

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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JANUARY 10, 2023

MEMBERS PRESENT: Stephanie Dexter, Stephen Wagner, Bart Pacekonis, Kevin Foley, Michael LeBlanc, Alan Cavagnaro

ALTERNATES PRESENT: Atif Quraishi, Carolyn Carey

STAFF PRESENT: Michele Lipe, Director of Planning; Jeffrey Doolittle, Town Engineer; Michael Lehmann, IT Support; Caitlin O'Neil, Recording Secretary

PLEDGE OF ALLEGIANCE

Secretary Wagner read the legal notice into the record. Chairman Pacekonis sat Alternate Commissioner Quraishi for Commissioner Vetere.

CALL TO ORDER

PUBLIC HEARING/7:00 PM:

- 1. Appl. 22-46P Michels Power Yard-** request for a two-year temporary and conditional permit for a temporary staging area and storage of equipment for EverSource contractors on approximately 5 acres, on property located at 416 John Fitch Boulevard (westerly of Route 5, south side of Pleasant Valley Road), I zone

Attorney Richard Roberts of Halloran and Sage was present to represent Michels Power Yard. Attorney Roberts commented that the applicant has submitted for another two-year temporary and conditional permit for the staging of storage equipment. Attorney Roberts explained that Michels is a contractor for Eversource. Attorney Roberts briefly reviewed the property, which is a 5 acre lot on John Fitch Boulevard that is leased from the Botticello family. He then commented on the list that they provided to the Commission that reviewed the equipment that is stored on site and also the photos of the storage of the site. Attorney Roberts explained that the site is essentially used for employees who arrive at the site, receive their instructions for work and then leave the site with the necessary equipment. Attorney Roberts commented that Dana Steele from JR Russo was present to explain some of the items being proposed on the site to help improve the visibility and overall appearance of the site. Additionally, Zach Landmark from Michels was present for any operational questions.

Attorney Roberts commented that the applicant allowed for this temporary and conditional permit to expire back in 2021 and he was unsure where the lapse in communication occurred for Michels since he and Halloran and Sage had recently started to represent Michels. With that said, as long as the firm was involved with the applicant and this site he would be sure to continue to keep the permit up to date and renewed in a timely manner. They would not have a repeat of what occurred in the past.

Dana Steele of JR Russo presented the site plan that they prepared for this permit. Mr. Steele reviewed the property location in more detail and the access to the property from John Fitch Boulevard. Mr. Steele commented that the stormwater management for the site includes a basin that would provide protections from the wetlands. Mr. Steele added that they received comments from staff that discussed the clearing of trees on John Fitch Boulevard frontage and therefore, the site being more visible from Route 5. With that said, the applicant will try to help screen the site better and will be adding some evergreen trees on the west side of the property. Mr. Steele commented that they would be working with Environmental Planner, Jeff Folger, to determine the best tree species.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe read the Planning Report.

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1. A request for a two-year temporary and conditional permit for the storage for a temporary staging area and equipment storage for an EverSource contractor, on property located at 416 John Fitch Boulevard, I zone.
2. The PZC had previously permitted this storage in 2019; however, the applicant failed to renew the request in December of 2021 resulting in zoning enforcement proceedings.
3. The applicant leases approximately 5 acres of property from the Botticello family adjacent to the CT soils operations.
4. The proposed storage area is approximately 200+ feet from Route 5 and is accessed through the private drive off of Route 5. The site historically had industrial uses many years ago, including manufacturing and storing of bricks. As a part of the previous approval, the applicants had cleaned up the property including an extensive amount of equipment, old building materials and debris. Today, the equipment stored includes machinery as well as mats and poles and covers approximately 4 acres.
5. There is an existing access drive into the site and parking area for employees that arrive daily to the equipment trailer before being sent out to job sites.
6. Since the previous application was approved, a great deal of vegetation has been removed between this site and Route 5 opening up the area to the travelling public along Route 5. We have requested a row of screening trees along the western property boundary to revegetate where trees have been removed. The plan shows a combination of spruce and cedar trees.
7. Storage yards are not permitted unless there is a building, therefore the need for a T& C. 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."

If this application is approved, The Planning Department request that the applicant be more responsive to renewal requests if the use is to continue beyond two years.

Town Engineer Jeff Doolittle had no comment.

Chairman Pacekonis asked for public comment. No public comment.

Chairman Pacekonis asked for Commission questions and comments.

Commissioner Wagner confirmed that Connecticut Soils was one of the abutters of this property. Commissioner Wagner questioned where this site abutted Connecticut Soils. Zack Landmark with Michels Power reviewed where this site bordered the Connecticut property, primarily on the east side. Commissioner Wagner questioned if they share drainage with Connecticut Soils. Mr. Landmark responded that the drainage on the site goes directly to the swale on the north side of the property. Additionally, there is an elevated berm on Connecticut Soils border which pushes drainage opposite way. Commissioner Wagner commented on the importance of this applicant for the town and wellbeing of the community. Eversource provides a huge service for the area and therefore, he is in favor of continuing the permit.

Commissioner Dexter confirmed the proposed approval timeframe. If approved, the permit would be valid until 2025.

Chairman Pacekonis questioned how vehicles would exit the site. Zack Landmark explained they cannot cross both northbound lanes, therefore, any vehicle exiting the site heads northbound and if they need to head

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southbound they have to drive up Route 5 and turn around. Mr. Landmark added that this was the only exit that he was aware of for the site. Michele Lipe explained there may have been use of Chapel Road as an exit in the past, however, that appears to no longer be the case. Chairman Pacekonis commented that he felt the proposed exit of the site was better. Chairman Pacekonis commented on the dirt pile that he noticed while driving past the site and it appeared this is where some tree removal took place. Mr. Landmark commented that this was not apart of their property and not their tree removal. Chairman Pacekonis questioned how they would protect trees located on their property. Mr. Landmark explained that on the east side of the trees they have set up a barrier with a metal wire fence behind that. Chairman Pacekonis questioned how many more years is Michels anticipating occupying this site. Mr. Landmark commented that they have a two year contract with Eversource, however, nothing is guaranteed after that. The hope is the contract gets extended with Eversource. Chairman commented on the previous issue with town staff trying to contact Michels to follow up on the permit and hope this goes smoother in the future.

Commissioner Wagner commented on the equipment list and questioned if some of the smaller equipment items were stored in a structure or if they planned on putting up a structure to store these. Zack Landmark commented that they had no plan to add a storage structure to the site, currently smaller equipment items are stored in trailers.

Chairman Pacekonis closed the public hearing at 7:22pm.

REGULAR MEETING

CALL TO ORDER

PUBLIC PARTICIPATION: None.

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

1. Review proposed Bylaw Changes

Commissioner Wagner motioned to approve Bylaws.

Commissioner Cavagnaro seconded the motion. The motion was called and the motion passed unanimously.

2. **CGS Referral 8-24 Pleasant Valley Road bridge and road reconstruction, Kennedy Road reconstruction and sidewalk reconstruction for Dart Hill Road, Ayers Road, Nevers Road, Foster Street and Buckland Road.**

Town Engineer Jeff Doolittle reviewed the CGS Referral, which are all Public Works improvement projects. Mr. Doolittle commented on the projects being discussed which are, Pleasant Valley Road bridge replacement and road reconstruction, reconstruction of Kennedy Road and Dart Hill Road and sidewalk reconstruction and sidewalk connections on Dart Hill Road, Ayers Road, Nevers Road, Foster Street and Buckland Road.

Mr. Doolittle discussed the bridge reconstruction for Pleasant Valley Road, the last reconstruction of this bridge was in 1988 and is now currently deemed in fair condition by the Department of Transportation, therefore, it is now eligible for full replacement. Mr. Doolittle reviewed bridge details, similar to the bridge reconstruction on Main Street that took place this year. Mr. Doolittle explained that the reconstruction of Pleasant Valley Road would occur between Pepin Place to Clark Street. This reconstruction would occur in two phases, the first between Pepin Place and Route 30, which would take place during bridge reconstruction. The second phase, between Route 30 and Clark Street, would occur after the bridge

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replacement. Mr. Doolittle commented that there would sidewalks added during the bridge replacement that would connect current sidewalks at Veterans Memorial Pool to Hilton Drive. Mr. Doolittle explained that they cannot accommodate sidewalks on both side due to a limited amount of right of way.

Mr. Doolittle then briefly highlighted the next project, the reconstruction of Kennedy Road. He commented that they did receive a grant by the State for 80% of the cost and they are now working with the developer of the recently approved distribution center to attempt to start reconstruction in conjunction with the distribution center being built.

The reconstruction of Dart Hill Road will be funded from a grant from the Connecticut Department of Transportation. The reconstruction would occur between Niederwerfer Road to the Vernon town line. This project would improve the drainage on this road and would also include installation of sidewalks on north side of Dart Hill Road.

Mr. Doolittle commented that the last project is a series of sidewalk connections, which are also grant funded. These sidewalks would complete series of sidewalk on Ayers Road connecting to Graham Road, sidewalks on Nevers Road between Lake Street and Miller Road, sidewalks on Foster Street between Bayberry Trail and Orchard Hill Drive and two sections of sidewalk on Buckland Road.

Commissioner LeBlanc questioned the width of the sidewalks being proposed on Dart Hill Road. Mr. Doolittle responded that they would be either 4 feet or 5 feet wide sidewalks.

Commissioner Cavagnaro commented that he felt these were all positive projects, especially the addition of sidewalks around South Windsor. Commissioner Cavagnaro questioned the estimated time for these projects to take place. Mr. Doolittle reviewed the various time frames for each project, most projects could be completed this year and the rest would be started and completed next year. Commissioner Cavagnaro confirmed these projects were part of the recently approved referendum.

Commissioner Wagner questioned if the pedestrian sidewalk would have a crossing. Jeff Doolittle commented that the crossing in front of Veterans Memorial Park would remain. Commissioner Wagner questioned if there would be an addition of a special crossing signal. Mr. Doolittle commented that they were still in design process, if a crossing signal was not included in this plan it still could be added in the future. Commissioner Wagner asked for Jeff Doolittle to review the sidewalks additions on Buckland Road. Mr. Doolittle explained that they would be filling in the missing sidewalk in the section from Oakland Road to the Credit Union and also adding sidewalk in front of assisted living facility near Deming Street. The goal would be to provide continuous sidewalks on Buckland Road into Manchester. Mr. Doolittle also reviewed the sidewalks on Nevers Road, with the proposed referral there would continuous sidewalk all along Nevers Road.

Michele Lipe commented that they did receive a letter regarding the proposed work for the CGS Referral. Secretary Wagner read letter into the record from Robert Dickinson (Exhibit A).

Ken Sek of 25 Griffin Road commented on the proposed sidewalks and what was suggested in the letter by Robert Dickinson. Mr. Sek commented that he would prefer to see 8-foot-wide sidewalks instead of 4 to 5-foot-wide sidewalks.

Jeff Doolittle explained the reason they typically build 4 to 5-foot sidewalks, typically the Town is limited with the amount of right of way available and this limits how wide they can build. He added that in the commercial areas there would be 5-foot-wide sidewalks, like the proposed sidewalks on Buckland Road.

Commissioner LeBlanc commented that the town has done a good job at improving roads, however, the road improvements can cause an increase in speed of vehicles. Commissioner LeBlanc questioned if there was a

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way to mitigate this issue. Jeff Doolittle reviewed ways to mitigate speed on roads such as speed humps or rumble strips. He commented that they had suggested speed humps on Dart Hill Road, however, they received push back from the neighbors. With that said, they will continue to try to control speed by keep roads somewhat narrow and putting up additional radar speed limit signs.

Commissioner Wagner motioned to pass a favorable recommendation to Town Council.

Commissioner Dexter seconded the motion. The motion passed unanimously.

3. **Appl. 22-46P Michels Power Yard-** request for a two year temporary and conditional permit for a temporary staging area and storage of equipment for EverSource contractors on approximately 5 acres, on property located at 416 John Fitch Boulevard (westerly of Route 5, south side of Pleasant Valley Road), I zone.

Commissioner Dexter motioned to approve Appl. 22-46P with the following conditions:

1. The Temporary and Condition permit will expire on January 10, 2025 and must renewed at that time if the use is to continue.
2. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission.
3. A \$5,000 landscape bond is required to ensure survival of proposed landscaping.
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. Applicant to supply a contact person for future questions or renewal issues.

Commissioner Quraishi seconded the motion. The motion passed unanimously.

4. Discussion and review of proposed draft regulations

Director of Planning Michele Lipe commented that she would be distributing the draft regulations for both the Zoning Regulations and the Subdivision Regulations. Ms. Lipe reviewed the chart that highlights the regulation changes that were made. She commented that all items distributed would be available in both the Town Clerk's office and on the Town website. Ms. Lipe explained that there is a third text amendment that would be submitted to extend the housing moratorium should the Commission not complete the public hearings in the necessary time frame. Ms. Lipe commented that she would be happy to review some of the changes being proposed or members of the Commission who were apart of the Subcommittees could speak to some of the changes.

Commissioner Cavagnaro commented on some of the changes focused on in the Multifamily Subcommittee, such as affordable units, regulations to better create duplexes and multi-family residential housing, and inclusionary zoning. Commissioner Cavagnaro explained that they wanted to include inclusionary zoning since this was discussed in the approved Affordable Housing Plan. Commissioner Cavagnaro explained that they are looking to spread affordable housing units throughout the community. They also updated the unit mix table for bedroom types per each development with three-bedroom units only be allowed in single family or duplex dwellings. Commissioner Cavagnaro added that they would also be lowering the minimum land area for assisted housing and revising the building heights and impervious coverage for this type of

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housing as well. Commissioner Cavagnaro summarized that they have been working on these changes for some time now and he was in favor with how they turned out.

Commissioner Wagner commented on the Subdivision Regulation changes. Commissioner Wagner explained that the goal was to create more affordable housing units and how this was slightly harder to achieve in subdivisions due the increase of lot and home pricing for developers. With that said, the Subcommittee was able to create a formula for a fee in lieu of affordable units. Other neighboring communities have formulas that he found to be confusing, however, he felt they created a more straight forward formula for a fee in lieu of and this fee would also be determined by zone.

Chairman Pacekonis questioned what had been sent to CRCOG. Michele Lipe commented that they sent the large documents that highlighted all the changes being made to the texts for both Zoning Regulations and Subdivision Regulations. Chairman Pacekonis confirmed that these documents would be available in the Town Clerks office and online on the website under "Pending Applications."

Commissioner Wagner added that the subcommittee did work on regulations for interior lots, which the Commission had been unhappy with in the past. He commented that he felt the changes made would produce more acceptable lots to neighboring homes.

Commissioner Carey thanked Michele Lipe for all her efforts during these regulation changes.

Chairman Pacekonis commented on the large amount of effort that Michele Lipe had in put into these regulations. Chairman Pacekonis also thanked Michele for her efforts. Chairman Pacekonis commented that these amendments would go on to public hearing at both February meetings.

Commissioner Wagner questioned the status of the warehouse regulations. Ms. Lipe commented that those draft regulations would be ready in about a month and should be on for public hearing in March.

BONDS: Callings/Reductions/Settings

MINUTES: 12/13/22- Commissioner Wagner made minor changes and the Commission approved

OLD BUSINESS:

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 22-47P NuWay Tobacco Electrical Building Addition** – request for a 352 sf electrical room addition, on property located at 200 Sullivan Ave, I zone (Applicant requests staff approval in accordance with Section 8.6)

OTHER BUSINESS:

Michele Lipe commented that she sent the Commission the proposed questionnaire that had been put together by their Plan of Conservation and Development consultant, SLAM. She asked that the Commission review these questions give feedback by the end of the week so these questionnaires could go out as soon as possible

Commissioner Wagner commented on a letter the Energy Committee had submitted to the Commission within the past year that discussed changes and improvements that Energy Committee would like to see done. He commented that the Energy Committee would be presenting this information at the upcoming Town Council meeting.

Michele Lipe commented on an upcoming training session for the Commission. She commented that as discussed in previous meetings, the State of Connecticut now mandates training requirements and this training opportunity in March would go towards this requirement. She added that she would continue to alert

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the Commission of training opportunities in the future. Chairman Pacekonis clarified the training requirement, 4 hours of training with 1 hour being dedicated to Affordable Housing. Chairman Pacekonis and Commissioner Wagner commented that they would like to participate in the training.

CORRESPONDENCE/REPORTS:

ADJOURNMENT:

Commissioner Cavagnaro motioned to adjourned.
Commissioner Foley seconded the motion.
Meeting adjourned at 8:12 pm.

Respectfully Submitted,

Caitlin O'Neil, Recording Secretary