

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

**MINUTES**

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**AUGUST 30, 2016**

**MEMBERS PRESENT:** Gary Bazzano, Stephanie Dexter, Elizabeth Kuehnel, Kevin Foley, Frank Bonzani, Kevin Greer

**ALTERNATES PRESENT:** Michael LeBlanc, William Flagg, Teri Parrott

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

**SPECIAL MEETING / MADDEN ROOM**

**CALL TO ORDER:** Chairman Bazzano called the Special Meeting to order at 7:30 p.m.

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

**1. Discussion with Evergreen Walk representatives regarding future development of Evergreen Walk**

Mr. Alan Lamson of FLB Architecture and Planning Inc. representing Evergreen Walk LLC described the history of the development and the specific units yet to be developed on the remaining 55 acres of developable land.

Initially Evergreen Walk and its principles constructed 190,000 sq ft of commercial area containing Target, Lowes, and the 26,000 sq ft of Evergreen Run. Evergreen Walk was then started and 400,000 sq ft of retail commercial has been built. Two hundred residential units with a club house facility are now under construction. Approximately 115,000 sq ft of medical office space has been built near the recreation facility, LA Fitness. In total, approximately one million square feet of building has been constructed to date. The building permit for Cambria Suites Hotel has been filed.

There are 242 acres in Evergreen Walk, 95 acres of which is open space along the western side, leaving 147 acres of developable land. There are approximately 55 acres of land still to be developed:

Unit 7C was described as twelve acres located behind the residential apartments and hotel. Because of its distance from Buckland Road there has been little interest in commercial development and it is expected to be developed residentially. An amendment to the regulations will be required to do so.

Unit 8 has eight acres surrounded on two sides by wetlands and is restricted by a detention basin to the west. It potentially could be office/retail but could also be marketed residential because it is located approximately 900' from Buckland Road.

Unit 3 has eight acres located below the hill from Old Navy and has come before the Commission in preliminary discussion for assisted living where it could support a total of approximately 130 living units. Grade differences in the site would bring the top of a three story building below the parking area of Old Navy.

Unit 4 has one acre on Evergreen Way and is expected to be developed retail commercial.

Unit 5, located on Buckland Road, Evergreen Way, and Cedar Avenue, will be more retail commercial.

Unit 12 and 13 is the largest area of developable land with a total of seventeen acres behind LA Fitness. It is being actively marketed for expansion of office or retail commercial.

Unit 16, measuring just under five acres, is being looked at for assisted living behind ECHN. It could support 105 living units in a three story structure about the same height as LA Fitness.

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Chairman Bazzano asked about the location and designated wetlands. IWA/CC required wetlands on the property to be established as a riparian buffer 100 meters off of Plum Gully Brook. DEEP, reviewing for the State Inland Wetland Agency and the Army Corps of Engineers in CT, established the DEEP line. In total 95 acres have been designated.

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Commissioner Foley asked about the areas indicated to be residential and if studies had been conducted on whether the roads within Evergreen Walk can accommodate the traffic generated especially at peak travel times. Mr. Lamson noted assisted living facilities would not generate that volume of traffic and that new development may require modifications to the general plan and potentially modifications to the state traffic permit. Retail traffic will impact the internal roads more than residential use.

Commissioner Dexter asked what units are close to being developed. Mr. Lamson stated discussions are being held with different groups. Mr. John Finguerra described previous ideas for a skating rink community center or a sports complex that did not materialize and about the 350 acres of Buckland Hills which they developed. He spoke about the current apartments and club house being built as a phenomenal residential development and about future commercial development that is being actively marketed to compliment the Shops at Evergreen Walk.

Chairman Bazzano asked about the apartments. Mr. Finguerra described it as a premier project and the highest end apartments east of West Hartford because of the quality, the clubhouse, and access to The Shops. Rent for a 1,000 sq ft apartment is expected to be in the range of \$2100 a month. The apartments and hotel will fuel more activity at night for the restaurants and shops.

Commissioner Greer asked about the assisted living projections. Mr. Lamson stated assisted living in this kind of development is a plus in creating a full service community promoting patronage to the Shops and other facilities in the area rather than placing it somewhere else in town.

Commissioner Foley asked if any zoning amendments would be coming from the projects discussed. Ms. Lipe indicated any other residential development that is not assisted living would require a zoning text amendment. A text amendment was recently approved by the Commission to increase the number of assisted living units possible in the Gateway Development Zone. At that time the Commission noted they would look for market data on absorption rates when applications come before them.

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Commissioner Foley voiced his concern about traffic. Mr. Finguerra noted his qualification as a professional traffic engineer and stated there will not be a traffic problem with residential which peaks from 7 to 9 a.m. and 4 to 6 p.m. when traffic on site is modest. Commissioner Foley asked how many points of egress there are onto Buckland Road. There are three with another onto Deming Road. Mr. Finguerra stated the roads have been built at their expense to a standard to handle this kind of loading. There is no traffic congestion now and what is planned will only add a modest increase to traffic and can be handled and proved with the State Traffic Commission or another traffic engineer. Discussion followed about Tamarack Road and the history of residential and retail commercial within the development.

2. Appl. 11-24P Evergreen Walk LLC request for a five year extension for the site plan of development for the area known as Town Square at Evergreen Walk

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Mr. Alan Lamson of FLB Architecture and Planning Inc. representing Evergreen Walk LLC requested the five year extension.

Director of Planning Lipe stated the extension will be subject to all original approval conditions from the September 13, 2011 approval and the May 22, 2012 approval to modify condition #18 with updated Special Conditions.

Commissioner Kuehnel made a motion to approve the request.

Commissioner Dexter seconded the motion

The motion carried and the vote was unanimous.

**3. Appl. 15-62P Evergreen Walk Tenant Space 500E, Panera Bread request for sign and awning approval**

Mr. John Morrison with Connecticut Sign Service presented the request for approval for the Panera signs, drive-through canopies, and overhang. He stated the application complies with the regulations.

Director of Planning Lipe stated the Commission had made this review a condition of approval since this is the first drive-through facility in the Buckland Gateway Zone. The plans have been verified that they do comply with zoning requirements. The Director asked for a description of the awning located over the menu board. Mr. Morrison showed the cross section on the plans and additional specifications the commission had not received.

Commissioner Kuehnel made a motion to approve the request.

Commissioner Bonzani seconded the motion

The motion carried and the vote was unanimous.

**4. Pre-Application Conference in accordance with Section 7.14.3 with Toll Brothers regarding an open space subdivision on property at Graham Road and Nevers Road**

Attorney Joseph Williams with Shipman & Goodwin LLP and Mr. Dan Krober with Milone & MacBroom representing the Toll Brothers presented their proposal for an open space subdivision under Section 7.14.3 to create 45 single family homes on just over 46 acres owned by the Catholic Cemeteries Association of the Archdiocese of Hartford. The Toll Brothers has a contract to purchase the property located between Graham Road on the west and Nevers Road on the east, immediately north of the St. Margaret Mary Church, south of Joseph Lane. The land is currently being used for farming and has been for the last thirty years.

Attorney Williams recounted that in January the Toll Brothers applied for a zone change to change the RR (Rural Residential) portion of the property to A-30 which was denied which would have allowed for 53 residential lots. A new application for an open space subdivision of 45 lots under existing zoning of A-20 and RR is proposed.

A drawing of the property was shown as a conventional subdivision, which can be developed as of right in the RR and A-20 zones, with 45 houses with the requirement of 20% open space. The property however has been identified as a target property for open space in the Town Plan of Conservation and Development and in the Open Space Master Plan.

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A second drawing was shown for an open space subdivision of 45 lots with the requirement of 50% open space required from the RR zone and 20% open space from the A-20 zone. It will come in as a special exception application offering more input by the Commission over the location, ownership, and use of the open space. The open space subdivision will also have fewer roadways than a conventional and will take the development off road frontages and provide additional buffering to the neighbors of the project site. They propose the main area of 14 ½ acres of open space to be owned by the Town and a home owners association to take ownership and maintenance of the smaller segments of open space totaling 5 ½ acres. They propose the use of the main portion of the open space as passive recreational but are open to discussion if the Town prefers it to be used agriculturally. Ownership of the open space is subject to Town Council acceptance and as well as input from Open Space Task Force and look to the PZC for their input before submitting application.

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Mr. Krober described the topography of the site as sloping and very good for development. It is generally flat with sloping areas of 3% to 5%. There are no wetlands on the subject property but there are wetlands in a few areas nearby. The site measuring just less than 46 acres is comprised of two parcels split into two zones, RR and A-20. The RR zone requires 40,000 sq ft of property and A-20 requires 20,000 sq ft. Clustering the development will allow for landscape screening and landscaped berm to help reduce the impact to the neighboring properties on Graham Road. For traffic and curb cut management, there will be one curb cut onto Graham Road and one onto Nevers Road. The roads would be town owned. The conventional subdivision plan has 4,100 linear feet of road and the open space subdivision has 3,000 feet of road. There are pre-existing drainage issues along Graham Road that will be improved when the site is developed by controlling stormwater runoff from the site. Lots in a RR open space subdivision are required to have a 20,000 sq ft minimum which matches the minimum lot size required for A-20 and also fits in with the surrounding zoning.

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Attorney Williams stated from conversation with town staff there appears to be interest in completing sidewalks on the east side of Nevers Road. He asked if the Commission would be interested in having Toll Brothers complete the gap in the sidewalk on the east side of Nevers Road in lieu of putting in sidewalks on both sides of the subdivision road. Town Engineer Jeff Doolittle stated there is an 840' gap in the sidewalk on Nevers Road from Miller Road to Eagle Run encompassing three lots. It would be in the right of way and there are no utility poles. Trees would have to be cleared within the right of way and grading done outside of the right of way. Commissioner Greer noted the sidewalk on Nevers would measure 840' in lieu of 3,100' in the subdivision.

Commissioner Dexter asked about houses on Graham Road in a conventional subdivision plan where some houses with shared driveways for access on Graham Road could also have a road behind the houses within the subdivision. Access from Joseph Lane was questioned.

Commissioner Foley asked if it was possible to continue a buffer around the site for the abutting property of the Strong family. He suggested moving Lots 1 – 4 adjacent to Lot 23 and along Nevers Road. Mr. Krober stated it is their intention to keep development out of that area to let it act as a natural digression where water sits and infiltrates into the ground. Leaving this area open will force their hand to do more structured drainage improvements to help the neighborhood. Moving the lots would not allow the subdivision layout to have all internal houses and for the open space to be as contiguous. Mr. Krober indicated they could be open to running an evergreen screen behind some of the lots since an open space subdivision is by special exception where conditions can put in place as part of the landscaping plan.

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The Commissioners discussed similar developments in the area. Homes in this development would be sized from mid 2,000 sq ft to low 3,000 sq ft and be complementary to those on Joseph Lane which have the same house and lot sizes.

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Mr. Krober noted at the request of Public Works a change to the layout of the road onto Graham Road has been made which shifts the road over slightly to avoid headlights shining into houses across the street on Graham Road.

Commissioner Flagg asked whether sidewalks in the development would be five feet wide. Mr. Krober indicated they would be built to the town standards for residential areas which is four feet wide.

Chairman Bazzano voiced concern about having more driveways along Graham Road versus have the back yards of houses along the road. Mr. Krober described their plan to have a landscaped berm along the back side of those lots to buffer the yards from the road and stated landscaping is something Toll Brothers does very well. Commissioner Greer asked how far the houses are located from the road. Mr. Krober stated 150' to 200' from the road and the standard lot width will be wider than what is required by zoning to measure 110' of minimum frontage.

Commissioner Dexter asked the Director of Planning if it would be the intention of the Town to farm the open space. Ms. Lipe stated it would be discussed by the Open Space Task Force who would have recommendations. The acreage is considered farmable and staff may suggest limiting the type of crop that could be farmed. Commissioner Dexter stated no taxes are paid on open space and it may be of interest to calculate the tax impact between the two plans. Ms. Lipe stated there would be not be a substantial change in taxes because the unit count would be the same.

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Commissioner Kuehnelt complemented the plan as having addressed many of the commissioners' concerns.

Commissioner Foley stated the plan is a much better design as far as being good neighbors to the community with the buffers created and asked for the area of the four lots mentioned to be entertained for a contiguous buffer and suggested trading the 800' of sidewalks on the east side of Nevers Road with drainage that could be done to weigh on the side of South Windsor rather than the developer.

After answering questions and discussion, the Commission encouraged the developer to return with an open space subdivision application.

**5. Informal discussion with Peter DeMallie regarding a prospective development on Oakland Road, Berry Patch III**

Mr. Peter DeMallie of Design Professionals, Inc. introduced Mr. Geoffrey Sager and Mr. Peter Dunn of Metro Realty Group who had come before the Commission for an informal discussion in May. Mr. Sager described an updated style of housing proposed for Berry Patch III reducing the size of the buildings from three stories to two stories in a more luxury condominium style with 80% market rate units and 20% affordable. Housing at Berry Patch I and II has 80% affordable and 20% market rate units. The town is now eligible with Berry Patch III's 20% affordable units together with the earlier developments of Watson Farm, Hillcrest, and Berry Patch I and II to receive a three year moratorium from the affordable housing regulation.

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Priority will be given to those on the Town Housing Authority waiting list for the affordable units. The development will be targeted toward those 50 and over. Units at the Berry Patch have 100% occupancy given the ideal location with proximity to all the Town Center area offers. Elevations were shown of village type townhouse style developments from Farmington and Avon. A village cluster of colonial style townhouses with luxury contemporary interiors is proposed as a better fit for the Berry Patch III site which includes a walking path to Buckland Road.

Mr. Peter DeMallie from Design Professionals, Inc. described the site with a layout of the proposed development of 78 units on 11 acres of land. A separate boulevard entrance access is proposed from Oakland Road. Ten 2-story buildings were shown with parking around the buildings. A landscaped berm is proposed along the street frontage. 55% of the 78 units will be one bedroom.

Director of Planning Lipe noted the existing trees around the perimeter of the site and requested that they are incorporated into the landscape plan for the project.

Commissioner Foley complemented the plan. Commissioner Greer asked if sidewalks would be installed on Oakland Road. Mr. DeMallie indicated the sidewalk interconnection would come through the interior of the site rather than Oakland Road. Chairman Bazzano asked if the units would have basements. Mr. Sager replied there would be no basements. Commissioner Greer asked if the barns would remain. Mr. DeMallie stated all the barns will be removed and also indicated they will look at an alternative option for their access onto Oakland Road using the existing Berry Patch entrance.

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**6. Informal discussion with Robert Urso regarding a possible zone change at 150 Sullivan Avenue**

Mr. Peter DeMallie on behalf of Mr. Robert Urso and Mr. Brad Wainman showed a site map of the existing zoning for the five acre site at the northwest corner of Rye Street and Sullivan Avenue. A proposal for 1.28 acres of open landscaped area to act as an outdoor event facility for Maneeley's with a driveway from their existing parking lot to the area which would include 75 parking spaces was described. A second component being proposed is for restaurant use for a coffee and pastry restaurant with 48 parking spaces with primary access from Rye Street and a right turn in right turn out on Sullivan Avenue. A second phase would include a 14,300 sq ft retail building with 72 parking spaces. Total parking for the site would be 195 spaces.

A zone change would be required to expand the town owned abutting restricted commercial zone to include the five acre parcel described. A zoning amendment could be required for the outdoor event facility at Maneeley's or if it is similar in use to other uses in the restricted commercial zone.

Director of Planning Lipe stated the area was discussed to be zoned restricted commercial in the early 1990's but the commission at that time wanted the industrial zone in the area to develop which it certainly has now.

The Commission encouraged the developer to come forward with an application.

**7. Informal discussion with Peter DeMallie regarding a prospective Rye Street development**

Mr. Peter DeMallie presented a proposal with Attorney Wayne Gerlt representing Mr. Jay Berardino to develop a 78 acre site opposite Rye Street Park. An aerial site map was shown with Industrial and Rural Residential zoning. Seventy-one percent of the property is in the Industrial zone and its access is limited by the 13 acres of Rural Residential land at the front of the site. The regulations prohibit accessing industrially zoned land through residentially zoned property. There is also a historic home in the northeast corner in

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need of preservation which they would like to place on a separate lot in the A-20 zone. The north side of the site abuts a residential neighborhood on McGrath Road.

The proposal is to create a DRZ, Design Residence Zone, with 19 units on twin cul de sacs on 11.6 acres and change the zoning on the rest of the property from Industrial to Rural Residential. A sidewalk is proposed with a crosswalk at the entrance drive to Rye Street Park. Two single family homes are also proposed on a 5 ½ acre lot and a 4 ½ acre lot in the RR zone to be served by a common driveway. A proposal for the remaining 56 ½ acres is for some form of preserved land, possibly in the form of a conservation easement. Access to that open space would be on the southerly side of the site.

Mr. DeMallie stated an alternative to DRZ development could be for a SRD, Senior Residence Development, with the two single family house lots in the back. Another proposal could be to zone the entire site Industrial to create a self storage facility.

Town Engineer Doolittle indicated the site is an extremely hard area to develop with steep slopes, unstable soils with clay layers under sand.

Commissioners asked questions and recounted at the last PZC meeting the Commission decided not to move forward with DRZ or SRD applications at this time.

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

**ADJOURNMENT:**

Motion to adjourn the Special Meeting at 9:55 p.m. was made by Commissioner Foley

Seconded by Greer

The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo  
Recording Secretary