

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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JULY 23, 2019

MEMBERS PRESENT: Bart Pacekonis, Kevin Foley, Frank Bonzani, Stephanie Dexter, Kevin Greer (arrived at 7:15), Steve Wagner

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Kenny Young

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARING / COUNCIL CHAMBERS 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, July 11, 2019 and Thursday, July 18, 2019.

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

- 1. 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 John Fitch Boulevard, I-291 Corridor Development zone (**Continued from 7/9/19**)

Mr. Peter DeMallie, President of Design Professionals, Inc. continued the presentation for the request with Mr. Daniel Madrigal representing Scannell Properties, Langan traffic engineer Mr. Luke Mauro, project manager Ms. Suzanne Choate and project engineers Mr. John Mills, and Mr. Daniel Jamison from Design Professionals, Inc., with rail representatives Mr. Brian McClain and Mr. Ed Foley of Genesee & Wyoming Inc. and Connecticut Southern Railway.

Mr. DeMallie described the 46 acre site selected for access to interstate highways and rail, and reviewed the site plan from the July 9th meeting. Two rail spurs will be used. One spur will go into the northerly part of the building where box cars will unload within the building. Flatbed rail cars will use the southerly spur, and unload outside on the southwest side of the building. All loading of trucks will take place within the building. Truck access will use Chapel Road east of Twin Manufacturing that has agreed to give a sight line easement to the west. Drainage from Twin Manufacturing will be treated throughout the subject site. The low impact development proposal includes a pond for mitigation in the northeast corner on Ellington Road infiltrating 100% of stormwater runoff from the roof and pavement areas. Concrete paving rather than asphalt will be used. Forklifts will only be used on the south side of the building away from residential. There will be 63 parking spaces at the front for 35 employees on site and 25 drivers. The hours of operation will be in two shifts from 6 a.m. to 11:30 p.m. Monday through Friday. There may be variation in hours during times of high demand for product or during a disaster relief efforts.

Changes since the last public hearing include an irrigation system to be installed along the road frontage along the entire landscaped area, and accommodations will be made for a future bike path 10 foot shelf within the State highway right of way along with the 4 foot snow shelf along Ellington Road.

The day after the last hearing representatives from Scannell, rail, and Town staff met at with the DOT in Newington to address rail operations and the crossing at Chapel Road. Operations will occur in off-peak

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hours Monday through Friday 10 a.m. to 2 p.m. The train will cross Chapel Road daily in seven movements for a total of 10 minutes. Each movement will vary in time from 1 to 3 minutes. Each of the six rail cars accommodates as much product as 3 tractor trailers which equates to 18 less trucks on the road daily.

Pavement on the site will be reduced by removing the triangular area in the front and reducing the 48' drive on the north side of the building to 32'. Impervious coverage will be reduced as a result from 61% to 60.2%, and the outdoor storage area reduced from 7.2% to 6.9%. (10 % allowed)

Mr. DeMallie described revised plans for screening of outdoor storage designed after meeting with Town staff and ADRC. In front of the building there will now be a 6' berm with an 8' textured masonry section wall on top. The wall's design will use features from the building. The berm will be replaced in some sections with a curvilinear 8' high black ornamental fence. The reduction in height and fencing allows sections of the building to be seen from Ellington Road. A 16' high wall in the same design will go for 500' on the southerly side followed with a line of red cedar trees along the CLP easement.

There will be lighting throughout site during the 6 a.m. to 11:30 p.m. shifts. Recommendations from police and security will determine overnight lighting levels. The 35' pole height will be reduced at the Ellington Road and Chapel Road entrances.

Ms. Suzanne Choate described changes made to the stormwater management plan and to the sanitary sewer which will now be directed to Ellington Road.

Mr. Luke Mauro described their analysis of projected vehicle queues for all turns with the railroad crossing factored in as required by the State Traffic Administration. In their opinion, the traffic impact is not significant, and can be contained within the available lane storage, and not have an adverse impact on operations on Route 5 or Chapel Road. Mr. DeMallie added their analysis used peak rush hour 4:30 to 5:30 rather than off peak hours.

A video was shown of the revised wall proposal for the site and the replacement pond surrounded by supplemental plantings in the northeast corner.

Director of Planning Michele Lipe gave staff comments:

1. ADRC did review the landscaping and a number of options for wall treatments on July 18th. They were pleased with the elimination of some of outdoor storage which allowed for berming and additional landscaping along Ellington Road, the 16' wall along the CLP easement, and the 8' wall along the front on top of the 6' berm.
2. From a zoning perspective, changes to the lighting plan are still pending but no issues are anticipated.

Town Engineer Jeff Doolittle gave staff comments stating revised plans were just received this afternoon at a meeting where changes were described and now need to be reviewed. Outstanding issues include:

1. On the operational plan, travel lanes and some areas where trucks and emergency vehicles traverse around the site need to be marked.

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2. The slopes and pond have been moved away from Ellington Road and Chapel Road. An ornamental fence is suggested on the Chapel Road side to prevent people driving into the green space that will be in the area of the old drive-in.
3. Revised drainage plans need review.
4. Details of the revised sanitary sewer system need review.
5. A meeting took place with the State regarding the railroad crossing after the last public hearing and again this week. It appears the State wants more detail about the crossing movements of the train across Chapel Road going back and forth, and is looking for more details about the improvements to the railroad for the spurs going into the site and also across Chapel Road. The Town has received many complaints about the condition of the railroad crossing on Chapel Road and other roads along the railroad line. The Town is working with the railroad to fix our pavement up to the railroad. But the railroad crossings are still not in good shape with old timbers in place, old signals, and potholes between the rails which the railroad needs to address. It is up to the Commission to determine how much of that needs to be addressed on Chapel Road as part of this application. Improvements suggested for Chapel Road will ultimately go to the State and, even possibly, the Federal Highway Commission for review before they get implemented. Impacts to Chapel Road from the increased use are still under review by the Town that agrees the rail use will keep more trucks off the road, but more trains will be crossing Chapel Road of which drivers will have to be aware.

Director Lipe stated they did receive the crossing time limits from the railroad, and were under the understanding it was under a ½ hour period of time. The Director asked for clarification on the duration of the ten minutes that the crossing occurs.

Mr. Brian McClain, Vice President of Operations for Genesee & Wyoming, stated there will be 6 or 7 moves over a 30 to 45 minute period. With each time into the facility there will be work they need to do before they would have to cross the crossing again. Chairman Pacekonis asked for clarification. Mr. McClain stated going across the crossing will take 1 to 3 minutes, and then be down in the facility for 10 minutes, and then go across the crossing for another 1 minute, and then be in the facility for another 10 minutes, and back across the crossing for another minute during a span of 30 to 45 minutes where traffic would continue to flow throughout the duration.

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

Mr. Matthew Galligan spoke in favor of the project as Economic Development Advisor for the Town stating only two other sites in MA and RI have been under consideration for this project whose company is listed 23rd in the Fortune 500 list. Another great project from Scannell in the I-291 Development zone will be a home run for South Windsor.

Mr. Robert Dickinson, 19 Birch Road, asked if a cost analysis had been done on the building for installation of solar panels, and recommended cost analysis for solar generation on all new developments in town. Mr. Dickinson complemented the revised wall and fence plans, encouraged planting of trees and installation of the 10' shelf for the multiuse path, and stated the appearance of the facility will be enhanced when the multiuse path is installed between the road and the building.

The Chairman asked for comments from the public in opposition or with questions about the application.

Mr. Erik Dabrowski, abutting property and business owner from 240 Chapel Road, spoke with concern and asked how far northbound will the train go when crossing Chapel Road, and asked if the traffic study has

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taken into account the tractor trailers that will be coming out of the new facility. Mr. Dabrowski also asked about the future capacity of the building for how many trains it could accept going forward.

Chairman Pacekonis asked for comments from commissioners.

Alternate Commissioner Bernstein noted school buses are on the roads from 12:30 to 2 and may be impacted by the rail crossing, and asked about operations on site. Mr. DeMallie stated most of the movements are 1 minute, but the one movement that is 3 minutes may be looked at to least affect the timing of buses going through the area. Forklifts will be used to move product on site, and all loading of trucks will be done within the building.

Commissioner Wagner voiced appreciation for the project and improvements to the wall, berm, and fencing, and discussed with Mr. DeMallie retention basins and the low volume sanitary sewer flow to be moved to the Ellington Road manhole being installed by Coca Cola. The commissioner asked whether traffic will be stopped at the lights on Route 5 when a train goes through the crossing. Mr. Mauro stated north and southbound movements on Route 5 are allowed to go during a crossing and then switched to Chapel Road to allow traffic to flow once the crossing is clear. The commissioner asked about impact from rail on the Connecticut Soil project and about crossing repairs. Mr. McClain indicated Connecticut Soils is a private crossing, 300' north of Chapel, and will not be impacted by their crossing. Rail representatives met with the Town this week, and determined they will at least work with milling down the crossing all the way up to the rails, and will work on getting it paved up to the edge, and then continue to have a discussion with the State on any other crossing upgrades that will need to be done. Town Engineer Doolittle confirmed that working with the railroad the Town will repair the pavement right up to the outside of the track, but noted there are still old timbers inside of the track which are in rough shape, and the pavement in between the tracks is in rough shape, and the crossing apparatus is old.

Commissioner Wagner confirmed with Mr. DeMallie the building has been designed to support rooftop solar panels, but it is not known if solar will be installed at this time; the State right of way along Ellington Road can accommodate the 10' pathway and 4' snow shelves; and the traffic study took into account the truck traffic the subject property will generate. The tenant has committed to a 20 year lease, and is not expecting any significant changes in volumes. The reserve parking is shown in the storage areas.

Vice Chairman Foley confirmed with Mr. DeMallie that the Chapel Road entrance will be irrigated, and noted the intersections of Pleasant Valley Road, Ellington Road, and Chapel Road need to be repaired and upgraded. Mr. Ed Foley from Geneese & Wyoming stated their engineer has been working with the Town and the State DOT to go over what can be done, and are working on paving coming up to the abutments on Governors Highway and Chapel Road. Town Engineer Doolittle stated the Town is going to pave Chapel Road and a section of Governors Highway, and hopes the railroad is going to address the crossings, and understands that they are working on addressing the Pleasant Valley Road crossing this year. Mr. Ed Foley stated all conversations are in progress right now.

Commissioner Bonzani asked if there will be more trains used for the facility than the one proposed daily. Mr. DeMallie stated they are limited by the size of the facility and the size of the yard regarding the volume of trains, and no more than one is expected. The commissioner noted the 25 truck drivers for the facility, but asked if additional trucks will come in to unload, and how many can fit in their driveway. Mr. Daniel Madrigal confirmed there would be a total of 25 trucks with 5 trucks coming in hourly. The driveway is several hundred feet long with a gate at the end controlled by a vendor. Commissioner Bonzani asked about hiring area residents. Mr. Galligan clarified under State statute and Federal law you cannot guarantee local people for employment but usually employers make their best effort to hire local.

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Commissioner Dexter discussed the rail and the 7 movements across Chapel Road with Mr. Mauro, and suggested signage that might warn the public to 'Expect Delays 10 a.m. -2 p.m.' so people can get used to it.

Alternate Commissioner LeBlanc noted a traffic controller and the traffic signal work together when a train goes across it, and confirmed with Mr. McClain a constant circuit is used so if a locomotive or car wheel is on the rail it will continue to keep the lights red. The commissioner discussed with Mr. DeMallie whether the length of wall along the CLP easement will be resistant to graffiti. Mr. DeMallie stated they do not expect graffiti to be a problem but maintenance and security would address it. Commissioner Wagner suggested a preemptive requirement to coat the surface of the wall with a graffiti resistant coating. Mr. DeMallie stated they will inquire how the national firm for the wall addresses the issue.

Commissioner Young asked how many rail cars will be inside the building. Mr. DeMallie stated 8 rail cars can be accommodated inside the building.

Chairman Pacekonis reviewed discussion from the last public hearing regarding the lack of specific thresholds for requiring gates at railroad crossings, and asked who the responsible party is and how it is determined if a gate needs to be at this crossing. Mr. McClain confirmed there is no set threshold, and the State would make that determination because it is under their jurisdiction. The Chairman asked what is currently at the crossing for safety. Mr. McClain described flashing red lights and alarms and there are no proposed changes at this time. The Chairman stressed the need for improvements between the two rails crossing Chapel Road that will be a long term fix and improvement to that crossing and may be an approval condition. Mr. Galligan advised not adding the approval condition, and taking the responsibility and liability from the State.

Chairman Pacekonis voiced preference for the long wall at the CL&P easement to be treated to repel graffiti, suggested planting ivy at the wall's base, and requiring the installation of the multi-purpose path at time of construction. Mr. DeMallie noted the applicant would rather not build the path unless it had the potential to connect to other paths. The Chairman discussed with Mr. Mauro how trucks may be impacted from Connecticut Soils. The height of materials being stored outdoors was discussed, and Mr. DeMallie noted when trees in the landscape plan mature they will obstruct the view, and will encourage the landscape architects to spec out trees of larger caliper and taller evergreens.

The Chairman closed the public hearing at 8:47 p.m.

- 2. Appl. 19- 32P, Vintage Hills II, LLC** – request for a seven (7) lot subdivision of 12.4 acres, including a Special Exception to Section 3.2.2 for one interior lot, on property known as L006 Barber Hill Road, located northerly of Vintage Lane and westerly side of Barber Hill Road, RR zone

Mr. Peter DeMallie of Design Professionals, Inc. presented the request for the subdivision and special exception with engineers Mr. Daniel Jamison and Mr. John Mills. The original Vintage Hills subdivision was described, and site plan for Vintage Hills II shown with Vintage Lane going all the way to the northerly property line of the 12.5 acre parcel. Lot sizes in the development go from 1.3 acres up to 3 acres. The existing cul de sac and sidewalk will be removed, and replaced with a tangent section of street with sidewalks on both sides. A hedge row along the common property line between the Vintage Hills I and II subdivisions will be preserved, and a 15' stonewall preservation easement added on the northerly side. There will be 4 building lots with almost 200' of frontage on the extension of Vintage Lane, and 2 conventional lots proposed on Barber Hill Road. The northerly lot will have a shared driveway with a 3 acre interior lot with plantings designed to screen it from the front lot. The house location in rear lot has been modified to be further north per comments from Town staff.

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There are no flood plains or wetlands on the site but the 80' upland review area in the far northwest corner received approval from IWA/CC on July 17th. The interior lot requires a special exception, and meets all criteria. All 7 lots are approved by the Health Department for septic systems.

Mr. Jamison described the engineering aspects of the site that does not need detention basins or continuation of storm flow with the exception of the basin in the northwest corner which is for water quality from runoff from the cul de sac.

Director of Planning Lipe gave staff comments:

1. Request for a seven (7) lot subdivision of 12.4 acres, including a Special Exception to Section 3.2.2 for one interior lot, on property known as L006 Barber Hill Road, located northerly of Vintage Lane and westerly side of Barber Hill Road, RR zone. Property size is 12.5 acres.
2. This subdivision involves the extension of Vintage Lane to the property boundary to the north. In March of this year, the PZC granted a subdivision waiver request allowing the extension of the temporary cul de sac. There are four lots proposed to come off the new extension of the cul de sac with sidewalks around the complete perimeter.
3. The property is currently an open farm field with tree lined property boundaries. The plans show the limits of clearing on the plans. There are several large trees that are proposed to be preserved in both the Town ROW and on the lots.
4. The conventional lots are in excess of 1.3 acres and the interior lot is 2.7 acres. The lots appear to meet all other zoning requirements.
5. The requirements for the interior lot in the RR zone include 80,000 sf minimum lot size and 262.5 feet minimum lot width. This lot is 2.7 acres with a frontage line parallel to the street of 495 feet.
6. The criteria for approval of interior lots include:
 - a. the subject area's boundary configurations, topography, soils or other natural resource characteristics;
 - b. proximity to neighboring properties and dwelling units;
 - c. restriction of existing views;
 - d. proposed buffering/screening;
 - e. potential drainage, traffic & environmental impacts
 - f. driveway locations, slopes & sight lines
 - g. utility service capabilities
 - h. property value impacts; and
 - i. future land use alternatives.
7. The interior lot and the lot to the south will share a common driveway. This is a requirement of the Subdivision Regulations (B.4.a) when subdividing on a collector street. The driveway proposed is a shared driveway and is designed 18 feet wide up to the first driveway and reduces to 12 feet wide. The interior lot has been designed with a turnaround with the ability to turn-around to satisfy the fire department's requirement.
8. The setback for the interior lot has been increased to 75 feet and landscaping screening has been shown between the two lots.

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9. The plan shows two new driveways onto Barber Hill Road. Sidewalks are shown on both sides of the extension of Vintage Lane. Street trees are shown on both sides of the new streets. The applicant is proposing Little Leaf Linden trees. The town's tree planting specification shall be added to the plans and used for installation of the street trees.
10. This subdivision is subject to an open space requirement. The applicant is proposing a fee in lieu of open space. In accordance with Section 5.C.1.c of the subdivision regulations, the fee will be ten percent of the fair market value of the property prior to subdivision approval. This fee is payable on a per-lot basis, at the time of initial conveyance of each lot. The applicant must provide, with the Commission's agreement, an appraiser to determine the fair market value.
11. The site will be serviced by public water and septic systems. The Health Department review and approval will be required at the time of the building permits for the individual lots.
12. There are regulated wetlands northwesterly of the project that will receive some of the drainage over land. The applicant has received IWA/CC approval on 7/20/17 with the following condition:
 - A bond of \$25,000 for establishment and maintenance of erosion controls; and a bond of \$20,000 for installation of stormwater structures shall be posted prior to construction.
 - Sedimentation & erosion plan shall be modified to use Gabions & woodchips instead of hay bales.
 - Silt fence shall be reinforced with woodchips.
 - An easement shall be placed on lots 6 & 7 to assure that the water flow drainage pattern is not altered.
 - A drainage easement shall be placed on lot 5 to allow for flow from lots 3 & 4.
 - Reinforcement shall be placed in the area of concentrated flow below the outfall from the stormwater, method to meet with approval of town staff.
13. We note that a "representative" house footprint is shown. If this application is approved, when an actual house plan is submitted, it is especially critical for elements, including landscaping, to remain as shown on this application. The applicant and any purchasers need to understand that any modifications other than very minor ones would need to return to the Commission for approval

If this application is approved, there are no Planning Department requested modifications.

Town Engineer Jeff Doolittle gave staff comments stating many comments have been addressed with the revised plans. The following comments are outstanding:

1. The drainage pipe in the northwest corner drains primarily from the new road extension. The engineer has been asked to look at that pipe which is very shallow at the west end of the pipe. A cover is required for the end of the pipe so that it does not stick out of the ground or the pipe can be shortened up if necessary.
2. Storm management calculations have been revised and are still under review. The engineer has been asked to look some water that comes onto the front of the property from across the road. Water congregates in a low area on Lots 6 and 7 so the intention is to have a rain garden there so that water seeps into the ground.
3. There are 2 catch basins in the existing cul de sac for Vintage Hills which are flat tops which need to be changed out to curb type tops in order to match the curb line when the road is extended.

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4. A quick claim deed to the Town for 25' of the right of way from the center of the existing road needs to be filed so the Town has a clear title to the road.
5. The Town requests the road is widened to the Town standards for 12' lanes (24' total).

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

Mr. Scott O'Brien 426 Barber Hill Road voiced no opposition to the project but concern for traffic to be generated on Barber Hill Road from it and future development of 50 acres recently sold to a developer.

The Chairman asked for other comments from the public with concerns or in opposition to the application.

No one else from the public spoke with concerns.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Bonzani asked about fire truck access in the driveway area that Mr. DeMallie stated was reviewed and approved by the Fire Marshal.

The Chairman closed the public hearing at 9:08 p.m.

Chairman Pacekonis introduced the new Town Manager Michael Maniscalco who complemented and thanked the Commission for their work on behalf of the town.

- 3. Appl. 19-36P, Design Professionals, Inc.** - request for a zoning text amendment to Section 4.2.10 Site Appearances for retail establishments in the Buckland Road Gateway Development zone specifically to modify Section 4.2.10 F Shopping Cart Management to allow for Commission approval of shopping cart storage locations and eliminate the requirement that carts be brought into the store by an employee

Mr. Peter DeMallie of Design Professionals, Inc. presented the text amendment request stating no outdoor storage of shopping carts is presently allowed in the Gateway Development zone, and described Aldi's system for their grocery stores which uses a quarter to access shopping carts which is returned when the cart is brought back to an exterior area under roof. A revised cart management plan was read as a text amendment.

Director of Planning Lipe gave staff comments.

1. This is a request for a zoning text amendment to Section 4.2.10 Appearances to Retail Establishments in the Buckland Gate Development zone specifically to modify the Shopping Cart Management section of the regulations. This section was written specifically for Highland Park which did have employees walk out with the carts and bring them back into the store. This request is to allow the Commission to approve a shopping cart management plan based on an individual applicant's proposal.
2. Any area that is dedicated for outdoor storage can be required to be effectively screened from the parking areas through architectural or other treatments.
3. The Business Development section of the Town Plan has one of its goals for the town to attract additional business development that is consistent with the character and scale of the surroundings with a strategy to maintain current business zones with updates. This is a proposed update is in conformance with the POCD.
4. The Capitol Region of Governments (CRCOG) has reviewed this amendment as required and a report has been received dated July 12, 2019 stating the Staff of the Regional Planning Commission of the

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Capitol Region Council of Governments has reviewed the zoning referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

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

Town Engineer Jeff Doolittle had no staff comments.

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

No one from the public spoke in support, with concerns, or in opposition to the application.

Chairman Pacekonis asked for comments from commissioners.

Alternate Commissioner Bernstein commented he does not feel it is the Commission's role to micromanage shopping carts.

Commissioner Wagner suggested the amendment address not only the location but also the method of management and suggested changing the wording to 'storage location and design'. Director Lipe noted the standard in the text still requires a shopping cart management plan.

Alternate Commissioner LeBlanc commented about the cart system used at Shop and Shop in comparison.

Chairman Pacekonis noted how the amendment could impact future applications, and discussed screening with Mr. DeMallie who noted the amendment gives the Commission greater flexibility in plan options.

The Chairman closed the public hearing at 9:20 p.m.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER:

PUBLIC PARTICIPATION:

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

1. **Appl. 19-35P, Mangino Temporary & Conditional Permit Renewal**– request for a renewal of the two-year temporary and conditional permit to allow two apartments on property located at 272 Pierce Road, RR zone

No one was present to represent the applicant.

Director of Planning Lipe gave staff comments:

1. Request for the renewal of a two-year temporary and conditional permit for two in-law apartments at 272 Pierce Road, RR zone. These apartments were originally created through a temporary and conditional permit granted by the ZBA in 1989. The most recent approval expires on July 12, 2019.
2. The wording of the Temporary and Conditional permit regulations is that "Temporary and conditional permits may be granted by the Commission for 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 with 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".
3. The RR zone allows for both accessory apartments and in-law apartments. However, the regulations do not allow for the creation of more than one accessory/in-law apartment. In addition, there are no provisions in our regulations for multiple apartments in single-family zones.

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If this application is approved, the Planning Department would recommend that the standard approval conditions apply:

- This approval is for two in-law apartments for a family member/relative only. When the in-law apartments are no longer occupied by a relative of the family, the apartments cannot be treated as a second dwelling unit. Instead, the kitchens must be removed and the living areas must be converted into other living space for the main dwelling.
- This permit will expire in two years, on July 9, 2021, and will have to be renewed at that time if the use is to be continued. Owner(s) of the property must reside in an apartment or the main dwelling unit. Reaffirmation of occupancy by owner will be required every two years. This will be done via a letter from the Planning Department requesting the reaffirmation of occupancy.

Town Engineer Doolittle had no staff comments.

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

1. This approval is for two in-law apartments for a family member/relative only. When the in-law apartments are no longer occupied by a relative of the family, the apartments cannot be treated as a second dwelling unit. Instead, the kitchens must be removed and the living areas must be converted into other living space for the main dwelling.
2. This permit will expire in two years, on July 9, 2021, and will have to be renewed at that time if the use is to be continued. Owner(s) of the property must reside in an apartment or the main dwelling unit.

Commissioner Bonzani seconded the motion.

The motion carried and the vote was unanimous.

- 2. Appl. 19- 32P, Vintage Hills II, LLC** – request for a seven (7) lot subdivision of 12.4 acres, including a Special Exception to Section 3.2.2 for one interior lot, on property known as L006 Barber Hill Road, located northerly of Vintage Lane and westerly side of Barber Hill Road, RR zone

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

1. This approval is for seven (7) lots, numbered 1-7.
2. Concrete sidewalks, built to Town specifications, shall be installed on both sides of the new streets.
3. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
4. Water shall be supplied to this subdivision by public water.
5. This application is subject to the condition of approval of the Inland Wetlands Agency/Conservation Commission including bonds in the amounts \$25,000 for the establishment and maintenance of erosion controls; and a bond of \$20,000 for installation of stormwater structures. The bonds shall be posted prior to construction.
6. Street lighting shall be installed on streets, at intersections, and on cul-de-sacs in accordance with the policy established by the Chief of Police. Street lighting is to be coordinated with the Chief of Police (copy enclosed).
7. Street names and locations of fire hydrants are subject to the approval of the Fire Marshal of the Town of South Windsor. Street names and supporting posts shall be installed by the developer in conformance with the standards of the Town of South Windsor, at no expense to the Town.

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8. A liability insurance policy shall be submitted to this Commission naming the Town of South Windsor as an insured, with a combined single limit for bodily injury and/or property damage in the amount of \$1,000,000.
9. Trees within the street trees easement and any other trees on land that is currently or will in the future become Town-owned land are to be planted in accordance with the enclosed Tree Planting Specifications.
10. Prior to commencement of any site work, a preconstruction meeting must be held with Town Staff.
11. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
12. 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.
13. 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.
14. Septic system and/or private well final design(s) must be submitted to and approved by the Environmental Health Officer prior to filing of mylars and issuance of building permits.
15. 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.
16. 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.
17. In accordance with Section 5.C.1.c of the subdivision regulations, a fee in lieu of open space is required. The fee will be ten percent of the fair market value of the property prior to subdivision approval. This fee is payable on a per-lot basis, at the time of initial conveyance of each lot. The applicant must provide, with the Commission's agreement, an appraiser to determine the fair market value.
18. A drainage assessment fee in the amount of \$350.00 shall be submitted to this Commission.
19. No building permits will be issued until all modifications have been complied with, and the final plans have been filed in the Town Clerk's office.

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20. The approved location of the house, garage and driveway for the interior lot (lot #5) are an integral part of this special exception. If modifications are proposed subsequent to this approval, further approval from this Commission may be required.
21. The Town Engineer's review comments dated July 11, 2019 must be incorporated in the final plans.
22. A quit claim deed shall be submitted to establish the street line on Barber Hill Road in front of the property.
23. The developer is responsible for preparing the deeds for the conveyance of the existing cul de sac wings to the abutting property owners.
24. Barber Hill Road shall be widened to establish 12' feet of pavement from the center line of road.

Vice Chairman Foley seconded the motion.

The motion carried and the vote was unanimous.

Commissioner Wagner made a motion to extend the meeting 10 minutes.

Vice Chairman Foley seconded the motion.

The motion carried and the vote was unanimous.

- 3. Appl. 19-36P, Design Professionals, Inc.** - request for a zoning text amendment to Section 4.2.10 Site Appearances for retail establishments in the Buckland Road Gateway Development zone specifically to modify Section 4.2.10 F Shopping Cart Management to allow for Commission approval of shopping cart storage locations and eliminate the requirement that carts be brought into the store by an employee

Commissioner Wagner suggested amending the text to read "Shopping carts shall be stored in a location and design approved by the Commission". Amendment approved by consensus.

Wagner made a motion to approve with the following conditions:

1. The Planning and Zoning Commission finds that the zone text amendment in conformance with the Town Plan of Conservation and Development.
2. The effective date of the zone text change is 8/11/2019.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

BONDS: Callings/Reductions/Settings

MINUTES: 7/9/19 by consensus

OLD BUSINESS: *see page 2*

APPLICATIONS OFFICIALLY RECEIVED:

Appl. 19-38P, Toth Enterprises, Inc. DBA Stumpy's Hatchet House – request for a Special Exception to Table 4.1.A and Section 7.13.1 to allow the conversion of approximately 9,000 sf for an indoor recreation activity of "Axe Throwing", on property located at 425 Sullivan Ave, I zone

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

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ADJOURNMENT:

Motion to adjourn made by Vice Chairman Foley at 9:35 p.m.
Commissioner Dexter seconded the motion.
The motion carried and the vote was unanimous.

Respectfully Submitted,
Lauren L. Zarambo
Recording Secretary