

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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AUGUST 20, 2019

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

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Kenny Young

STAFF PRESENT: Michele Lipe, Director of Planning; 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, August 8, 2019 and Thursday, August 15, 2019.

Chairman Pacekonis announced Appl. 19-38P has been withdrawn by applicant request.

- 1. Appl. 19-37P, The Learning Experience** - request for a Special Exception to Table 4.1.1A and Section 7.4 and Site Plan of Development for a 10,000+/- sf daycare facility, located on property at 151 Buckland Road, (Unit 7D, Tamarack Avenue), Buckland Road Gateway Development Zone

Mr. Jay Ussery of J.R. Russo and Associates LLC presented the application on behalf of Colchester Properties LLC, and described the site location in Evergreen Walk near the hotel and apartments. The 10,000 sf building will have 40 parking spaces and a 5,000 sf play area with sidewalks around the entire building. Landscaping was described. Fencing around the play area has been revised to include lattice along the top per ADRC comments. Monument sign sample drawings were distributed to commissioners. Site plan and floor plan were shown, and a rendering of the building that has a false roofline which will hide all rooftop mechanicals. Drop off and pick up times for students are Monday through Friday 6:30 to 9:30 a.m. and 3:30 to 6:30 p.m. School buses will not be accessing the site. Mr. Ussery noted all staff comments and special exception criteria have been met.

Director of Planning Michele Lipe gave staff comments:

1. Request for a Special Exception to Table 4.1.1A and Section 7.4 and Site Plan of Development for a 10,000+/- sf daycare facility, located on property at 151 Buckland Road, (Unit 7D, Tamarack Avenue) to be known as 10 Sedona Circle, Buckland Road Gateway Development Zone
2. The proposal is for the facility to operate Monday through Friday from 6:30 AM – 6:30 PM with activities in the evenings and weekends. The applicant has provided some general company information which you received. Additional information provided by the engineer indicates that the proposal for this facility is to license the facility for a maximum of 153 children with 26 employees.
3. This use, permitted by special exception, has specific requirements related to daycare facilities in commercial zones including:
 - No safety hazards are created, particularly with respect to access into and out of the site and building
 - Any outdoor play area must be substantially level and suited to playground use.
 - Any outdoor play area must be located on the site in an area that is removed from any possibility of encroachment by vehicular accidents on adjoining streets.
 - There must be adequate parking to accommodate any anticipated heavy patronage functions, such as

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open houses, recitals, or plays.

- A school bus turnaround must be provided if any children will be brought to the Center by school bus.
 - The surrounding environment must be reasonably free of industrial/commercial pollutants and excessive noise at the time of application; and there must be a reasonable expectation that the surrounding area will remain free of pollutants in the future.
 - The surrounding environment must be reasonably physically and verbally non-threatening to children and staff at the time of application; and there must be a reasonable expectation that the surrounding area will remain non-threatening in the future.
 - If the Day Care Center is to be a separate building, the site must be screened from adjoining sites to the standards established in paragraph 6.2.4.B.2 Buffer Standards and Design. Screening may be located within the required yards.
4. In addition to those requirements, the special exception review criteria in Section 8.7 also apply, They include:
- The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
 - The application has met the requirements of the zoning regulations.
 - The land is physically suited to the proposed use.
 - Minimal, if any, adverse environmental impacts are created.
 - No traffic or other hazards will be created.
 - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
 - There will be minimal or no adverse effects on existing uses in the area.
 - Surrounding property values will be conserved.
 - The character of the neighborhood will be maintained or minimally disrupted.
 - The general welfare of the community will be served.
 - There is a balance between neighborhood acceptance and community needs.
 - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
 - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
 - The architectural design is aesthetically pleasing and blends well into the surrounding area.
- The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above and/or within a particular use category are satisfied.
5. The building is proposed to be 10,000 sf in size and a 5,000 sf fenced outside play area shown on northerly end of the building adjacent to Tamarack Avenue. There are doors that exit directly from the classrooms into the designated for outside play. There is a perimeter sidewalk along the entire building.

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6. Forty (40) parking spaces are required and have been provided. The applicant's narrative indicates that overflow parking for any events would be available at existing parking at the Shoppes. It is not anticipated that any buses will be dropping kids or picking kids up from the site. Will the Learning Experience have their own vehicles? If so where do they park?
7. The site is currently an open area adjacent to the apartments. The applicant is required to provide screening along the property boundaries adjacent to other commercial uses. The applicant has added evergreen screening to accomplish this.
8. The site will be lit by three 24 foot poles in the parking area. Building security lighting will be added as required. A photometric diagram has been presented. The applicant has agreed to reduce the lighting levels in the parking areas when not in use. A sidewalk is being shown along the site entire frontage along Tamarack Avenue and up Sedona Circle to the site development.
9. The ADRC reviewed the plans on July 18, 2019. The committee was pleased with the project but had the following comments: provide additional treatment to soften the six foot solid fence with a lattice treatment or some other fence aesthetic and landscaping treatment.
10. The applicant is proposing free-standing sign and building signage. Any new signage requires approval by this Commission and a sign permit.
11. There are no regulated wetlands in this area. The applicant received IWA/CC approval on July 17, 2019 with the following approval conditions: A bond shall be collected in the amount of \$20,000 for installation and maintenance of erosion & sediment controls.
12. The site is served by public water and public sewers. WPCA approval is required.
13. If this application is approved, the Planning Department has no additional modifications to request.

There were no additional engineering comments.

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

No one from the public spoke for or against the application.

Chairman Pacekonis asked for comments from commissioners.

Alternate Commissioner Bernstein asked if the daycare will be for pre-kindergarten aged children if no school buses access the site. Mr. Ussery stated children will be pre-kindergarten up to 5 years of age.

Commissioner Wagner verified with Mr. Ussery no buses or special vans would be used at the site or parked there overnight. The location and sidewalk that will run along Tamarack Avenue were described. The existing retaining wall/ramp will be removed.

Commissioner Flagg discussed the 40 parking spaces with Mr. Ussery who stated some of the 26 employees work part time, and drop off and pick up times are staggered. Connecticut is more restrictive in regulating daycare facilities than other states. The Learning Experience will have 30 children less than their other facilities with the same amount of parking spaces.

Chairman Pacekonis asked about site lighting after hours. Mr. Ussery stated the owner has no issue with dimming the three lights or using timers on the west side of the parking lot after hours. There will be no spill over onto residential property.

The Chairman closed the public hearing at 7:35p.m.

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2. **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

Application withdrawn by request of the applicant.

REGULAR MEETING / COUNCIL CHAMBERS

CALL TO ORDER: The Chairman called the Regular Meeting to order at 7:40 p.m.

PUBLIC PARTICIPATION:

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

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

Director of Planning Lipe read outstanding comments from Town Engineer Doolittle who had reviewed the revised plans dated July 22, 2019. Most engineering comments have been addressed, however, the following comments from the July 2, 2019 memo are not fully addressed:

No. 6: Provide marked travel lanes around the site for emergency and other vehicles.

No. 10: There are still a few notes that do not appear to be correct and some leaders with missing notes or features. For example, Sheet C-SP2 shows the wall on the south side to be 22 feet tall. The narrative says this will be 16 feet tall. There are also notes and leaders on this sheet that point to empty space. Label the proposed contour elevations.

No. 18: Label the structure elevations on both the grading and drainage plans and check that they are the same. The TF elevation for YD-1 is different on these plans. Check other structures.

No. 21: I am still reviewing the revised stormwater management report and may have further comments on this.

No. 22: Label Infiltration Basin 1 and 2 and the water quality forebay and other features on both the grading and drainage plans.

No. 26: Provide a detail for the Rolled Concrete Curb

In addition, more detail is needed on the improvements to the railroad crossing on Chapel Road that are proposed to be made with this development.

Director Lipe discussed the email she received addressing measures the applicant will take to address graffiti should it occur. A revised plan was distributed to the Commission regarding Chapel Road rail crossing improvements and an associated memo read into the record from Scannell Properties. (Exhibit A)

Commissioners discussed the application with the Director Lipe.

Commissioner Bonzani 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.

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3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$50,000 to ensure compliance with the erosion and sediment control measures and \$100,000 to ensure establishment of storm water system; and a \$50,000 to ensure wetlands mitigation
4. A landscape bond in the amount of \$30,000 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.
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. Engineering comments dated 8/16/19 must be incorporated into the final plans.
13. A waiver to Section 6.3.3.F has been granted to allow exterior light poles within the perimeter of the site to be 35 feet in height.
14. Final lighting diagram showing photo metrics in compliance with the lighting regulations shall be submitted.
15. Site line easements and grading easements shall be required from the property owner of 273 Chapel Road.
16. A deed combining all the properties into one lot shall be submitted. The property address shall be 360 Ellington Road. The address of 299 Chapel Road will be assigned to the Chapel Road entrance and is to be used for truck routing purposes only.

Commissioner Wagner seconded the motion.

The motion carried and the vote was unanimous.

- 2. Appl. 19-37P, The Learning Experience** - request for a Special Exception to Table 4.1.1A and Section 7.4 and Site Plan of Development for a 10,000+/- sf daycare facility, located on property at 151 Buckland Road, (Unit 7D, Tamarack Avenue), Buckland Road Gateway Development Zone

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

1. This approval is for a daycare facility with maximum of 153 children. Hours of operation are Monday – Friday 6:30 am- 6:30 pm with activities on nights and weekends.
2. Prior to commencement of any site work, a meeting must be held with Town Staff.
3. No building permit will be issued until the final mylars have been filed in the Town Clerk's office.

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4. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$20,000 to ensure proper placement and maintenance of erosion and sediment controls. This bond is required to be posted prior the filing of mylars.
5. 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.
6. All bonds must be in one of the forms described in the enclosed Bond Policy.
7. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
8. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
9. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.
10. No building permits will be issued until the State Traffic Commission certificate has been issued (per CGS §14-311).
11. The building street number must be included on the final plan.
12. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
13. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
14. Dumpster pick up shall occur during the facilities working hours.
15. Site lighting levels shall be reduced to 30% during off hours and put on motion sensors.

Commissioner Flagg seconded the motion.

The motion carried and the vote was unanimous.

- 3. 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

Application withdrawn per applicant's request.

BONDS: Callings/Reductions/Settings

MINUTES: 7/23/19 accepted by consensus

OLD BUSINESS: *see page 2*

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 19-39P, Aldi** – request for a site plan of development for the construction of a 19,209 sf grocery store, on property located at 200 Gateway Boulevard (formerly 190 Buckland Road), Buckland Gateway Development zone
2. **Appl. 19-40P, Caron Farming Permit-** grading permit to allow fill to establish area suitable for farming, on property located at R010 Sullivan Avenue, I zone
3. **Appl. 19-41P, South Windsor Entertainment-** request for a two year temporary and conditional permit to operate a 'Haunted Walk' at Nomad's Outdoor Aerial Park (alcohol proposed to be sold), on property located at 240 Governor's Highway (known as L008), I zone

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OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn made by Vice Chairman Foley at 8:00 p.m.

Commissioner Flagg seconded.

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo

Recording Secretary