

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

**MINUTES**

**-1-**

**JANUARY 11, 2022**

---

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

**ALTERNATES PRESENT:** Atif Quraishi

**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 posted in the Journal Inquirer.

Chairman Pacekonis commented that he would like to welcome new Alternate Commissioner Atif Quraishi.

**CALL TO ORDER:**

**PUBLIC HEARING/ COUNCIL CHAMBERS- 7:00 P.M**

1. **Appl. 21-41P, Evergreen Walk, LLC Multifamily Text Amendment** – request to amend Specific Requirements for Multifamily Residential Use in the Buckland Gateway Development Zone - including Section 4.2.15 A.2.e to increase the number of units permitted to 365 units; and modify Section 4.2.15 A.2.c to modify the criteria for achieving the required 2:1 residential to commercial ratio for mixed use developments within this zone (Continued from 11/30/21 & 12/14/21)

Attorney Chris Smith presented on behalf of the applicant. Attorney Smith commented that he submitted a summary document of the text amendment, the general plan of development and the special exception and would like to review this document with the Commission. However, before this, Howard Rappaport wanted to address an item.

Howard Rappaport of Continental Properties commented that he wanted to correct one item he had stated previously, 34 of the one-bedrooms would have a den. Mr. Rappaport commented that given the dens design, the size and lack of closet, they view this space strictly as a functional home office. Mr. Rappaport added that currently at Tempo 1, 36% of the two-bedroom units have the second bedrooms not used as a bedroom and are used as either a home office or workout space.

Attorney Smith reviewed the summary for the three applications; zone text amendment, amendment to the general plan and special exception request. Attorney Smith highlighted that this project would be the best use and is not an ideal location for retail. Attorney Smith commented that there is a need for multi-family housing and cited Mr. Rappaport’s success with Tempo 1. He added that the project would provide additional housing opportunity, specifically, affordable housing. Attorney Smith commented that the current infrastructure would accommodate this proposed use. Attorney Smith explained that this would be unique style housing opportunity featuring direct entry, 88 ADA adaptable units, an elevator building and 17 affordable units. Attorney Smith added that there would be a substantial tax benefit to the town as well and feels that the impact on South Windsor schools would be a minimal and can be accommodated by the local schools. Attorney Smith concluded that this would be an exciting development for South Windsor for the reasons discussed above.

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe reviewed revised text amendment, which includes elimination for future opportunity for 2-to-1 ratio in Evergreen Walk. Ms. Lipe also commented on her discussion with Superintendent Kate Carter.

Town Engineer Jeffrey Doolittle had no comments.

Chairman Pacekonis asked for public comment.

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

**MINUTES**

**-2-**

**JANUARY 11, 2022**

---

John Holowczak of 39 Cody Circle commented on the application.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Wagner clarified the final text amendment wording and commented in favor of the application.

Chairman Pacekonis commented on his continued concerns with the way the text amendment language is written. Specifically, he is concerned that the amendment references the General Plan but there is also a General Plan submitted for the other side of street. Furthermore, another applicant could come in with a General Plan and could attempt to raise the cap for the units. Attorney Smith responded that the text amendment covers the Gateway Development Zone, which is he believes is both sides of the street. Attorney Smith added that should someone else come forward with an application they would need a text amendment to increase cap for multifamily units and again the Commission could deny this. Judges typically do not overturn a Commission's decision on a zone text amendment.

Chairman Pacekonis closed the public hearing at 7:34pm.

2. **Appl. 21-42P, Evergreen Walk, LLC** – request to modify the Evergreen Walk General Plan of Development and a special exception to Section 4.2.15 D.1 for an 165 unit residential development, for a portion of 151 Buckland Road [within "Evergreen Walk"] known as Unit 7C, and being approximately 2,000 feet west of Buckland Road and 1,000 feet north of Smith Street, Buckland Road Gateway Development Zone (Continued from 11/30/21 & 12/14/21)

Attorney Smith commented that he request all comments in previous application be submitted for this application.

Chairman Pacekonis asked for town staff comment.

No town staff comments, no public comments and no Commissioner comments.

Chairman Pacekonis closed the public hearing at 7:35pm

3. **Appl. 21-53P, Miller Heights Subdivision** - request for a Minor Subdivision and a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval for one interior lot, on property located at 73 Miller Road, AA-30 zone

Ben Wheeler, licensed Landscape Architect from Design Professionals on behalf of the applicant reviewed the proposal for a two-lot subdivision on Miller Rd. Mr. Wheeler explained there is an existing home currently on the property that would be demolished and a two lots would be created – one of which would be an interior lot. Mr. Wheeler commented that these lots would be quite large compared to surrounding lots in this zone and would be set back from Miller Road. Mr. Wheeler also commented that there is a significant oak tree near the frontage on Miller Road, which the applicant has agreed to preserve. Mr. Wheeler added that both lots would have a small shared driveway that would ultimately split off to allow for separate driveways for each home. Mr. Wheeler added that they did check the site lines on the driveway and they met the regulation requirements.

Mr. Wheeler then discussed the landscape around the property citing that there were two street trees located on the frontage in addition to the large oak mentioned before. They are also proposing two rain gardens, one for each lot. Mr. Wheeler commented that per the recommendation of the Town Engineer, they would be adjusting some of the grading to have roof run off flow towards these rain gardens. Mr. Wheeler also commented on the stormwater design, which is consistent with other small subdivisions and the utilities for

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

**MINUTES**

**-3-**

**JANUARY 11, 2022**

the site would served by underground utilities, natural gas and public sewer. Each home would be served by an individual well. Mr. Wheeler summarized the submitted narrative addressing Special Exception criteria of Section 8.7 and added that they felt this application would be appropriate for the surrounding neighborhood

Chairman Pacekonis asked for town staff comments.

Director of Planning Michele Lipe read the Planning Report.

1. Request for a Minor Subdivision and a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval for one interior lot and redevelopment of the existing frontage lot, on property located 73 Miller Road, AA-30 zone
2. The lot area requirement for a conventional lot in the AA-30 zone is 30,000 sf with 150 feet of street frontage. The applicant is proposing to remove an existing house and subdivide the land to create one interior rear lot. The frontage lot will be 2.12 acres and the interior lot will be 2.39 acres respectively.
3. The requirement for an interior lot in the AA-30 are: 60,000 sf minimum lot size and 225 feet minimum lot width parallel to the street. The proposed interior lot is 83,433 sf with and 345 feet in width. The setbacks for interior lots are subjective – the applicant is proposing 50 feet.
4. The application is subject to the general special exception criteria of under Section 8.7 as well as specific criteria for interior lots, including:
  - a. the subject area’s boundary configurations, topography, soils or other natural resource characteristics;
  - b. proximity to neighboring properties and dwelling units;
  - c. restriction of existing views;
  - d. proposed buffering/screening;
  - e. potential drainage, traffic & environmental impacts
  - f. driveway locations, slopes & sight lines
  - g. utility service capabilities
  - h. property value impacts; and
  - i. future land use alternatives.
5. Miller Road is considered a minor arterial road, therefore a shared driveway is required in accordance with our subdivision regulations. Access to the interior lots is proposed to be a common 18’ wide paved drive off of Miller Road. The driveways servicing the new interior lot and new house will include a turn-around for emergency vehicles. The Fire Marshal has reviewed the plans and is satisfied with the emergency access provisions and driveway width. The interior lots will be served by public sewers and well water. The sewers will connect into existing sewer system in Miller Road. WPCA approval is required.
6. There are no regulated wetlands on the new lots. IWA/CC approval was not required. Erosion measures for the individual house lots will be addressed at the time of the individual building permits.
7. There are existing trees on the property shown to remain through a tree line. The house for Lot #1 will be approximately 100 feet from the rear property line. Currently the trees in that area appear to be deciduous trees and will not provide any screening during the winter months. Staff would recommend

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

**MINUTES**

**-4-**

**JANUARY 11, 2022**

---

additional landscaping screening proposed between to the rear of lot1 as well as between lot #2 and the new interior lot.

8. For lot #1, the approved location of the house, garage and driveway are an integral part of this special exception approval. Any modifications other than staff-approved minor modifications will require further approval from the Commission.

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

Town Engineer Jeffrey Doolittle read Engineering Report.

I have reviewed the above subdivision and have the following comments

1. The proposed rain gardens on both lots need to collect stormwater runoff from the houses and paved driveways to effectively reduce stormwater runoff. Add a note and/or show runoff from both houses roof leaders and driveways going to the rain gardens.
2. Show a proposed invert elevation for the sanitary sewer laterals at both houses.
3. Narrow the median between driveways at the street line so the total driveway width at the street line is about 24-28 feet.

Chairman Pacekonis asked for public comment. No one from the public commented on the application.

Chairman Pacekonis then asked for Commissioner comments.

Commissioner Cavagnaro commented on a potential site line issue for cars exiting the driveway. Ben Wheeler commented that they did review this concern and found they had met the 200 ft. requirement.

Commissioner Dexter questioned if there was a downhill slope near the homes, particularly curious about flow of water. Ben Wheeler responded that the homes would be slightly higher than homes nearby but not a large slope and would be consistent with grade of the road. Commissioner Dexter questioned if there could be something to provide better screening for the neighbors. Mr. Wheeler commented that the applicant would be agreeable to a 20 ft. wide conservation easement around the perimeter of the property in the area of the house for lot #1.

Commissioner Wagner commented on the driveway and questioned the functionality. Town Engineer Jeffrey Doolittle responded that they do not have any concerns and this design is done commonly. Mr. Doolittle added that people do not like large shared driveway as it tends to create friction amongst neighbors.

Commissioner Vetere questioned if the existing structure on the property was vacant. Ben Wheeler responded that it is vacant and the home has been condemned for over a year.

Commissioner Quraishi questioned if it is considered normal to have homes behind neighbors. Director of Planning Michele Lipe explained that direct abutters are notified about the application and have an opportunities to comment on applications.

Chairman Pacekonis asked for distance between the house in front of lot 1. Ben Wheeler responded approximately 140 feet. Chairman Pacekonis questioned if the arborvitaes would be saved near the home. Ben Wheeler commented they would be as they are located on the neighboring property. Chairman Pacekonis clarified the proposed conservation easement. Ben Wheeler commented that they would be agreeable to a 20 ft. conservation to the west, south and north of the property.

Chairman Pacekonis closed the public hearing at 8:04pm.

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

**MINUTES**

**-5-**

**JANUARY 11, 2022**

4. **Appl. 21-55P, McGuire Road Associates LLC dba Hartford Truck Equipment** - request for a zone change of 7.3 acres from Rural Residential (RR) zone to General Commercial (GC) zone, for property located at 542 King Street

Attorney Robin Pearson presented on behalf of McGuire Road Associates and reviewed the proposed zone change. Attorney Pearson commented that the applicant's business is flourishing and they need additional room on this site to expand building, parking and storage. Attorney Pearson added that the applicants have met and discussed the proposed plan extensively with neighbors and have come up with a plan that is agreeable with the neighborhood while also allowing their business to grow. Attorney Pearson commented that this zone change application is linked to a site plan for an extensive landscaped berm plan. She feels this berm would isolate and protect surrounding neighbors on King Street from activity at Hartford Truck and would also provide a noise barrier from the Route 5 corridor. Attorney Pearson added that the berm would also have a conservation easement within the area of the zone change to ensure nothing could be built in the future within this easement area.

Glen Martin of Design Professionals reviewed the landscape and berm in more detail (Exhibit A). Mr. Martin commented that they intend to build an 8 ft. high berm with a black chain link fence with privacy slats. Additionally, evergreen trees would be planted on either side of the berm, invasive species would be removed and larger trees would be saved. Mr. Martin commented that spruce, fir and white pines would be the planned plantings. Mr. Martin reviewed renderings for the 5-year growth plan and then the mature growth.

Peter DeMallie of Design Professionals reviewed the temporary berm that was recently installed, a woodchip berm. Mr. DeMallie commented that the proposed berm would be substantial in size, 3.3 acres, and the applicant has agreed to properly maintain the berm. Mr. DeMallie reviewed the history of the parcel of land, the applicant acquired 11.43 acres of property and the land is currently split GC and RR. The proposed zone change is for approximately 7.4 acres to general commercial zoning. Mr. DeMallie reviewed the type of business that the applicant owns and operates. Mr. DeMallie commented that the goal for the applicant would be to build a 45,000 square foot warehouse/storage facility for their business.

Mr. DeMallie reviewed the zoning map for the town and the zoning for surrounding properties. He commented that many of the homes in this area do not meet the dimensional criteria for RR zone and are considered non-conforming lots. Mr. DeMallie commented that at one point the only access to the business was Burnham Street to King Street to McGuire Road, which many neighbors did not like. As a result, Hartford Truck went before the Commission and to the State to achieve access from John Fitch Boulevard. Mr. DeMallie discussed land uses for the RR zone, if this property was left as RR there would be no landscaped buffering and would likely become 1 acre house lots with 50 ft. buffer on the backside and no additional buffers. Mr. DeMallie commented that he felt the proposed plan would be a better plan and use for this land, as it would help the surrounding homes by providing effective screening that would help reduce noise and allow for more privacy.

Mr. DeMallie reviewed the existing commercial driveway in the northwest corner, which is shared with Edward Sunderland who owns property on McGuire Road. Mr. Sunderland has agreed to relinquish his rights to allow the applicants to build this berm. Mr. DeMallie discussed the on-going outreach with the neighborhood, adding that the applicant has had multiple meetings with the neighbors and State Representative Jeff Currey. Mr. DeMallie commented that the applicant intends on building a low-profile storage building in the area of the zone change, the facility would be approximately 20 ft. in elevation with no overhead doors facing King Street. Mr. DeMallie concluded by reviewing the Plan of Conservation and Development and how this application meets the criteria. Mr. DeMallie added that the applicants have

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

**MINUTES**

**-6-**

**JANUARY 11, 2022**

worked hard to discuss with neighbors to find a happy middle ground for the zone change and feel they have the support of residents and other businesses in the area.

Attorney Pearson summarized why this would be an appropriate zone change and echoed some of the points discussed by Peter DeMallie. Attorney Pearson also reviewed the Plan of Conservation and Development. Attorney Pearson added that allowing a commercial use in this area would not be out of character, therefore, does not feel this change is considered spot zoning.

Chairman Pacekonis asked for staff comment.

Director of Planning Michele Lipe read Planning Report.

1. Request for a zone change of 7.35 acres from Rural Residential to General Commercial Zone on property located at 542 King Street. This property is on the easterly side of King Street, westerly of the existing zone line that exists approximately 500 feet from Route 5. The property is currently bordered by General Commercial land to the east, residential zoning to the west, north and south.
2. The Commission may recall approving a temporary and conditional permit earlier this year for the storage of vehicles on the southern portion of the commercial land adjacent to the residential zone. The approval was for a fenced in truck storage area to accommodate 100 trucks, approximately 1 acre in size, on a portion of 542 King Street in the General Commercial zone. The applicant had received site plan approval previously for their operation at 95 John Fitch Boulevard, which required a 50-foot planted berm abutting the zone line. This area to the west is the subject of the zone change request.
3. Under current Rural Residential zoning, the property along King Street could be subdivide able for residential building lots or potentially approved for a non-residential use by special exception (daycare, church). With any subdivision or site plan, a 50-foot buffer would be required on both side on both side of the zone line, totaling a 100 foot of planted buffer. The closest commercial activity currently is approximately 300-400 feet from King Street.
4. The applicant is proposing to change the zone to General Commercial. General Commercial zoning is the least restrictive of the commercial zones. Uses allowed as of right include: retail sales, restaurants and taverns including fast food, laundry, printing, building materials sales and storage, motor vehicle sales and storage, gas stations. Special exception uses include day care centers, duplexes and adult-oriented establishments.
5. The minimum lot size in the General Commercial zone is 30,000 sf minimum lot size with the requirement of 100 feet (150 feet along John Fitch Boulevard) versus 40,000 sf lots with 175-foot frontage for the RR zone. The general commercial zone has a 50-foot front yard setback and a 15-foot rear yard setback for all structures. Maximum building height is 40 feet. The lot coverage ratios are different as well; 15% lot coverage of buildings allowed in residential zones and 30% in GC zones. Impervious coverage is only regulated in the general commercial zone allowing 65%. Commercial lighting is permitted with 25-foot poles. A 50 buffer is required along the property lines where residential and commercial zone lines meet; however, buffers are not required along property frontages – in this case the King Street frontage.
6. In acting upon the zone change, the Commission shall consider the various factors favorable and unfavorable to such a change, including but not limited to:
  - The goals, objectives, and recommendations of the Plan of Conservation and Development;
  - The purposes of zoning and of these regulations;

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

**MINUTES**

**-7-**

**JANUARY 11, 2022**

- Changes that have taken place in the rate and pattern of development and land use within the Town and adjoining communities;
  - The supply of land available in the present and proposed zone;
  - The physical suitability of the land for the proposed zone;
  - The impact on the capacity of the present and proposed utilities, streets, drainage systems, and other improvements;
  - The general character and zoning of the neighborhood;
  - Impacts on the surrounding area;
  - Traffic congestion impacts;
  - The impact on surrounding property values;
  - The environmental impacts;
  - The health and general welfare of the community;
  - Neighborhood acceptance weighed against community needs; and
  - The protection of historic factors.
7. The Town Plan shows this area as low-density housing. Chapter 11, Residential Development of the POCD, suggest that the town maintain established densities and patterns. It goes on to state that actions taken should minimize impacts from potential incompatible activities (such as traffic, noise, light, etc) through the zoning regulations and careful review of proposed developments.
  8. We have heard the applicant's intent to create a berm along the King street frontage. There is also an existing driveway that connect this property to other property owned by the adjacent property owner that would remain creating a gap in the berming. With the zone change proposal, taking into account the proposed berm and water detention area, the commercial activities, including lighting, could be as close as 125 -175 feet from King Street.
  9. Staff concerns center around maintenance of the berm over time and the introduction of commercial activities closer to the existing residences on King Street. Recent pictures taken from King Street looking at the rear of Hartford truck at the screening of 50-buffer requirement in 2016, the outdoor storage is readily visible from King Street. The proposal would bring this type of activity 200 feet + closer to the residents on King Street. Other concerns are the potential for other types of general commercial uses, with much taller buildings, or 24 hour activities that would be permitted as of right, but may have other negative impacts – an example being a fast food restaurant.
  10. There is existing water and sewer available in John Fitch Boulevard for an expansion on the site. WPCA approval will be required at the time of any site plan application.
  11. There are no regulated wetlands on the existing parcel. At the time of a site plan, an IWA/CC application is required for Conservation approval if over ½ acre is disturbed.
  12. A zone change is the appropriate time to discuss traffic impacts. The applicant's proposal is showing a conservation/buffer easement and would not allow any curb cuts on to King Street. All traffic would enter/exit. The anticipated traffic from this use could easily be accommodated by Route 5.

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

**MINUTES**

**-8-**

**JANUARY 11, 2022**

---

13. Site plan of development would be required prior to any commercial and/or special exception use for this site.

If this zone change is approved, the Commission must state on the record that you have found the zone change to be consistent with the plan of conservation and development.

Town Engineer Jeffery Doolittle had no comment.

Chairman Pacekonis asked for letters to be read into the record

Commissioner Wagner read letter of support from Steven St. Jarre of 574 King Street and State Representative Jeff Currey (Exhibit B).

Chairman Pacekonis asked for public comment.

Derek Butler of 596 Governor's Highway spoke against the application.

John Holowczak of 39 Cody Circle commented on the application.

Wayne Botha of 720 Governor's Highway questioned the proposed use for the warehouse.

Rich Delhaie of 95 Cody Circle spoke against the application.

Jessica and Robert Uccello of 510 King Street spoke in favor of the application.

Chairman Pacekonis asked for additional letters to be read into the record (Exhibit B).

Commissioner Wagner read letter of support from Attorney Kenneth Slater, Edward Sunderland of 1464 Main Street, Thomas Charron of 67 Main Street and Peter Churilo of South Windsor.

Commissioner Dexter read letter of support from Katherine Kucka of 606 Spring Meadow Road.

Chairman Pacekonis read letter of support from Tim Silver of 115 Murielle Drive.

Commissioner Wagner read letter of support from Allen Lawton III of Transfer Enterprises.

Commissioner Cavagnaro read letter of support from Jay Murtha of Jay's Landscaping.

Commissioner Dexter read letter of support from David Caron.

Commissioner Cavagnaro read anonymous letter of support.

Commissioner Wagner read letter of support from Kent Schwendy President of CIL.

Commissioner Foley read letter of support from Vasilios Makos of 29 Farnham Road.

Commissioner LeBlanc read letter of support from Dayna Duffy.

Commissioner Vetere read letter of support from Greg Leone of 124 Ridgefield Drive.

Commissioner Quraishi read anonymous letter of support.

Commissioner Cavagnaro read letter of support from the Paggioli Family of 377 Niederwerfer Road.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Vetere confirmed that the access driveway on McGuire Road would not be used and that all access to Hartford Truck Equipment comes from Route 5.



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

**MINUTES**

**-9-**

**JANUARY 11, 2022**

---

Commissioner LeBlanc questioned what would happen should some of the trees die within the berm. Peter DeMallie commented that the buffer plan would include a conservation easement, which would require the owners to continuously maintain it.

Commissioner Foley clarified with the Director of Planning Michele Lipe that they would only be voting on the zone change. Ms. Lipe added that they cannot condition a zone change on a site plan. Commissioner Foley questioned if the Commission could restrict uses for the land. Ms. Lipe commented that they could not restrict uses, however, the applicant can deed restrict the property if they chose. Commissioner Foley questioned if the applicant would be willing to deed restrict the property. Attorney Pearson clarified what type of uses he is looking to restrict. Commissioner Foley explained that his concern is eventually the Brannon brothers retire or sell the building and if the Commission were to allow a GC zone change then someone could put a used car sales business on the property, adding that he is trying to avoid a business like this being built in the neighborhood. Peter DeMallie commented that the applicants would be willing to deed restrict certain uses.

Commissioner Wagner commented that he liked the proposed design and felt the neighbors agree too. Commissioner Wagner commented that there appears to be a few agreements in place like the driveway that goes out to King Street and the conservation easement. Commissioner Wagner questioned if they could get these agreements in writing and make them part of the approval conditions. Attorney Pearson responded that she could give the Commission a draft conservation easement citing no access from this area of the property to King Street and also the draft agreement between McGuire Associates and the homeowner of 574 King Street that allows only this owner to access and use the current driveway. Attorney Pearson explained that the applicant would not file a conservation easement until they have an approved zone change.

Commissioner Wagner commented that Director of Planning Michele Lipe had mentioned some buffer issues and concerns. Ms. Lipe clarified that buffers are not required along frontage in the General Commercial zone, therefore, the only buffer required would be direct residentially zoned abutters of the property, not required along King Street frontage. Peter DeMallie clarified that the conservation easement is the buffer, which would be placed along King Street frontage. Michele Lipe commented on concerns with enforcement of the conservation easement. Attorney Pearson commented that the applicant's plan would be to come back with a site plan for the potential storage facility and that would include the designation of the conservation easement.

Commissioner Dexter clarified that there is currently a temporary and conditional permit in place for Hartford Truck for a smaller landscaped berm and truck storage on the General Commercial portion of the site and there currently nothing on the Rural Residential portion of the land. Commissioner Dexter questioned how many homes could be built on the Rural Residential portion of the property. Michele Lipe responded approximately four or five homes. Commissioner Dexter clarified with Peter DeMallie that the storage facility being proposed on the property would not be considered a warehouse.

Commissioner Cavagnaro commented that he appreciated Hartford Truck and Design Professionals for having an open process with the neighbors and added that he is in support of the application.

Chairman Pacekonis summarized some of the concerns of the zone change, for example, a change to General Commercial could allow for a 40 ft. tall building. Chairman Pacekonis added that he understood this is not what is being proposed but wanted to make it clear what the Commission needs to take into consideration for the zone change. Chairman Pacekonis asked Peter DeMallie if both parcels of land, 95 John Fitch Boulevard and 542 King Street, would be combined. Mr. DeMallie explained that the 11.43-acre parcel would be combined with the 4-acre parcel at 95 John Fitch Boulevard.

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

**MINUTES**

**-10-**

**JANUARY 11, 2022**

---

Chairman Pacekonis questioned if the Fire Marshal had been made aware that driveway would be surrendered on McGuire Road. Michele Lipe responded that she did not believe this has been looked at yet. Chairman Pacekonis commented that he felt the King Street driveway should be abandoned once the current homeowner leaves the property and added that he would also like to see written documentation confirming this. Chairman Pacekonis added that he spent a large amount of time reviewing this application and felt more comfortable after seeing the presentation and positive letters and comments from the neighbors.

Attorney Pearson clarified the type of deed restrictions the Commission was looking for, such as, uses or building size.

Commissioner Wagner suggested that perhaps a site plan should be put forward as a way to alleviate concerns.

Chairman Pacekonis commented that he would like to extend public hearing to the February 8 meeting.

Commissioner Wagner motioned to continue the public hearing to February 8, 2022.

Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

Commissioner Vetere motioned to extend the meeting to 10:30pm

Commissioner Cavagnaro seconded the motion. The motion passed unanimously.

**REGULAR MEETING/COUNCIL CHAMBERS:**

**CALL TO ORDER:**

**PUBLIC PARTICIPATION:**

Chairman Pacekonis clarified that there have been additional applications added to applications received, one of which is a zoning text amendment for a moratorium on warehouse and distribution centers and the other for TOSW Chamber of Commerce.

John Holowczak of 39 Cody Circle commented on other town's Zoning Regulations.

Wayne Brother of 720 Governor's Highway commented that he supports the warehouse moratorium.

Derek Butler of 596 Governor's Highway commented that he also supports of the warehouse moratorium.

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

1. **Appl. 21-41P, Evergreen Walk, LLC Multifamily Text Amendment** – request to amend Specific Requirements for Multifamily Residential Use in the Buckland Gateway Development Zone - including Section 4.2.15 A.2.e to increase the number of units permitted to 365 units; and modify Section 4.2.15 A.2.c to modify the criteria for achieving the required 2:1 residential to commercial ratio for mixed use developments within this zone

Director of Planning Michele Lipe commented that they have an updated information in packet to show language if they were to approve this application.

Chairman Pacekonis commented that he still had continued concern with the language, particularly, another applicant asking to do similar changes.

Commissioner Dexter commented that she is weary of general plans and of more changes. Commissioner Dexter commented that she felt this parcel of land should be left as open space. Commissioner Dexter added that she is was also concerned about adding more students to the school system.

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

**MINUTES**

**-11-**

**JANUARY 11, 2022**

Commissioner Wagner motioned to approve the application with the following conditions.

1. Add Section 4.2.15.A(2) e At least 10% of the dwelling units deed restricted to rent or sell at prices that would make them affordable to persons or families earning eighty percent (80%) or less of the area median income as defined by the United States Department of Housing and Urban Development for a period of not less than forty (40) years.
2. The Planning and Zoning Commission finds that the zone change is in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zone text amendment is 1/30/22.

Commissioner Cavagnaro seconded the motion. Roll call was held. Commissioner Cavagnaro, Wagner and Vetere voted aye. Commissioner Dexter, Foley, LeBlanc and Pacekonis voted against. 3-4; the motion failed.

2. **Appl. 21-42P, Evergreen Walk, LLC** – request to modify the Evergreen Walk General Plan of Development and a special exception to Section 4.2.15 D.1 for an 165 unit residential development, for a portion of 151 Buckland Road [within "Evergreen Walk"] known as Unit 7C, and being approximately 2,000 feet west of Buckland Road and 1,000 feet north of Smith Street, Buckland Road Gateway Development Zone

Commissioner Wagner motioned to deny application.

Commissioner Dexter seconded the motion. Roll call was held. Commissioner Dexter, Wagner, Foley, LeBlanc, Vetere and Pacekonis voted aye. Commissioner Cavagnaro voted against. 6-1; the motion passed.

3. **Appl. 21-53P, Miller Heights Subdivision** - request for a Minor Subdivision and a Special Exception to Section 3.2.2 of the zoning regulations and site plan approval for one interior lot, on property located at 73 Miller Road, AA-30 zone

Commissioner LeBlanc motioned to approve the application with the following conditions.

1. This approval is for 2 lots, numbered 1-2 (number 1 is the interior lot).
2. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
3. All lots shall be serviced by the Town of South Windsor sanitary sewer system and are subject to the approval of the Water Pollution Control Authority.
4. Water shall be supplied to this subdivision by well.
5. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
6. All easements for conservation purposes, drainage or utilities, that may be required in connection with the approval of this subdivision, must be submitted on standard Town easement form where appropriate, to this Commission prior to filing the mylars and issuance of building permits. All deeds for open space, public improvements and roadways must be submitted prior to request for Town acceptance; all deeds must be in accordance with the policy for accepting deeds and must be approved by the Engineering Department and Town Attorney.
7. Footing drains are required for each house. Prior to the building of any structure on a lot, a topographic map, drawn to a scale of 1" = 40', shall be submitted for each lot in the subdivision, showing proposed contours, elevations and the location of the footing drains. No building permits will be issued until the proposed contours, floor elevations and location of footing drains have been approved by the Town Engineer.

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

**MINUTES**

**-12-**

**JANUARY 11, 2022**

8. If, for any reason, finished grading and other individual lot site work is not completed, the Town Engineer shall determine the amount of a cash bond to ensure final grading and site work. This cash bond must be submitted prior to issuance of a Certificate of Occupancy.

9. Quantity estimates must be submitted to the Town Engineer (on the enclosed form) for the purpose of determining subdivision bonding. All bonds shall conform to the enclosed bond policy and shall be posted prior to filing the final plans in the Town Clerk's office.

If the developer chooses to submit a Letter of Credit for a one year term, said Letter of Credit must be renewed on a yearly basis until completion of the development. If a new Letter of Credit has not been received within 30 days before the expiration date, the Commission may, at its option, call the Letter it is holding.

10. A drainage assessment fee in the amount of \$50.00 shall be submitted to this Commission.

11. No building permits will be issued until all modifications have been complied with, and the final plans have been filed in the Town Clerk's office.

12. The Town Engineer's review comments dated 12/28/21 must be incorporated in the final plans.

13. The driveway easement for the shared driveway should be shown on the plot plan.

14. The approved location of the house, garage and driveway for the interior lot are an integral part of this special exception. If modifications are proposed subsequent to this approval, further approval from this Commission may be required.

15. The large oak tree located in the front of lot 2 shall be protected throughout construction

Commissioner Vetere seconded the motion. Commissioner Dexter asked for a friendly amendment to include a 20-foot conservation easement along the northerly, southerly and westerly borders of Lot #1 (interior lot). Commissioner LeBlanc accepted the amendment. The motion passed unanimously.

**BONDS:** Callings/Reductions/Settings

**IWA/CC Bond**

Appl. 17-45P, Par Electric E&S Bond in the amount of \$2,000 to be reduced by \$2,000 to leave a balance of -0-

Appl. 17-45P, Par Electric Stormwater Bond in the amount of \$5,000 to be reduced by \$5,000 to leave a balance of -0-

Appl. 19-39P, Aldi E&S Bond in the amount of \$20,000 to be reduced by \$20,000 to leave a balance of -0-

Appl. 19-39P, Aldi Stormwater Bond in the amount of \$15,000 to be reduced by \$15,000 to leave a balance of -0-

Commissioner Wagner made a motion to reduce the above-mentioned bonds. Commissioner Dexter seconded the motion. The motion passed unanimously.

**MINUTES:** 11/23/21, 11/30/21(Special Meeting), 11/30/21(Public Hearing & Regular Meeting), 12/7/21, 12/14/21- accepted by consensus.

**OLD BUSINESS:**

**APPLICATIONS OFFICIALLY RECEIVED:**

1. **Appl. 22-01P, 25 Talbot Lane Site Plan-** request by UW Vintage Lane II,LLC for site plan approval for a 359,640 sq ft distribution facility on 30.37 acres of property, on property located at 5, 25 Talbot Lane, 475 and 551 Governor's Highway (southerly side of Governor's Highway, easterly side of Talbot Lane), I zone

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

**MINUTES**

**-13-**

**JANUARY 11, 2022**

---

2. **Appl. 22-02P Hartford Truck Equipment Landscape Berm** - request for site plan approval for a landscape berm, on property located at 542 King Street, currently RR zone (pending GC zone)
3. **Appl. 22-03P, Kathy Kerrigan** – request for a text zoning text change to add language to put in place an immediate one-year Moratorium for the proposal of any on New Warehouse/Distribution Centers to allow for zoning regulation changes to be put in place to address public concerns
4. **Appl. 22-04P, Town of South Windsor**– request for renewal of a two-year temporary and conditional permit for a 500 sf business office within the Community Building for the South Windsor Chamber of Commerce, on property located at 1776 Ellington Road, RR zone

**OTHER BUSINESS:**

**CORRESPONDENCE / REPORTS:**

Director of Planning Michele Lipe commented that the Commission needs to volunteer a member to sit on the Open Space Task Force Committee. Chairman Pacekonis commented that he would serve. Ms. Lipe clarified that a total of four applications had been received for today's agenda. Commissioner Foley clarified the warehouse moratorium application.

**ADJOURNMENT:**

Commissioner Cavagnaro motioned to adjourn. Commissioner LeBlanc seconded the motion. The motion passed unanimously.  
Meeting adjourned at 10:28pm.

Respectfully Submitted,

Caitlin O'Neil, Recording Secretary