

## TOWN OF SOUTH WINDSOR AGENDA

### PLANNING & ZONING COMMISSION REGULAR MEETING

TUESDAY, APRIL 14, 2020  
VIRTUAL ON-LINE MEETING 7:00 PM

(Please call the Planning Department, 860-644-2511, ext. 253 if you will be absent)

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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: [gmediaswagit.com/live](http://gmediaswagit.com/live)

### REGULAR MEETING

#### CALL TO ORDER:

#### PUBLIC PARTICIPATION:

The public is welcome to email comments to [planningandzoningcomments@southwindsor-ct.gov](mailto:planningandzoningcomments@southwindsor-ct.gov)

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

Application information, including mapping, can be found at: <https://www.southwindsor-ct.gov/planning-department/pages/planning-and-zoning-commission-applications>

1. **Appl. 20-19P, TOSW Pleasant Valley Elementary School Temporary Classrooms** – request for a site plan modification for four (4) portable classrooms, approximately 3,000 sf, on property located at 591 Ellington Road, RR Zone (See Attachment A)
2. **Appl. 20-16P, KAZ Equipment LLC** – request for renewal of a 2-year temporary and conditional permit for a wash bay on property located at 67 McGuire Road, GC zone (See Attachment B)
3. **CGS Referral 8-24 for Road and Drainage Projects** (See Attachment C)
4. Discussion of Executive Order related to land use applications to determine future agenda items (See Attachment D)

#### BONDS: Callings/Reductions/Settings (See Attachment E)

#### MINUTES: 3/10/20

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

#### APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 20-19P, TOSW Pleasant Valley Elementary School Temporary Classrooms** – request for a site plan modification for four (4) portable classrooms, approximately 3,000 sf, on property located at 591 Ellington Road, RR Zone

#### OTHER BUSINESS:

#### CORRESPONDENCE / REPORTS:

#### ADJOURNMENT:

## OLD / PENDING BUSINESS – APPLICATION STATUS

^ IWA/CC pend'g; \* IWA/CC Granted; @ IWA/CC Denied; # ZBA pend'g; ! ZBA Granted; +Staff Approval pend'g

APP.	REC.		PH on	ACT by
19-57P	12/10/19	Evergreen Walk, LLC – request to modify the Evergreen Walk General Plan of Development for a 161,000 +/- sf store, including a gas station, on Unit 12 (combining retail sf originally shown on Units 4, 9, 12 and 13), on property located at 151 Buckland Road, Buckland Gateway Development Zone	3/10/20 (continued by 5/18/20) <i>65 day ext. granted</i>	
19-58P	12/10/19	Evergreen Walk LLC – request for a text amendment to modify Section 4.2.15 A(2) 2 of the zoning regulations to increase the number of residential units from 200 to 440 units; and to modify Section 4.2.15 (A) 2 (c) to eliminate the requirement of the 2:1 ratio of residential to commercial uses within a Development Area plan, instead allowing the ratio to be met through the General Plan	PH NOT SCHEDULED <i>65 day ext. granted; PH by 4/18/20</i> <i>Request needed for 90 day extension allowed through Executive Order</i>	
20-04P	1/14/20	*Chestnut Ridge Subdivision – request from Horseshoe Lane Assoc, LLC for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 56+ acres, to create a total of 19 lots, on property located at 534 Barber Hill Road (easterly side of Barber Hill Road, southerly of East Windsor town line), RR zone	3/10/20 (continued by 6/13/20) <i>65 day ext. granted</i>	
20-02P	1/28/20	*Kilkenny Heights II Subdivision- request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots, on property located at R024 and 420 Abbe Road, and 248 Maskel Road, A-30 and RR zones	PH NOT SCHEDULED <i>65 day ext. granted;</i> <i>PH by 6/620</i>	
20-16P	3/10/20	KAZ Equipment LLC – request for renewal of a 2 year temporary and conditional permit for a wash bay on property located at 67 McGuire Road, GC zone		5/14/20
20-17P	3/10/20	^360 Burnham Street LLC – request for Site Plan of Development for three (3) industrial buildings totaling 13,400 sf, on property located at 360 Burnham Street, I zone		5/14/20 <i>65 day ext requested</i>
20-18P	3/24/20	BL Companies Evergreen Walk Text Amendment to Section 4.2.11F (2) to change hours of trash removal/compaction and eliminate and remove requirements and restrictions to hours of loading activities in the Buckland Gateway Development Zone	PH NOT SCHEDULED <i>65 day ext. requested;</i> <i>PH by 5/2820</i>	
20-19P	4/14/20	TOSW Pleasant Valley Elementary School Temporary Classrooms – request for a site plan modification for four (4) portable classrooms, totaling 6,494 sf, on property located at 591 Ellington Road, RR zone		6/18/20

**Appl #20-19P, TOSW Pleasant Valley School Portables**  
**Planning Department Report 4-14-20**

1. Request for a site plan modification to add four portable classrooms, totaling 3,000+ SF, on property located on at 569 Ellington Road, RR zone. The PZC had recently approved a site plan for the location of the portable behind the building; however, due to costs and logistics, a new location is now being proposed.
2. The four classrooms are being proposed on the westerly side of the property, in front of the existing portables, on an area that currently is paved. The classrooms will be connected to the existing portables through a new corridor and being added.
3. Other site changes include adding back one of the handicap spaces that will be eliminated as a result of the construction.
4. It appears that zoning requirement appear to have been met.

If this approved, the planning department has no modifications to request.

## **App. #20-16P Kaz Equipment Wash Station T&C Renewal**

Planning Department Report 4/14/20

1. Request for renewal of a two year temporary and conditional permit for a storage tent to be used to set up a wash bay for equipment at 67 McGuire Road, GC zone. To DATE THE TENT HAS NOT BEEN ERECTED. The current permit expires in June of 2020 and the applicant is now ready to request the permit.
2. The storage tent is approximately 40' X 20' and is proposed to be located approximately 10 feet south of the existing building on an existing paved area. The washing system proposed is a self-contained unit that does not discharge any water into the storm system.
3. A picture of the structure and brochure of the equipment has been provided. The applicant is proposing to screen the tent structure from Route 5 by creating an equipment display area along the edge of the tent. In the future, he hopes to replace this temporary structure with a permanent structure.
4. The building code limits the duration of temporary structures. The applicant will be responsible for obtaining a building permit and ensuring this temporary structure maintains a current building permit.
5. The property is currently serviced by a well and septic system. At the time of construction, a permit will be required from the Health Department.
6. The regulations state that Temporary and conditional permits may be granted by the Commission for a period not to exceed 2 years. Such approval may be given after a public hearing if, in the judgment of the Commission, the public convenience and welfare will be 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. Renewals are granted without public hearing.

If this application is approved, the Planning Department has no requested modifications.



OFFICE  
OF THE  
TOWN COUNCIL

## Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074-2786  
AREA CODE 860/644-2511  
FAX 860/644-3781

March 18, 2020

Mr. Michael Maniscalco, Town Manager  
Town of South Windsor  
1540 Sullivan Avenue  
South Windsor, CT 06074

Dear Mr. Maniscalco:

At its Regular Meeting of March 16, 2020, the South Windsor Town Council approved the following Resolution:

WHEREAS, the Town of South Windsor has a list of Road and Drainage Capital Improvement Projects that were approved for funding by a Bond Referendum that passed in November 2018; and

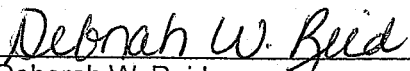
WHEREAS, the following projects are included on this list and are in the design and permitting stages:

- Avery Street reconstruction from Talcott Ridge Road to Dart Hill Road
- Nevers Road reconstruction from Sand Hill Road to the Community Center driveway
- Beelzebub Road reconstruction
- Pleasant Valley Road drainage improvements
- Main Street Bridge replacement over the Podunk River; and

WHEREAS, any plan for improvements to Town streets, bridges, culverts, and drainage systems must first be submitted to the South Windsor Planning & Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes

NOW, THEREFORE, BE IT RESOLVED that the projects listed above be submitted to the South Windsor Planning & Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes.

Respectfully submitted,

  
Deborah W. Reid  
Clerk of the Council

cc: Jeff Doolittle, Town Engineer  
Michele Lipe, Director of Planning  
Bart Pacekonis, Chairman, Planning & Zoning Commission

# MEMORANDUM

To: South Windsor Planning and Zoning Commission  
CC: Michele Lipe, Director of Planning

From: Jeff Doolittle, P.E., Town Engineer

Date: April 8, 2020

Re: 8-24 Referral to PZC Road Reconstruction Capital Projects

The following capital bond projects have been submitted to the South Windsor Planning and Zoning Commission for a report pursuant to Section 8-24 of the CGS.

## **Avery Street reconstruction from Talcott Ridge Road to Dart Hill Road**

This project consists of the reconstruction and realignment of approximately 2,075 feet of Avery Street from the intersection of Talcott Ridge Road to the intersection of Dart Hill Road.

In this area, Avery Street varies from 24 to 29 feet in width and the existing pavement structure is in poor condition due to a substandard road base. There is moderate to severe cracking of the pavement surface and the existing curb is broken and uneven.

The section of Avery Street near the intersection with Talcott Ridge Road is narrow and is being widened to accommodate the new road width. This requires reconstruction of the intersection and portions of the existing drainage system including the existing culvert located just north of the intersection and installation of new guardrail on both sides of the road.

The proposed improvements include full-depth reconstruction of the road to a uniform width of 28 feet, with installation of 12 inches of new processed aggregate stone base, 6 inches of pavement and new 6 inch bituminous curbing. Minor adjustments to the road elevation are proposed to eliminate some flat sections of the roadway. The new road will be striped with two 11 foot wide travel lanes and about 3 foot wide shoulders.

The existing concrete sidewalks will remain and be upgraded with new accessible ramps to make them ADA compliant. Sidewalks will be extended on both sides to the intersection of Dart Hill Road. Preliminary plans and more complete description of this project can be found on the Town's web site at [www.southwindsor-ct.gov](http://www.southwindsor-ct.gov) under Engineering Department, Capital Projects

## **Nevers Road reconstruction from Sand Hill Road to the Community Center driveway**

The south end of Nevers Road will be Reconstruction from the Community Center Driveway to Sand Hill Rd which is about 1715 feet.

This section of Nevers Road varies from about 22 feet to 30 feet and the existing pavement is broken up and in poor condition with many potholes and poor drainage. The existing storm drain pipes are off the road, behind the utility poles with Catch Basins set back from the edge of the road. The existing pipes are flat and have some sediment in them. There is insufficient storm drainage in the road by Nevers Park.

This road will be reconstructed to 26 feet wide, flaring out to 30 feet by Sand Hill Rd. All existing pavement, curb, and base will be removed, full depth, and replaced with 6 inches of gravel and 6 inches of processed aggregate stone base with 5 inches of bituminous pavement. The new road will be stripped with two 11 foot wide travel lanes and shoulders varying from about 2 feet to 4 feet wide.

The road will be cut or lowered about 6"-9" by Collins Crossing and just north of Nevers Park parking lot to eliminate flat spots and improve drainage.

New Storm water drainage pipe will be installed just south of Colling Crossing on the west side with a regraded outlet and new rip rap to replace the existing outlet. New catch basins will be installed at a new low point by Nevers Park driveway.

Typical 6" bituminous curb will be installed from the community center driveway to Collins Crossing. Sloped bituminous (Cape Cod) curb will be installed from Collins Crossing to Sand Hill Road to better blend in with existing grass sides and sidewalk.

New concrete sidewalks will be installed from the High School driveway to Collins Crossing on west side of road and new accessible ramps will be installed at Collins Crossing to cross Collins Crossing and Nevers Road (where the current crosswalk is located).

New accessible ramps and a crosswalk will be installed across Nevers Road by Nevers Park Driveway between the parking lot and the path and bridge crossing Plum Gulley Brook to the sledding Hill. The Town plans to install a Rectangular Rapid Flash Beacon warning lights at this crosswalk between the park and sledding hill. Preliminary plans and more complete description of this project can be found on the Town's web site at [www.southwindsor-ct.gov](http://www.southwindsor-ct.gov) under Engineering Department, Capital Projects

### **Beelzebub Road reconstruction**

Beelzebub Road is planned to be reconstructed, full depth from Foster Street to just west of Avery Street. Preliminary design plans are being prepared and include slight modifications to the road width and alignment that result in a uniform width road and improved alignment. New stormwater drainage pipes and structures will be installed where needed.

### **Pleasant Valley Road drainage improvements**

Pleasant Valley Road has several areas with poor drainage between Clark Street and Route 5. We are planning to improve drainage in stages in this section of road. This will include new catch basins and storm drainage pipes where needed.

### **Main Street Bridge over the Podunk River replacement**

The very old Main Street Bridge over the Podunk River is in poor condition and the Town has had to close off a few feet of the western most side to traffic and post vehicle weight restrictions for this bridge. We plan to replace the entire bridge with new abutments and bridge span. This is in the design and permitting phase.

## ATTORNEY STEVEN E. BYRNE

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2B Farmington Commons, 790 Farmington Ave., Farmington, CT 06032  
(860) 677-7355 (860) 677-5262 fax  
[attysbyrne@gmail.com](mailto:attysbyrne@gmail.com)

## State of Connecticut Executive Order No. 7 B

Executive Order No. 7 B, signed into effect by Governor Ned Lamont on March 14, 2020, details suspensions and modifications to municipal meeting and hearing requirements during the state of emergency declared on March, 10, 2020. These suspensions and modifications will remain in effect until the end of the state of emergency or further modified or terminated by Governor Lamont.

To read the Executive Order in full, please follow this link:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7B.pdf>

### Synopsis of the Order

- Meetings are allowed to be held electronically, but not required to be held at all.
- The executive order does provide an opportunity to continue working.
- If municipalities can do this they should in the interest of due process.
- However, there is no penalty for not holding electronic meetings.

### Standards that must be met

- Technology must be used in a way so that the public can view or call into the meeting and participate in real time;
- Must be recorded or transcribed and posted on municipal website within 7 days;
- Must be posted on town's website with information regarding how to call in. Notice posting must include the call-in number/log in number and be readily available;
- Materials to be discussed during the meeting must be made available on the website and be posted 24 hours in advance of the meeting;
- Members of the public are encouraged to submit materials 24 hours in advance; and
- Speakers must clearly identify themselves for the record each time they speak.

It should be remembered that these measures are optional – a municipality can choose to not hold meetings during this state of emergency.

*This important update is provided as a courtesy  
by the Law Offices of  
BYRNE & BYRNE*

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## State of Connecticut Executive Order No. 7 I

Paragraph 19 of Executive Order No. 7 I, signed into effect by Governor Ned Lamont on March 21, 2020, details suspensions and modifications to municipal procedural requirements and time limitations during the state of emergency declared on March, 10, 2020. These suspensions and modifications will remain in effect until the end of the state of emergency or further modified or terminated by Governor Lamont.

To read the Executive Order in full, please follow this link:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7I.pdf>

## Extensions

### Applications

The time for commencing and completing any public hearing as well as the time for rendering a decision on any application can be extended 90 days. This 90-day extension is in addition to the 65-day extension period provided by state statute. Thus, Commissions will have a total of 155 days to rule on applications and fillings. The commission cannot apply this ninety-day extension to a single application or filing more than once. THE COMMISSION CAN IMPOSE THE 90 DAY EXTENSION ON ITS OWN.

### Reports and Submissions to Agencies

The deadline for reports or submissions made to any agency will be extended ninety days.

### Demolitions

If the demolition delay required by C.G.S. §7-147j will either begin or expire during the state of emergency, the period of delay will be extended ninety days.

## Notice

### Notice of Actions Published in Newspapers

The requirement for notice of public meetings, actions, or proceedings to be published in newspapers has been suspended during the state of emergency. Instead, notice of events should be published on the municipal website and should remain visible until the competition of the relevant event. The date the notice appears on the website is the earlier publication date. Notice of decision is still required.

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## **Notice of Actions filed with the Municipal Clerk**

Any requirement for notice of any meeting, action or proceeding to be filed with any municipal clerk has been suspended. Instead such notice can be published on the municipal website and should remain visible until the completion of the relevant event. Notice of decision is still required.

## **Physical Signs**

Any requirement for a physical sign to be posted can be satisfied by publishing electronic notice on the municipal website. This electronic notice should remain visible on the municipal website until the completion of the relevant event and can be satisfied by the website notice that replaces the published notice.

## **Notice of Applications, Petitions, or Other Proposals**

Any requirement for direct or personal notice of any application, petition, or other proposal by mail is suspended. Instead, notice may be sent via email to any person, agency, municipal clerk, municipality, utility company, or water company if the email address is known. The municipality must list any known e-mail address on its website. If the email address is not known, the requirement for direct or personal notice may be satisfied in one of two ways. First, notice may be satisfied by posting a physical, waterproof sign measuring at least two feet by three feet in area in a prominent location on the property that includes specifics regarding the application and the date, time, and location of any hearings. Or, second, notice may be satisfied by mailing letters via regular U.S. mail to addresses provided by the municipality.

## **Commencements of Petitions and Appeals**

Petitions, including petitions of decision, may be signed electronically. Notice of said petition may be satisfied by email. The time period for petitions remains unchanged.

Appeals to the Superior Court may be started by a "proper officer" by emailing notice to the designated municipal clerk. The time period to begin an appeal to the Superior Court remains unchanged. Municipalities should clearly post the email address for notice.

Appeals regarding the decision of a zoning enforcement officer or an agent for an inland wetland agency may be started by mailing notice to the zoning commission, zoning enforcement officer, zoning board of appeals or inland wetlands agency, as appropriate, via regular U.S. mail or via email. The time period to begin an appeal of decision remains unchanged.

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### **Additional Provisions**

Municipalities must include printed or electronic confirmations of all modifications, extensions, notices, and decisions in permanent office records within a reasonable time after reopening the municipal office.

Documents required by law to be recorded or filed with the municipal clerk should be recorded or filed within a reasonable time after reopening the municipal office. This would include subdivision plans, special permits and zoning permits.

Municipalities may waive any requirement that applications must be submitted in paper copy or in duplicate by declaration of the head of the agency.

All of these measures are OPTIONAL and allow a municipality to conduct business during this state of emergency.

On the Memo: Nicole L. Byrne  
J.D. Candidate  
UConn School of Law '21

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BYRNE & BYRNE*

# Memorandum

**DATE:** APRIL 14, 2020  
**TO:** PLANNING AND ZONING COMMISSION  
**FROM:** MICHELE R. LIPE, DIRECTOR OF PLANNING  
**RE:** BOND REDUCTION/ RELEASE

<u>Landscaping Bond</u>	<i>AMOUNT</i>	<i>REDUCTION</i>	<i>BALANCE</i>
13-06P, GDS Estimating Subdivision	\$ 2,000	\$ 2,000	-0-