The Chairman asked for public comment. No one from the public spoke for or against the application.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-3-

JANUARY 26, 2016

Commissioner Bazzano asked about the report from Fuss & O'Neill which notes 280 units with 94 beds for the facility and about the need for the facility. Mr. Lamson replied the numbers are estimated but they anticipate more independent living than assisted living or critical care. Interest has been shown from two operators to locate east of the river.

Commissioner Flagg noted the other two or three care facilities in South Windsor and asked if the proposed would be the same size offering the same services. Mr. Lamson described the proposed as a larger facility with three components of independent living, assisted living, as well as nursing care.

The Chairman closed the public hearing at 7:50 p.m.

- 2. Appl. 16-03P, Q & E, LLC Resubdivision** - request for a two lot subdivision for property located on the southerly side of Strong Road, easterly side of Nutmeg Road North (known as 413 Strong Road and 694 Nutmeg Road North), I zone

President of Design Professionals, Inc. Mr. Peter DeMallie with director of operations / landscape architect, Mr. Ben Wheeler, presented the application for Mr. Steven Quish and Mr. Michael Egan representing Q&E, LLC. The industrial zoned properties of 413 Strong Road and 694 Nutmeg Road were described to be on five acres with a 35,250 sq ft building on the site built in 1990, an existing house to the north, and another 3,000 sq ft industrial building shed served by a driveway to Strong Road. The history of property was described.

The proposal is to split the property into two industrial building lots. Two variances were requested and received from ZBA last November and in January approval was received from IWA/CC. Lot #1 will be four acres conforming as a result of the frontage variance with the address of 694 Nutmeg Road North and Lot #2, just under an acre, has the address of 413 Strong Road.

Director of Planning Lipe gave staff comments for the application for the resubdivision to create 2 lots for property located on the southerly side of Strong Road and the eastern side of Nutmeg Road, I zone.

1. The two lots will have separate access; one will use Strong Road, and the other lot will have access from Nutmeg Road.
2. This 5 acre property currently has been developed with a single family house as well as 2 industrial buildings. The current owner is seeking to subdivide the property so that there is only 1 industrial building on each lot, retaining the single family house with the smaller industrial building.
3. The minimum lot size is 30,000 sq. feet, and the minimum frontage is 100 feet. Both of the lots are greater than 30,000 sf in size. The lot with frontage on Strong Road has 141.87 feet of frontage. The lot with frontage on Nutmeg Road has 50.28 feet of frontage.
4. This property received a 50 foot variance on November 5, 2016 from the South Windsor Zoning Board of Appeals to allow the Nutmeg Road property to allow 50 feet of frontage. It was determined during the ZBA hearing that the owners had been requested by the Town to limit truck traffic to the larger industrial building to Nutmeg Road. Trucks have been using this 50 foot frontage for access since 1990.
5. A second variance was granted on November 5, 2016, addressing the rear yard setback for the property fronting Strong Road. A structure had been built to the rear of this property, to be used in conjunction with a larger structure located on the Nutmeg Road property. It was found during the investigation of a

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-4-

JANUARY 26, 2016

possible subdivision of the lot that the structure associated with the proposed Strong Road property would be located 1 foot from the proposed rear property line. Therefore, a 24 foot variance was granted.

6. If the subdivision is approved, the residential use on the Strong Road property would have to continue to meet the requirement for residential uses in the Industrial zone. Table 4.1.1A 'Permitted Commercial and Industrial Uses', stated in the Industrial zone, a single residential dwelling used by the owner of the facility is allowed in conjunction with a permitted commercial use.
7. The applicant is not proposing work within the regulated wetlands area at this time, IWA/CC approval was granted for this resubdivision.

If this application is approved, the Planning Department has no additional approval conditions.

Town Engineer Jeff Doolittle gave no staff comments.

The Chairman asked for public comments. No one from the public spoke for or against the application.

Commissioner Flagg asked about a strip of land measuring 50' x 500' on the plans. Mr. DeMallie stated it serves as the main access driveway which has been used since the 1990's.

Commissioner Parrott referenced Director Lipe's report and asked about the residential house. Ms. Lipe stated who ever resides in the house must be associated with the business on the property. The distance between the rear of the Strong Road property and back of the building appears close. Mr. DeMallie replied it exceeds the ten foot minimum setback which is the minimum required.

Commissioner Greer asked if both lots could be purchased and rear buildings demolished for access to the 35,000 sq ft building. Director Lipe stated it could be done as a site plan which could come before the Commission. It was previously approved as a special exception use without access to Strong Road.

The Chairman closed the public hearing at 8:08 p.m.

REGULAR MEETING / MADDEN ROOM

CALL TO ORDER: The Chairman opened the Regular Meeting at 8:13 PM.

PUBLIC PARTICIPATION:

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

1. Annual Organization Meeting
 - Election of Officers

Commissioner Foley nominated Gary Bazzano for Chairman.

The Chairman closed the nominations.

Having no opposition, the secretary casts one ballot for Gary Bazzano for Chairman.

Chairman Bazzano yielded the chairmanship to Chairman Pacekonis to finish the meeting in progress.

Commissioner Bonzani nominated Commissioner Pacekonis for Vice Chairman.

The Acting Chairman closed the nominations.

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

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-5-

JANUARY 26, 2016

Commissioner Bazzano nominated Commissioner Stephanie Dexter for Secretary.

The Acting Chairman closed the nominations.

Having no opposition, the secretary casts one ballot for Stephanie Dexter for Secretary.

- Review of 2016 Meeting Calendar

The 2016 Meeting Calendar was accepted by consensus.

- Review of Bylaws

There are no proposed changes to the Bylaws.

- 2. 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

Attorney Peter Alter of Alter & Pearson, LLC of Glastonbury representing property owner Mr. Scott Leonard presented the application with landscape architect Mr. Ben Wheeler and Mr. Daniel Jamison PE, both with Design Professionals, Inc., and architect Mr. John Everett with New England Design. Attorney Alter stated the property borders South Windsor and Manchester and that he met with Manchester town officials where the Director of Planning Mark Pellegrini deferred review of the project to South Windsor as 90% of the property is located in South Windsor.

The proposed use is retail for two buildings, one on each side of the property. Two variances were granted from the ZBA in April to allow the buildings to be closer to Buckland Road and Smith Street. ADRC gave a favorable recommendation. IWACC approved the application with an E&S plan prepared by Design Professionals, Inc. There is no public sewer access available to the site but approval dated November 9, 2015 has been secured from Department of Public Health for the onsite sewage disposal system. There is public water at the site.

There is no access proposed from Smith Street except for the opportunity to do maintenance in the rear buffer area. All commercial access will be by way of Buckland Road with a right turn in and right turn out only. A traffic report has been submitted for review.

The site is designed with a buffer to screen activities from Smith Street residential uses. The lighting plan has been submitted which shows no light wash off the site and all fixtures as dark sky compliant. A sidewalk is shown along Buckland Road and signage detail provided. All requirements of the restricted commercial zone have been met.

Mr. Ben Wheeler, CT registered landscape architect with Design Professionals, Inc., described the parking area with four islands in the middle and others around the exterior. All islands are to be filled with a mix of perennial plantings with shrubs and ornamental grasses. There will be one flowering tree in each of the middle islands. A low decorative stone wall is proposed along the frontage on Buckland Road similar to what is in the Evergreen Walk area for continuity. Evergreen trees will be planted to help screen the backs of the buildings. On the west side a row of 96 arborvitaes will be planted to meet the requirement of a buffer for the adjacent residential neighborhood. Other trees and plantings were described.

Mr. John Everett, architect with New England Design, showed a street elevation from Buckland Road showing Building One on south side and Building Two which is four feet wider on north. The intent is to create flexible

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-6-

JANUARY 26, 2016

tenant spaces with clear span column-less interior spaces. Building One, measuring over 7,000 sq ft, can be broke up from one to five tenants and Building Two, measuring over 10,000 sq ft, could house one to seven tenants. Both buildings are designed with character with craftsman style inspired design. Low pitched roofs, dormers, cupolas with bracket knee brace craftsman style detail, continuous transom style banding wraps around the buildings with a mix of exterior siding materials using a stone veneer. That stone is picked up in site signage and also ties into the stone wall. Building materials and signage were described in detail.

ADRC gave a favorable review of all proposed elements. Acting Chair Pacekonis asked to see elevations from the west and north. Mr. Wheeler directed the commissioners to Sheet #LS-2 of the plans showing the height of the slope cut through from the residents to the closest building. Attorney Alter showed the parking plan with 87 spaces compliant with the requirements for both South Windsor and Manchester.

Mr. Wheeler noted Mr. Leonard's commitment to quality in all the buildings he owns in South Windsor. It is the owner's intention to maintain the site as a gateway to South Windsor.

Director of Planning gave staff comments:

1. Request for site plan approval for two commercial buildings located on an 1.59 acre property on the westerly side of Buckland Road, at the Manchester town line, Restricted Commercial zone.
2. The retail buildings are proposed to be 10,472 sf and 7,381 sf respectively. There will be one access point, a right in, right out entrance along Buckland Road. The current turning lane into the Plaza at Buckland Hills will be extended south and will have a lane taper into this site.
3. Maximum impervious coverage allowed is 60%; 59.9% shown. Additional pervious areas are shown in the dumpster area on the southerly end of the site. Proposed building height is 27 feet; 45 feet allowed. Frontage is 210 feet; minimum allowed is 100 feet. Front yard setback is 25 feet along Buckland Road and 10 feet along Smith Street, 65 feet required. The applicant received a variance from the ZBA on April 9 to reduce these setbacks to 25 and 10 respectively. A condition placed on the variance was that there shall be no permanent or construction vehicle access, nor any pedestrian access from Smith Street directly to the site.
4. There is an existing sidewalk along Buckland Road in front for this property that will be relocated with the widening of the roadway.
5. The parking requirements based on the individual uses is 87 spaces; 87 spaces have been provided. The applicant's parking spaces that are 9' X 18' in size. A fieldstone wall on both sides of the entrance drive in the front of the parking area is proposed to delineate the edge of the parking area and the sidewalk.
6. There is a buffer requirement of 50' along the westerly boundary of the site. The applicant is proposing to put up a significant retaining wall that will be planted at a two to one slope. A cross section of the buffer has been provided on LS-2.
7. Public water is available in Buckland Road; the current plan is for an on-site septic system. The applicant has indicated that the use of these building will be limited to retail because of the septic and the parking demands of a restaurant.
8. The site lighting will consist of eight poles, 25 feet in height along the westerly boundary and 18 feet high closer to Buckland Road. Shields will be placed on the lights along the westerly property boundary to help mitigate light shining into the residential property to the west. Would the applicant consider dimming the lights closest to the residential area?

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-7-

JANUARY 26, 2016

9. The Architecture Design Review Committee reviewed the overall plans on November 5 including the specific materials and colors to be used. Overall, they were pleased with the “New England” architecture and color palette proposed.
10. The applicant is proposing a monument sign in the front of the property that will have a fieldstone base as well as building signage. A design of the sign has been submitted.
11. There are no regulated wetlands on site. The applicant received conservation plan approval on December 2 with a \$25,000 bond for erosion & sediment control and installation, requirement for a dewatering plan, maintenance plan to prevent wood growth on the slope and the requirement of a geotechnical engineer to monitor the progress of the fill.
12. The Fire Marshal and Fire Chief has reviewed the plans and is satisfied with the layout.
13. There is one proposed dumpster at the southern end of the parking lot, shown on concrete pads and screened.

If this application is approved, the planning department has no additional comments to request.

Town Engineer Jeff Doolittle commented about the tightness of the site and stated after an exchange of a series of comments, the designers of the project have satisfied the requirements. All other engineering comments have been addressed.

Mr. Robert Dickinson, resident of Birch Road, distributed to the Commissioners a suggestion for sidewalks to be increased to 5’ in width (Exhibit A).

Commissioner Bazzano asked about the slope to the area to the west with proposed arborvitae plantings and wall. Mr. Wheeler described the wall as a pre-manufactured block wall. It has the same degree of a slope as the one going up to Lowes and the same seed mix will be used to hold the ground in place along with a coconut fiber mat until the seedlings are established. No trees are planned to provide any weight. The grade will be brought up to meet Buckland Road. Commissioner Bazzano voiced concern about putting fill in place and having it stay in place. Mr. Wheeler stated GEI, consultants from Glastonbury, were hired to analyze the site and their report was sent to Town Engineer Doolittle. The geo tech engineer will be part of the construction team. Mr. Doolittle confirmed it will take careful work but it will be done safely and the site will be stable.

Acting Chair Pacekonis asked about the maintenance on the site. Mr. Wheeler stated periodic maintenance will be required every other year by hand with a weed eater to prevent any woody growth which is an approval requirement from IWA/CC. All was designed to create a green view from Smith Street. Pacekonis also asked about snow removal for the side. Mr. Wheeler showed a break in the arborvitae planting on the plan to allow for dumping of excessive snow in the winter months.

Pacekonis also voiced concerned about water runoff toward the neighbors. Mr. Wheeler described drainage for the site stating any runoff will be intercepted by one of two trenches and then will run underground to Smith Street. Attorney Alter showed the plan designed by Daniel Jamison of Design Professionals, Inc. Acting Chair Pacekonis asked what yield storm could be handled by the system. Mr. Jamison replied reductions for all storm events have been made including a 100 year storm event having 3.62 cubic feet per second which has been reduced to .28 cubic feet per second.

Commissioner Foley voiced concern that a heavy rain could compromise the permeable pavement. Mr. Wheeler stated the curtain drain collects and covers the area. Mr. Jamison showed the curtain drain on plans.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-8-

JANUARY 26, 2016

Commissioner Kuehnel asked if the access road to Smith Street was for emergency vehicles only. Attorney Alter stated it would only be used for maintenance of the slope and not for vehicle parking or pedestrian access. Acting Chairman Pacekonis noted no parking for retail use is planned for Smith Street and asked about construction vehicles. Attorney Alter replied construction vehicles will not be left in the street and can be a condition of approval.

Commissioners Parrott and Pacekonis discussed the planned septic system with Attorney Alter, Mr. Wheeler, and Mr. Doolittle.

Commissioner Kuehnel 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 \$25,000 to ensure proper placement and maintenance of erosion and sedimentation measures during construction.
4. A landscape bond in the amount of \$10,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.
6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
7. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
8. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority. Septic Designs must be approved by the Environmental Health Officer.
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. Engineering comments dated 12/4/15 must be incorporated into the final plans.
14. No construction vehicles are allowed to be parked on Smith Street.

Commissioner Parrott seconded the motion

Commissioner Foley and Town Engineer Doolittle spoke about the potential of a 5' wide sidewalk. Attorney Alter indicated every effort will be made to accommodate the 5' width where possible. Commissioner Greer asked about the septic system.

The motion carried and the vote was unanimous.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-9-

JANUARY 26, 2016

3. Appl. 15- 46P, Evergreen Walk Unit 500E – change order request to modify approved site layout for the drive-thru facility

Mr. Dominick Celtruda, CT registered landscape architect with BL Companies, presented the change order request. Approval for the project was received from PZC on December 8, 2015. Approvals have also been received from IWA/CC, ADRC, and WPCA. They have found an opportunity to better the pedestrian and vehicular circulation on the site. Drawings of a revised drive-through configuration were distributed to the Commission. The upper parking lot has now been closed off to allow for better stacking in the drive through lane and a better circulation route to move pedestrians. Mr. Celtruda explained how two parking spaces were reduced, walkways created, other parking spaces added, and described site signage. Signage for tenant use will come back before the Commission. There will be no changes to the approved lighting or grading plans but the landscaping plan was changed slightly.

Director Lipe and Engineer Doolittle had no comments.

Acting Chair Pacekonis asked about dedicated parking for employees. Mr. Paul Reinke of Poag Shopping Centers, managing agent for Evergreen Walk, discussed the location of parking for employees. Commissioner Greer complemented the plan as a better one for circulation.

Commissioner Bonzani made a motion to approve the change order.

Commissioner Greer seconded the motion.

The motion carried and the vote was unanimous.

4. Request by Nancy Swiatkiewicz of Our Savior Lutheran Church for an interpretation, in accordance with Section 4.1.2 ‘Other Permitted Uses’, that the establishment of ‘The Bridge’ Ministry in the Industrial zone is similar to a Fraternal Organization and membership club operated for non-profit (currently a permitted use in the Industrial zone). See attached correspondence.

Director Lipe referred to a letter requesting locating a ministry in an industrially zoned building. The use is usually allowed in residential zones. She asked the Commission to clarify whether the use is similar enough to a fraternal organization and membership club operated for non-profit which is currently allowed in the industrial zone. A special exception application can be applied for if the Commission decides that the use is appropriate.

Commissioner Kuehnelt made a motion which determined the use as similar to a Fraternal Organization and membership club operated for non-profit.

Commissioner Parrott seconded the motion.

The motion carried and the vote was unanimous.

5. Appl. 15-59P, Evergreen Walk LLC - request for a modification to the approved General Plan of Development layout to include a Continuing Care institutional use within ‘Evergreen Walk’ (reducing approved retail and recreation space) on property known as 151 Buckland Road, on the westerly side of Buckland Road, on the southerly side of Deming Street and northerly of Smith Street, Buckland Road Gateway Development Zone

Commissioner Greer noted the size of the facility proposed and proximity of other assisted living facilities.

Commissioner Foley asked Town Engineer Doolittle about the water line and concerns from the Fire Marshal concerning water pressure. The demand for water will be increased moving from retail use to residential. Mr.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-10-

JANUARY 26, 2016

Doolittle stated the Fire Marshal has had issues all along regarding the water supply. Emergency connections with Manchester and MDC have been explored but nothing has been defined. The Fire Marshal appears to be comfortable to move forward with the general plan but a site plan approval would still be required which will include water. Water flow or water pressure will have to be addressed with the water company.

Acting Chair Pacekonis noted Commissioner Greer's comment about the size of facility and referenced the POCD and bringing a development which will increase the economic development to town without bringing kids into the school system to tax it.

Commissioner Parrott noted the hotel going in across the street will also increase water usage as will the apartments. She asked whether a defined water source should be criteria for approval. Director Lipe stated part of the site plan approval process is demonstration of adequate water and sewer for the project proposed. Mr. Doolittle stated CT Water will make sure there is sufficient water to meet needs of customers and for safety.

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

1. Site Plan of Development approval is required prior to construction, per Section 4.2.15.D of the zoning regulations. Construction phasing must be included on Site Plan of Development if appropriate.
2. No building permits will be issued until any required OSTA certificate has been issued (per CGS §14-311).
3. All approval conditions of the March 11, 2014 for Appl. 14-09P, Evergreen Walk General Plan of Development remain in effect.

Commissioner Kuehnel seconded the motion

The motion carried and the vote was unanimous.

- 6. Appl. 16-03P, Q & E, LLC Resubdivision** - request for a two lot subdivision for property located on the southerly side of Strong Road, easterly side of Nutmeg Road North (known as 413 Strong Road and 694 Nutmeg Road North), I zone

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

1. This approval is for 2 lots, numbered 1 and 2.
2. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
3. Lot #1 shall be serviced by the Town of South Windsor sanitary sewer system and lot#2 shall be serviced by septic system.
4. Water shall be supplied to this subdivision by public water.
5. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
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

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-11-

JANUARY 26, 2016

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. A drainage assessment fee in the amount of \$50 shall be submitted to this Commission.
9. The residential use on the Strong Road property would have to continue to meet the requirement for residential uses in the Industrial zone. Table 4.1.1A "Permitted Commercial and Industrial Uses", a single residential dwelling used by the owner of the facility is allowed in conjunction with a permitted commercial use.

Commissioner Foley seconded the motion

The motion carried and the vote was unanimous.

7. Appl. 14-07, South Windsor Stone and Landscaping Supply Special Exception/Site Plan – discussion and/or action regarding the 'Settlement Agreement'

Commissioner Kuehnel made a motion to approve the settlement agreement known under Docket No.: HHD-CV-14-6050103-S dated December 11, 2015 with East Hartford Sand and Gravel, Inc. D/B/A South Windsor Stone & Landscaping Supply, LLC, 275 Strong Road, LLC, and 287 Strong Road, LLC

This approval is subject to the following modifications as agreed in the settlement:

1. The defendant stipulates that plaintiffs are each aggrieved.
2. The parties hereto will ask the court to enter judgment in accordance with this agreement as follows:
 - a) The operation of EHSG at 287 Strong Road is in substantial compliance with the approvals of the Town of South Windsor.
 - b) EHSG will not process or screen topsoil or loam on the premises without further approval of this commission, but may continue to sell that product and have it delivered and ready for sale as part of its landscaping business.
 - c) The sole entrance and exit drive will be directly from Strong Road at the location of the presently existing drive.
 - d) The Applicant may apply at any time in the future to process material on the site, and any such application will be considered on its merits.
3. The hours of operation shall be as follows:
 - a) Monday through Friday, 7:00 a.m. to 5:30 p.m.
 - b) Saturday, 7:00 a.m. to 5:30 p.m., April 1st through Labor Day, and 7:00 a.m. to 3:00 p.m. the day after Labor Day through March 31st of each year.
 - c) Sunday, 10:00 a.m. to 3:30 p.m.
 - d) Incoming deliveries on the weekend will be limited to the hours of 10:00 a.m. to 2:00 p.m. on Saturdays only.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-12-

JANUARY 26, 2016

4. Each party is responsible for their own attorney's fees and costs.
5. The parties shall present their agreement to the Court as a Stipulation for Judgment.

Commissioner Foley seconded the motion

The motion carried and the vote was unanimous.

8. Appointment of CRCOG Representative – see enclosed information

Appointments to be made at the next regularly scheduled meeting.

BONDS: Callings/Reductions/Settings

1. Appl. 14-32P, Clark Estates DRZ Site Bond in the amount of \$296,850 to be reduced by \$225,350 to leave a balance of \$71,500. Maintenance to expire 1/26/17.

Commissioner Kuehnel made a motion to reduce the above mentioned bond. Commissioner Foley seconded the motion.

The motion carried and the vote was unanimous.

MINUTES: 01/19/16 Special Meeting Minutes adopted by consensus

OLD BUSINESS: *see page 2*

OTHER BUSINESS:

Director Lipe stated the new Chairman has suggested a training session for commissioners and offered dates in March when Attorney Kari Olson has availability. It was decided to hold the training on March 15th at 7 p.m.

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 9:59 p.m. was made by Commissioner Kuehnel

Seconded by Commissioner Bazzano

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren Zarambo

Recording Secretary