

**TO BE PUBLISHED IN THE JOURNAL INQUIRER  
THURSDAY, FEBRUARY 25, 2021 AND MARCH 4, 2021  
SOUTH WINDSOR PLANNING & ZONING COMMISSION**

Notice is hereby given that there will be a Public Hearing on Tuesday, March 9, 2021 at 7:00 PM held by way of an Online WEBEX Conference Meeting to consider the following:

1. **Appl. 21-02, Evergreen Walk Lifestyle Center, LLC** – request for a zoning text amendment to modify Section 4.2.5 Permitted Uses in the Buckland Gateway Development Zone to eliminate Section 4.2.5.B which places limitations on grocery store locations within the zone (**Continued from 2/23/21**)
2. **Appl. 21-07P, Town of South Windsor** – request for special exception to Section 7.18 and site plan of development for the construction of a 175 foot monopole radio communications tower, on property located at 555 and 575 Pleasant Valley Road, A-20 and I zone (**Continued from 2/23/21**)
3. **Appl. 21-04P, Evergreen Walk LLC** – request for a Site Plan of Development for the extension of Tamarack Avenue (south of Hemlock Avenue to existing Tamarack Avenue), on property located at 151 Buckland Road, Buckland Road Gateway Development zone
4. **Appl. 21-05P, Evergreen Walk LLC** – request for Special Exception to Section 7.6 Earth Filling and Site Plan approval for land filling on Unit 8 of Evergreen Walk, on property located at 151 Buckland Road, Buckland Road Gateway Development zone
5. **Appl. 21-06P, Evergreen Walk LLC** – request for a Site Plan for the creation of a berm and for request for a two-year Temporary and Conditional permit (Section 2.13) for soil stockpiling on Unit 7C, on property located at 151 Buckland Road, Buckland Road Gateway Development zone

**To view this meeting, please tune into Channel 16 (if your provider is Cox Cable) or Channel 6082 (if your provider is Frontier), or go to: [gmedia.swagit.com/live](http://gmedia.swagit.com/live)**

**To call in with comments to this meeting, please call Webex Conference Call-In Number: (855) 925-2801 (Meeting Code Number to be provided on the agenda.)**

Copies of the application are on file in the office of the Town Clerk or/and Planning Department, and online at <https://www.southwindsor-ct.gov/planning-department/pages/planning-and-zoning-commission-applications>. At this hearing, interested persons may be heard by calling into the meeting, and written comments by the public will be received by mail or email to [planningzoningcomments@southwindsor-ct.gov](mailto:planningzoningcomments@southwindsor-ct.gov). Persons who may require an accommodation can contact staff Monday – Friday, 8:00 a.m. to 4:30 p.m. at (860) 644-2511, ext. 329.

Bart Pacekonis, Chairman  
PLANNING & ZONING COMMISSION

Grocery Store Elimination of Restrictions  
Zoning Amendment  
Public Hearing 2-23-21  
Planning Department Report

1. This proposed amendment to Section 5.8 of the zoning regulations would eliminate any requirements on grocery stores in the Buckland Gateway Development zone. The current regulation has no size restrictions on grocery stores (which was eliminated in 2012); however does require grocery stores to be a minimum of 1,500 sf away from any other existing grocery store; and Specialty food stores less than 10,000 sf throughout the corridor
2. The 1500-foot separating distance was adopted by the PZC in 2005 with the idea that it allows the Commission to evaluate whether the amendment is successfully producing the type of market that is compatible with the Gateway Zone before numerous similar applications could be filed. The thought was that if the Commission is pleased with initial results, the separating distance could be reduced or eliminated if the Commission so desires.
3. Any new store is subject to the rigorous design standards, walkability and access management standards contained in the Buckland Road Gateway Zone. Additionally, there is a grocery store shopping cart management plan required to be submitted at the time of application.
4. A zoning amendment request is the appropriate time to consider traffic impacts that could result from the proposed amendment. In this instance, the zone is well served by Buckland Road; there should be no unusual infrastructure impacts from adoption of the proposed amendment. Each site would be evaluated at the time of site plan approval.
5. The Town Plan of Conservation and Development does not speak specifically to this issue; however the two primary goals of Chapter 8: Business Development are to attract additional businesses that are consistent with the character and scale of its surroundings; and encourage business development that builds the tax base and provides job and services. Buckland Road corridor currently supports a variety of commercial and mixed use developments. The plan supports minor updates to zoning to help accomplish business goals of the community.
6. The Capitol Region Council of Governments has reviewed this amendment as required and has forwarded the following report: \*\*\*CRCOG Report\*\*\*
7. If this amendment is approved, the Commission must find that it is in conformance with the Town Plan and must set an effective date.

## Lipe, Michele

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**From:** tom Murtha via Town of South Windsor CT <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 2, 2021 9:15 AM  
**To:** Lipe, Michele  
**Subject:** [External]Form submission from: Minutes and Agendas Comment Form

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

Submitted on Tuesday, March 2, 2021 - 9:14am  
Submitted by anonymous user: 68.224.198.147  
Submitted values are:

Subject: Planning and Zoning Commission  
==Please provide the following information==

Your Name: tom Murtha

E-mail: [tommurtha@yahoo.com](mailto:tommurtha@yahoo.com)

Phone Number: 8602822239

==Address==

Street: 26 marty lane

City: south windsor

State: Connecticut

Zipcode: 06074

Minutes or Agendas? Agendas

Comments:

Commissioners,

I am not associated with Aldi or any other grocery or retail outlet.

However I am firmly associated with integrity and fairness. Changing the rules after Aldi made their substantial commitment seems dishonest and deceitful. It is sure to hurt their business and also the reputation of trust the community has placed in Town officials. I oppose any change in zoning for this parcel.

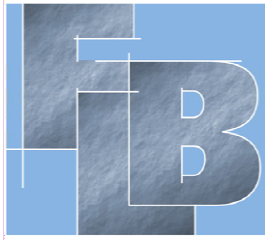
Attachment:

The results of this submission may be viewed at:

<https://www.southwindsor-ct.gov/node/97133/submission/44071>

## Appl 21-07P, TOSW Telecommunications Tower

1. Town of South Windsor – request for special exception to Section 7.18 C and site plan of development for the construction of a 175 foot monopole radio communications tower, on property located at 555 and 575 Pleasant Valley Road, A-20 and I zone
2. Proposed height of the antennas is 175 feet as allowed in the regulations. For point of comparison, the monopole tower at the SW Police Station is 199 feet.
3. Special Exception criteria for consideration are those criteria found in Section 8.7 In addition, other criteria to consider for the construction of a tower include:
  - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
  - The application has met the intent 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.
  - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission’s goals for the neighborhood/corridor.
4. Other criteria listed include :
  - ◆ Whether alternate sites were exhausted; what lies within the fall zone of the tower; existence of endangered species; whether other development is being proposed or considered at or near the site; effect on bird habitats; and length of access road; and the public health and safety will not be adversely affected.
5. General site requirements are included in Section 7.18.4, including:
  - Towers cannot exceed 175 feet
  - Towers must be painted non-contrasting blue, gray or black;
  - Towers shall be designed to collapse upon themselves;



**ARCHITECTURE &  
PLANNING, INC.**

**FLB Architecture & Planning, Inc. 19 Silver Lane East Hartford CT 06118  
(860)568-4030 fax: (860)568-5129 e-mail: flb@flbarch.com web: www.flbarch.com**

TO: South Windsor Planning & Zoning Commission/South Windsor Inland Wetlands Agency

FROM: Alan F. Lamson, AIA

A handwritten signature in blue ink that reads "Alan F. Lamson".

DATE: January 25, 2021

RE: Evergreen Walk, LLC applications

The six applications presented to the two agencies are to accomplish several purposes:

1. Accommodate excess material from the development of Unit 12 on the site of Evergreen Walk
2. Prepare grading on Unit 8 for future development
3. Complete the construction of Tamarack Avenue between Unit 8 and Unit 3 per an approval condition by the Planning & Zoning Commission (Condition 19 of approval letter dated December 1, 2020).
4. Construct an earth berm between Unit 7C and the abutting multi-family residential properties per an approval condition by the Planning & Zoning Commission.

Applications #28358 and #28359

These applications are to permit the extension of Tamarack Avenue between Unit 8 and Unit 3. It involves the placement of fill, construction of a large culvert to allow flow of the intermittent stream at that location, and construction of Tamarack Avenue. Approximately 12,000 cubic yards of subsoil material from Unit 12 will be brought to this location as fill on both sides of the culvert. This section will complete Tamarack Avenue through Evergreen Walk.

This work is outside of the DEEP non-development limit but is located within a designated wetland/watercourse and an upland review area.

Applications #28360 and #28261

Existing grading on Unit 8 places the site about 15 feet lower than the existing Tamarack Avenue. To allow future development of the site, fill will have to be placed on Unit 8 to have access from Tamarack Avenue and provide a reasonable slope to the gradient on Unit 8.

The sequence of work on Unit 8 will be to remove the current layer of top soil and either stockpile it on Unit 8 while fill is being done or remove the topsoil from Unit 8 to another location off site. Then the excess subsoil from Unit 12 (estimated at 26,000 cubic yards) will be brought to the Unit 8 site and placed in controlled lifts. Finally the existing top soil (if stockpiled) or top soil from Unit 12 will be placed over the fill and the surface stabilized.

A portion of this work is in the upland review area but not within a designated wetland. All of the proposed work is outside of the DEEP non-development limit.

#### Applications #28362 and #28363

Approximately 6,000 cubic yards of top soil will be brought to the site from Unit 12 and placed and formed into a landscape berm at the southwest corner of Unit 7C. The berm will be stabilized and planted. This berm is located outside of the DEEP non-development limit but is within a portion of the upland review area.

The remaining top soil from Unit 12 (if any) will be brought to Unit 7C and temporarily stockpiled until needed on other sites at Evergreen Walk. The stockpile will not be in an upland review area.

c: file

# **Appl #21-04, Tamarack Extension 3-9-21**

## **Planning Department Report**

1. This is a request for a Site Plan of Development for the extension of Tamarack Avenue (south of Hemlock Avenue to existing Tamarack Avenue), on property located at 151 Buckland Road, Buckland Road Gateway Development zone.
2. This extension was required as a condition of approval with the most recent General Plan of Development update.
3. This will complete Tamarack by extending the road in front of Evergreen Crossing south and connecting with Tamarack as it loops the western end of the parking area behind the shops. By adding this piece of road through the southern portion of the site, it will complete the road network shown on the general plan and will provide an alternative to using Buckland Road.

There are regulated wetlands in this area. The applicant received IWA/CC approval on 3/3/21 with the requirement of \$25,000 for erosion and sedimentation controls and \$20,000 for the stormwater structure installation and grading

4. If this application is approved, there are no additional approval conditions requested.

- Any pole over 150 feet must accommodate at least two additional users; and
  - Parking for at least one vehicle must be available;
  - And all utilities must be installed underground;
6. Along with the site plan, the applicant has provided coverage ratio maps of the area. It help the Commission and public visualize the height of the new pole, the applicant intends to fly a balloon at the 175 foot height some time in between the two public hearings (weather permitting).
  7. The site improvements include the addition of an access drive off the existing parking are in the rear of VMP to access the site, 100 X 100, which will be cleared to accommodate a shed, generator and propane tank for Town use. This area will be enclosed by a 7 foot fenced area.
  8. There are regulated wetlands on site, however there is no activity proposed within the upland review area. The erosion and sedimentation review was handled through Wetlands Minimal Impact permit.
  9. In accordance with section 7.18.8, the Special Exception for a telecommunications facility, the regulations require that tower construction commence within one year from the date of approval. There is also an abandonment clause in the zoning regulations that requires removal of the facility within 90 days from the date of abandonment and restoration of the area to its previous appearance.

If this application is approved, the Planning Dept. has no additional modifications.



# **Appl #21-05, Evergreen Walk Unit 8 Land Filling 3-9-21**

## **Planning Department Report**

1. Request for filling and regrading approval under Section 7.6 of the zoning regulations to begin preparing the building pad on Unit 8 of Evergreen Walk, on property located at 151 Buckland Road, Buckland Road Gateway Development zone
2. The purpose of a land filling permit is to control any fill operations that may create safety or health hazards to the public or adjacent property owners. A landfilling permit may be issued by the Commission for a period not to exceed one year.
3. The land filling regulations require that the plan provide for proper drainage during and after completion; and that no bank exceed a slope of 2:1. Filled areas must be covered with not less than 4 inches of topsoil and seeded with a suitable crop. The Commission may require safety measures to protect vehicular and pedestrian traffic, such as pavement of access roads to reduce dust and relieve traffic problems.
4. There are regulated wetlands on this property. The applicant received IWA/CC approval on February 3 with the recommendation of a \$10,000 erosion and sedimentation bond and a \$5,000 to ensure germination of the ground cover plantings.
5. If this application is approved, the Planning Dept has no requested approval modifications.

**Appl #21-06P, EW Unit 7C Berm and  
Temporary Stockpile Permit  
3-9-21 PH date**

Planning Department Report

1. Request for a Site Plan for the creation of a berm and for request for a two-year Temporary and Conditional permit (Section 2.13) for soil stockpiling on Unit 7C, on property located at 151 Buckland Road, Buckland Road Gateway Development zone
2. This request is a result of excess soil that will be removed from the COSTCO site. The applicant is requesting site plan approval to continue to construct the a landscaped berm, parallel to Smith Street, along the southern edge of the property. The proposed haul route is shown on the plans.
3. The berm is in this area adjacent north of the residential houses on Kebalo Lane. The berm is proposed to be 18 feet high with a variety of evergreen trees planted along the top of the berm.
4. The applicant has also applied for a 2-year temporary and conditional permit to stockpile soil on site Unit 7C behind the existing apartments. This area has been used previously for stockpiling soil and they will be adding to that area. It is intended that this soil will be used in other areas of Evergreen Walk.
5. There are regulated wetlands on the property. The applicant received IWA/CC approval on Feb 3 with the recommendation of \$10,000 for installation and maintenance of erosion and sediment controls and \$5,000 to ensure proper germination of the ground cover and permanent plantings, which is to be held for three growing seasons

If this application is approved, there are no additional modification to request.

*APPROVAL CONDITIONS FOR ZONE TEXT AMENDMENT*

PROJECT: Buckland Gateway text amendment

APPL. 21-02P

Elimination of Section 4.2.5.B

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 3/22/21.

## **STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN**

PROJECT TOSW Communication Tower

APPL. 21-07P

ENGINEER/ARCHITECT:

PROJ. # 065446

Submit mylars of sheets: 2 and 3

Special Exception form to go on file

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.
4. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
5. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
6. The building street number must be included on the final plan.
7. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
8. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
9. *A new deed combining the properties shall be filed.*
- 10.
- 11.
- 12.
- 13.

## **STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN**

PROJECT      Evergreen Walk Tamarack Extension      APPL. #21-04P

ENGINEER/ARCHITECT      Fuss & O'Neill      PROJ. #

Submit mylars of sheets:      N/A

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
3. The Town Engineer's review comments dated March 3, 2021, must be addressed to the Town Engineer's satisfaction.
4. 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 compliance with the erosion and sediment control measures and \$20,000 for stormwater structure installation and grading.
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.

**STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN**

PROJECT Evergreen Walk Filling Permit Unit 8

APPL. #21-05P

ENGINEER/ARCHITECT Fuss & O'Neill

PROJ. #

Submit mylars of sheets: N/A

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
3. The Town Engineer's review comments dated March 3, 2021, must be addressed to the Town Engineer's satisfaction.
4. This permit is valid for one year and will expire on \_\_\_\_\_.
5. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$10,000 to ensure compliance with the erosion and sediment control measures and \$5,000 to ensure establishment of the cover crop.

**STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN**

PROJECT EW Unit 7C Berm and Stockpiling

APPL. 21-06P

ENGINEER/ARCHITECT: Fuss & O'Neill

PROJ. #

Submit mylars of sheets:

1. Prior to commencement of any site work, a meeting must be held with Town Staff.
2. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$10,000 to ensure compliance with the erosion and sediment control measures and \$5,000 to ensure germination of ground cover and permanent plantings, to be held for three years.
3. A landscape bond in the amount of \$5,000 is required.
4. All bonds must be in one of the forms described in the enclosed Bond Policy.
5. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
6. The temporary and conditional permit for the soil stockpile will expire in two years, March 9, 2023.
- 7.
- 8.
- 9.
- 10.