

LEGAL NOTICE

SOUTH WINDSOR PLANNING & ZONING COMMISSION

Notice is hereby given that there will be a Public Hearing on Tuesday, July 28, 2020 at 7:00 PM held by way of an ONLINE Webex Conference Meeting to consider the following:

1. **Appl. 20-27P, The Gateway Buckland East, LLC** – request for The Gateway Site Plan of Development for a mixed retail and office development with approximately 38,880 sf of retail space and 50,400 sf of office space, on property located at 218, 240 and 274 Buckland Road, Buckland Road Gateway Development Zone (**Continued from 7/14/20**)

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

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 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. Persons who may require an accommodation can contact staff at: (860) 644-2511, ext. 329.

Bart Pacekonis, Chairman

20-31P, Mexicali Outdoor Dining Expansion

Planning Department Report

1. Request for approval for outdoor dining at Mexicali Restaurant at 935 Sullivan Avenue, GC zone. The applicant requests to expand their outdoor dining and to make site changes to have it as a permanent set up. This area accommodates 10 additional tables; totally 40 more seats. The outdoor dining is currently operating under a temporary outdoor Dining Permit allowed as a result of the COVID situation.
2. The Commission may grant an approval for seasonal outdoor dining areas for restaurants, subject to the following conditions:
 - Outdoor dining area cannot be located on public property (Town sidewalk, right-of-way, etc.). Outdoor dining may be allowed on porches or decks, provided all of the other conditions are met.
 - Outdoor dining does not result in interference with, or hazards to, or visibility problems for, pedestrians on sidewalks or vehicular traffic.
 - Any non-vegetative shading devices shall be of a non-permanent type (umbrellas, retractable awnings, etc.) and shall be safely anchored.
 - Areas on which required parking exists cannot be used for outdoor dining.
 - If required, additional parking must be provided to accommodate additional patrons.
 - Adequate trash receptacles must be provided, and the restaurant is responsible for cleanup of all trash generated from the outdoor dining (including the restaurant site and surrounding areas).
 - Tables must be located in such a manner as to maintain access to the building for emergency services.
 - Low level exterior audio systems for mood music are permitted in outdoor dining areas only if volumes are kept low and are not offensive to persons on abutting properties. In areas with abutting residential uses, the applicant shall periodically monitor noise volumes along all common property lines with said residential uses, and report said volumes to the Town Planner at least once every summer, or as the Town Planner otherwise directs. Volumes shall not exceed those allowed in the Town of South Windsor's noise ordinance.

- In addition to required parking for indoor seating, outdoor dining requires one parking space for every 4 seats.
 - All tables, chairs, trash receptacles, etc., shall be removed at the end of each outdoor dining season.
 - Outdoor dining area cannot exceed 16 tables/48 seats unless there are waitpersons to serve patrons. Where all food service is conducted by waitpersons, outdoor dining area cannot exceed 50% of the floor area of the indoor dining area; and cannot exceed 50% of the number of tables/seats within the indoor dining area.
 - Any signage placed on outdoor umbrellas, awnings or chairs shall be limited to the name of the establishment.
3. The site parking will not be impacted by the addition of this dining area. The proposal is to install a concrete patio and black fencing around the area. The applicant should consider adding an additional barrier or planters in the paved area to alert patrons that area is no longer to be used as an exit.
 4. The Fire Marshal, Health Department and Building official have reviewed the plans and have no concerns.
 5. If this application is approved, Planning Dept. requests no additional approval modifications.

STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN

PROJECT Mexicali Outdoor Dining

APPL.20-31P

ENGINEER/ARCHITECT: Robert Arsenault, PE

PROJ.

DRAFT

Submit mylars of sheets:

Establish a permanent outdoor dining area as shown - approval for additional tables/chairs

1. The outdoor dining does not interfere with or create hazards for pedestrians and vehicular traffic.
2. Adequate trash disposal must be provided.
3. Low level exterior audio systems for mood music are permitted
4. All tables, chairs, trash receptacles must be removed at the end of each outdoor season.
5. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
6. All free standing signs and/or building signs (temporary or permanent) require the issuance of a sign permit before they are erected.
7. A building permit is required for the concrete patio.
- 8.
- 9.

APP. 20-34P, ROYAL HOUSE CHAPEL T & C
PH 7/21/20

1. Request for a renewal of a two-year temporary and conditional permit that was granted for a church use on property located at 52A Connecticut Avenue, I zone. This property currently has two 20,000 sf buildings on site, and the applicant has occupied 5,000 sf. of the southern building. This use was originally approved in 2010. The most recent approval expires 7/24/20.
2. The space includes a reception area, offices, bathrooms and a sanctuary with approximately 68 chairs.
3. The church conducts services on Friday evenings and Sunday mornings, with occasional services on Wednesdays and Thursdays. All services take place after the close of business hours. The applicant has shown 32 parking spaces available – our regulations require 1 parking space for 3 seats or 22 spaces.
4. The fire marshal and building department previously worked with the applicant to ensure all fire and building codes were met for this assembly use.
5. The wording of the T & C permit regulation is 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 can be approved by the Commission at a regular meeting.

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

STANDARD APPROVAL MODIFICATIONS

TEMPORARY & CONDITIONAL APPROVAL

PROJECT Royal House Chapel 2 year T & C Renewal

APPL. #20-34P

ENGINEER/ARCHITECT

PROJ. #

Submit mylars of sheets: N/A

1. The Temporary and Condition permit will expire on July 28, 2022, and must be renewed prior to that time if the use is to continue.
2. All free standing signs and/or building signs (temporary or permanent) require the issuance of a sign permit before they are erected.
- 3.

App. 20 - 36P, KEBALO ELECTRIC T & C PERMIT RENEWAL

PH 7/21/20

1. Request for a two year temporary and conditional permit for an electrical contracting business at 175 Wheeler Road, A-20 zone. Kebalo Electric has been operating the business from this location since about 1987. The commission originally approved a temporary and conditional permit for the Kebalo Electric office on 10/31/00, and the most recent approval expires on 7/24/20.
2. In previous permit renewal applications, the applicant has stated that there are three part time office workers and that there are no evening or weekend hours. The applicant has arranged for private refuse collection.
3. Vegetation exists along the northern lot line providing for screening for the potential owner of lot 2.
4. The wording of the T & C permit regulation is 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." PZC renewal approvals can be granted at a regular meeting.
5. If this application is approved, the planning department has no additional approval recommendations to request.

**STANDARD APPROVAL MODIFICATIONS FOR
TEMPORARYCONDITIONAL PERMIT**

PROJECT: Kebalo T & C Renewal

APPL. #20-36P

This approval is subject to the following conditions:

1. The permit will expire on 7/28/22, and will have to be renewed at that time.
2. Refuse from the business cannot be disposed of with residential refuse. Adequate arrangements must be made for business refuse disposal.
3. The number of non-family member employees is limited to three (full- or part-time).
4. Commercial vehicle parking on the street is prohibited.

Appl #20-37P, Twin Manufacturing Addition

Planning Department Report 7-28-20

1. Request for site plan modification approval to construct an addition to the rear of the existing building, 273 Chapel Rd, I-291 zone.
2. The addition of approximately 9,420 sf will include 7,650 sf of manufacturing space and 1,770 sf tenant space.
3. Additional parking needs will be met by the restriping of the parking area along the westerly side of the property to accommodate 10 spaces as well as the expansion of the front parking area to add 26 spaces. Parking requirements for the identified uses is 87 spaces; 106 spaces are being provided. Interior landscaping has been provided per the regulations. We have asked the applicant to address the perimeter parking screening requirement by adding additional landscaping along the parking area closest to the road.
4. The site is completely surrounded by other I-291 or Industrial-zoned property. Maximum impervious coverage allowed is 65%, 64.75% proposed.
5. There is new lighting shown on the plan in the front parking areas as well as behind the building.
6. There are no regulated wetlands on this site and disturbance no IWA/CC permit was not required; however an E and S review was completed on 7/9/20 and requiring bonds to be collected in the amount of \$5,000 to ensure proper placement and maintenance of erosion and sediment controls; \$10,000 for installation of stormwater structure.
7. This project was not reviewed by the ADRC as there are no changes to the front façade of the building with the exception of additional parking.
8. The property is currently served by public water and sewer. WPCA approval is not required.
9. The Fire Marshal has reviewed the plan and has no concerns.
10. If this application is approved, the Planning Dept requests no additional approval modifications requested.

STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN

PROJECT: Twin Manufacturing Site Plan

APPL. 20-37P

ENGINEER/ARCHITECT: Design Professionals

PROJ.

Submit mylars of sheets:

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, including bonds in the amount of \$5,000 to ensure proper placement and maintenance of erosion and sediment controls and \$10,000 for installation of stormwater structures.
4. A landscape bond in the amount of \$3,000 is required and must be submitted prior to the certificate of occupancy.
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 8.1.11 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. No building permits will be issued until the Office State Traffic Commission certificate has been issued (per CGS §14-311).
10. The building street number must be included on the final plan.
11. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
12. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
13. *Engineering comments dated 7/28/20 must be incorporated into the final plans.*
14. .
- 15.

App. 20-39P NATIVE AMERICAN VILLAGE EXHIBITION T&C
PH 7/21/20

1. This is a request for renewal of a two-year temporary and conditional permit for the Wood Memorial Library Native American Village Exhibition, on property located at L066 Main Street (westerly of Wood Memorial Library), A-40 and FP zone. This use was originally approved in 2018. That approval expired on 7/10/20.
2. The applicant had provided a map showing the improvements to be made which include: creating outside "classroom" sites including a long house (wigwam). A smaller wigwam, and gardens all built with native materials.
3. The previous approval limited the program to 2-3 days per week, from 10:00 am until 2:00 pm, for a six week program in the fall and six weeks in the spring. Students would be dropped off in front of the Wood Library and it was estimated that the program would run between 3-4 hours. Arrangements were made to park the bus at the Bissell Post Office at 831 Main Street. At this time under COVID, the exhibition is not operating.
4. The building department and fire marshal were consulted at the time of construction.
5. 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.

If this application is approved, the Planning Department requests that the address of 779 Main Street be added on the plans for this property.

STANDARD APPROVAL MODIFICATIONS

TEMPORARY & CONDITIONAL APPROVAL

PROJECT Native American Village Exhibition

APPL. #20-39P

ENGINEER/ARCHITECT Design Professionals Inc

PROJ. #4050

Submit mylars of sheets: N/A

1. The two-year temporary and Condition permit will expire on July 28, 2022 and will have to be renewed at that time if the use is to continue.
2. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
3. The exhibition is being approved with limited hours as presented. The exhibit is allowed to be open for 2-3 days a week with operating hours from 10 am- 2 pm. for a six week period in the fall from late September through October and a six week period in the spring from mid-April through May.
4. The bus drop off shall take place on Main Street in front of the site. On-site parking is limited to handicap parking.
- 5.

STANDARD APPROVAL MODIFICATIONS FOR SITE PLAN

PROJECT: Gateway Project Site Plan

APPL. 20-27P

ENGINEER/ARCHITECT: Design Professionals

PROJ.

Submit mylars of sheets: CSp-1, CSp-2

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, including bonds in the amount of \$30,000 to ensure proper placement and maintenance of erosion and sediment controls; \$50,000 for installation of stormwater structures; \$70,000 for mitigation for 1.53 acres of wetland creation; \$20,000 for installation and success of wetland plantings;
4. A landscape bond in the amount of \$15,000 is required and must be submitted prior to the certificate of occupancy.
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 8.1.11 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. No building permits will be issued until the Office State Traffic Commission certificate has been issued (per CGS §14-311).
10. The building street number must be included on the final plan.
11. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
12. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
13. *Engineering comments dated 7/28/20 must be incorporated into the final plans.*
14. *Architectural elevations for the retail buildings must be reviewed by Planning Department staff for conformance to the approved site plan prior to issuance of a building permit for each building.*
15. *In accordance with access management regulations, an access easement shall be provided for the property to the north.*
- 16.
- 17.
- 18.

Memo

To: Planning and Zoning Commission
From: Michele R. Lipe, Director of Planning
Date: 7/23/2020
Re: Zoning Regulation Discussion

Agenda item #x is list of topics that have come up recently. I wanted to provide you with some background information to assist in the review and discussion.

- a. Animal Agriculture – chicken and bees
- b. Charging Station Requirements in multi-family developments/commercial parking areas
- c. Affordable Unit Requirements in residential housing
- d. Sidewalk/Multi-use Paths
- e. Solar for residential and commercial properties
- f. Outside Dining Requirements

1) Animal Agriculture – chickens and bees –Section 7.12 Horses/Ponies and Home Animal Agriculture currently regulates animals on residential properties. I am attaching a draft copy of a spreadsheet Pam Oliva, ZEO has been working to illustrate what other towns in the region have for regulations. In addition to discussing the number of animals allowed, setbacks of structures from property lines should be discussed as well.

2) Charging Station Requirements in multi-family developments/commercial parking area – Currently the zoning regulation do not address this as a requirement. If the PZC wanted to add specific language, I would recommend that it be added to Section 6.4 Parking and Access – Off Street Parking and Loading under the section that addresses minimum parking requirements. Jeff Doolittle and I have been discussing possible ratios based on current practices and Jeff will discuss his findings/recommendation at the meeting.

3) Affordable Unit requirement in residential housing – Currently our regulations have an affordable housing requirement in the Town Center Overlay Zone and in the recently adopted Mixed Use zoning for Sullivan Ave.

FYI – Currently we are in the public comment period for the Town’s application for the Four-year Moratorium for Affordable Housing which ends July 31. At the time it will be submitted to the Department of Housing for consideration.

Also, in the July 1 adopted budget, the Town has provided funding to the Planning Department to work with a consultant on developing an Affordable Housing Plan (required by law to be in place by 2022) that is required to be reviewed every five years. This plan is to address how the municipality intends to increase the number of affordable housing development in the Town. This study will certainly involve public outreach and I hope to time it to be able to take advantage of the results of the 2020 Census data for our community.

4) Sidewalk/Multi-Use path – The Commission adopted Section 6.7 Pedestrian and Bicycle Accommodations which addresses the standards for pedestrian/bicycle access within the site. The subdivision regulations were updated in 2017 to include the following language:

f. Sidewalks

- (1) Sidewalks shall generally be required on one side of all new residential streets depending on road classification and intensity of development. Sidewalks may be required in non-residential subdivisions, and on existing streets in accordance with the Town Sidewalk Plan section of the Town Plan of Development.
- (2) Where sidewalks are optional, they may be required if close to pedestrian generators, to continue a walk on an existing street, to link areas, or depending on probable future development as indicated in the Town Plan of Development.
- (3) Sidewalks shall be a minimum of 4 (four) feet in width on local roads and 5 (five) feet in width on collector and arterial roads. All graded areas shall be constructed according to the specifications set forth in the Public Improvements Specifications manual.
- (4) Bituminous 10 (ten) foot side pathways may be required in lieu of sidewalks in Industrial and Commercial areas.

5) Solar for residential and Commercial properties – The PZC adopted Solar Regulations, Section 7.20 and 7.21. To date, the building department has issued over 500 solar permits (including residential and commercial) since 2012.

6) Outdoor Dining – The current zoning regulations, Section 7.15. allows for a staff level approval for outdoor dining up to 6 tables/24 seats; beyond that an application to the PZC is required. With the onset of COVID, the town created a temporary outside dining permit process to accommodate expansion of outdoor dining. To date, we have permitted eleven establishments for temporary outside dining.

If you have any questions, please feel free to contact me.

Surrounding Towns Regulations on Chickens

Town	# of Chickens (hens) allowed	Size of lots	Roosters
Bloomfield	20	no minimum, bldgs 100' from prop lines	
Enfield	6	.25 - 1 acre	Not permitted on < 3 acres
	12	> 1 - 2 acres	Not permitted on < 3 acres
	18	> 2 - 3 acres	Not permitted on < 3 acres
East Windsor	10	1 acre	Not permitted on < 3 acres
Ellington	8	≥ 20,000 sq ft	Not permitted on < 3 acres
Glastonbury	10	< 1 acre	
	15	1-5 acres	
Tolland	6	.5 acres - < 2 acres	Not permitted
Manchester	12	no minimum	Not permitted
New Haven	6	no minimum, but setback requirements	Not permitted
Wethersfield	15	> 8,000 sq ft	
South Windsor	3.2 permitted as of right 32 - with permit	< 1 acre 1 acre	Not permitted in RR & A-40 zones

Surrounding Towns Regulations on Bees

Town	Permitted	Size of lots	Setback from property lines	Distance from abutting dwellings
Bloomfield				
East Windsor				
Enfield				
Ellington	yes	≥ 30,000 sq ft	10' or underlying setback	min. 25'
Glastonbury				
Tolland				
Manchester	yes	no minimum		min 100'
New Haven				
Wethersfield	yes	> 8,000 sq ft		
South Windsor	yes		setback of underlying zone	

Draft 7-23-20