

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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FEBRUARY 28, 2023

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

ALTERNATES PRESENT: Carolyn Carey and Paul Bernstein

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

PLEDGE OF ALLEGIANCE

Secretary Wagner read the legal notice into the record.

CALL TO ORDER

PUBLIC HEARING/7:00 PM:

1. **PZC Sponsored Text Amendment-** Remove Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing; modifications to multiple section of the regulations affecting single family housing; addition of Section 2.24 Inclusionary Zoning requirements for percentages of affordable units payment in single family and multi-family zones; and add affordability requirements and modifications to multiple section of the regulations related to multi-family developments.

Chairman Pacekonis asked for comments from town staff.

Director of Planning Michele Lipe explained that the Commission received highlighted text amendments with comments received from the previous public hearing. Ms. Lipe commented that there was an additional public hearing item tonight for the extension on the residential moratorium. Ms. Lipe explained that the reason they might want to extend the moratorium would be to ensure they had sufficient time to take action on the amendments in the event the Commission needs additional time to pass new regulations.

Chairman Pacekonis commented that they did receive one item for public comment. Dr. Don Poland was present and reviewed the report he submitted (Exhibit A). Dr. Poland applauded the Commission on adding numerous ways to require and add affordable housing throughout the town in various zones. Dr. Poland commented on the requirement of affordable units in the Assisted Living and Independent Living Zones. Dr. Poland reviewed the need for this type of housing development and the demand that has been created by the baby boomer generation. Dr. Poland commented on the challenge of requiring 15% affordable units in this type of development. He feels there is not as large of a level of need for affordable units in these developments. Additionally, these developments offer more robust amenities such as food services and common areas and requiring 15% affordable units would greatly affect the operating income and financial feasibility of these developments. Ultimately, Dr. Poland felt that a 15% requirement would be too high for assisted living and independent living facilities.

Chairman Pacekonis asked for additional public comments. No public comment.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Cavagnaro questioned Dr. Poland if he has seen or experienced other communities successfully or unsuccessfully require additional affordable housing requirements similar to what the Commission is proposing. Dr. Poland commented that the State General Statute 8-30j has forced municipalities to consider more affordable housing. With that said, he could not think of a zoning provision related to assisted housing or independent living facilities with an affordability requirement. Typically, he

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has seen affordable units required in elderly housing or age restricted housing developments, which are market rate units with an age requirement.

Commissioner Vetere commented that South Windsor essentially gets penalized for any housing project that does not offer at least 10% affordable units. With that said, he questioned Dr. Poland if an affordability requirement of 10% instead of 15% would be feasible for these types of developments. Commissioner Vetere commented that he would like the Town to not lose ground on achieving affordable units. Dr. Poland commented that anything less than 15% would improve financial feasibility of a project. Dr. Poland also explained how these types of developments and units are counted by the Department of Housing. For example, assisted living facilities falls into group housing while independent living facilities are counted like typical housing.

Commissioner Wagner commented on the alternative of a fee in lieu of an affordable unit instead of requiring a specific amount of these and questioned if Dr. Poland had an opinion if one option was better than the other. Dr. Poland commented that he was in favor of establishing a Housing Trust Fund and a fee in lieu of affordable units. With that said, the fee and formula can be tricky at times depending on the cost and considering this cost into the finances for a development. Commissioner Wagner asked Dr. Poland to expand on the difference between an independent living facility versus an assisted living facility and housing counts for both. Dr. Poland explained the conversation town staff had with the Department of Housing and it seems that the major difference in these types of developments are whether or not the individual unit has its own mailbox or if mail is collected in one mailbox and then distributed internally. The Department of Housing seems to consider assisted living facilities as group housing units since the mail is collected in one mailbox and then distributed to residents. Therefore, these units would not be counted as part of the affordability requirement for the Town. Commissioner Wagner clarified that assisted living facilities are not included in the affordability requirement but independent living facilities are counted. Commissioner Wagner discussed an option of requiring a fee in lieu of affordable units for independent living facilities.

Commissioner Wagner reviewed a minor wording change for Section 2.8. Commissioner Wagner commented on blank spaces in Section 2.24. Michele Lipe commented that these spaces would be filled in with date of adoption for these regulations. Commissioner Wagner questioned if someone could qualify to buy an affordable house but then rent it out at a market rate. Michele Lipe commented that this is also outlined in the Affordable Housing Plan but this could be restated in this area of the Zoning Regulations. Commissioner Wagner added some minor wording changes to Section 2.24.3. He then questioned if this affordability requirement would be required for two units. Commissioner Vetere explained that this affordability requirement appears to only be mandatory for developments with four or more units.

Commissioner Wagner reviewed comment from Marek Kozikowski at the previous public hearing regarding affordable units that were not completed at the time of CO issuance. Commissioner Wagner commented that he would like some type of language that confirms units are complete before being sold.

Commissioner Wagner commented that Senior Residence Development zone, SRD, received some interesting feedback and comments at the last public hearing. Commissioner Wagner commented that there seems to be more work that may need to be done on this section and perhaps the Commission should consider not adding this section back into the regulations and work on this section separately at a later date. Commissioner Wagner commented that he felt sidewalks should be required throughout an SRD development. Commissioner Wagner commented on Section 7.17.5, he personally felt that cap should be dropped in the SRD zone. Additionally, in Section 7.17.6 Density, the public seemed to be in favor of allowing for larger cap on the amount of residences, Commissioner Wagner was also in agreement of this change. Commissioner Wagner then questioned if a community center should be required for developments

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larger than 25 residences. Peter DeMallie of Design Professionals commented on the SRD development, Wyndemere Court and other SRDs in South Windsor. Mr. DeMallie commented that the necessity of a community center in these developments seems to be less important now that South Windsor's Senior Center has been expanded. Mr. DeMallie commented that the mandatory requirement of a community center in a development is a burden for developers. He suggested raising the number of units from 25 to perhaps 50 units. Commissioner Wagner commented on seniors and loneliness, which can be helped with community centers/rooms in these types of developments. With that said, Commissioner Wagner commented that he understood the burden for developers and would consider raising the amount of residences required for a community center from 25 to 50 units.

Commissioner Wagner commented on Section 7.17.7 Architectural Considerations, he discussed the necessity of single floor living, particularly in a development like this. Peter DeMallie commented that he would agree that one floor living is important in these developments. Commissioner Wagner suggested wording that would require a bedroom and a full bathroom on the first floor. Dr. Poland commented that he would agree with Mr. DeMallie's previous comment regarding community centers in developments of 50 units or more. Dr. Poland reviewed the cost of community centers. Commissioner Wagner commented on the suggestion at the previous public hearing to increase the minimum amount of square feet to 1650 square feet, he felt that this request was reasonable. Commissioner Wagner commented on requiring a bus shelter in the event a future bus line is added there is a bus shelter built or at least land put aside in the approved plan.

Commissioner Wagner commented on Section 7.22.3 Improvements in Multifamily Assisted Housing and commented on the width of the pavement and concerns about Town town snow plows being able to access these roads. Michele Lipe commented that the Town only plows public roads, not private roads and the roads in these developments would be considered private roads.

Commissioner Wagner suggested a minor change to the definition for Lot Coverage (Building). Commissioner Wagner then discussed Section 11.3 Appendix C Outdoor Lighting Guidelines and requested that this area specifically mentions lighted illuminating signs. Michele Lipe commented that this item is currently addressed in an existing regulation.

Commissioner Carey commented on Section 7.17.7 and the suggestion on a size and layout requirement and commented that she felt there should be some decisions left up to the builder. The builders study the market and what will sell and feels confident that a builder will provide options that make sense for the population that is being marketed.

Commissioner Bernstein questioned Dr. Poland if he felt assisted living facilities and independent living facilities were a desirable and popular developments and if there was a need of affordable units in these developments. Dr. Poland commented that he felt there is a robust need for independent living and assisted living facilities driven by the age of the population. Dr. Poland commented that independent living facilities are typically targeted to households of somewhat better means on the income spectrum. He added that a majority of residents within 65+ community are more likely to qualify at 80% AMI versus the normal housing market because of how the qualification process works.

Chairman Pacekonis commented that he felt a Housing Committee should be overseeing the funds for suggested in Section 2.24.3.A. Chairman Pacekonis then reviewed some minor typos in Section 2.24.4. Chairman Pacekonis commented that he heard the concern raised about minimum lot requirement of two times the lot depth in Section 3.2.2 and suggested a compromise of one and a half times the depth.

Chairman Pacekonis commented on Section 3.4.3.B Density Requirements and the suggestion at the previous public hearing to allow for a higher density. He commented that he would be more inclined to leave

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this section as it is for now and would rather see a developer demonstrate and request a text change. Commissioner LeBlanc questioned if the Commission has the ability to determine if a complex should be allowed to build a larger and/or taller complex dependent on the topography and other factors. Michele Lipe commented that they could consider a sliding scale, however, this can be difficult. Ms. Lipe suggested that the regulations be as clear as possible.

Chairman Pacekonis commented on the Unit Mix Table in Section 3.4.6 and heard recommendations from the public and some Commissioners on allowing more three-bedroom units. Chairman Pacekonis commented that he would rather get the regulations moved forward as presented and if there a developer feels they need more than three-bedrooms he would like to entertain a text amendment at that time.

Chairman Pacekonis reviewed Section 7.3 and Dr. Poland's comments on affordable units in assisted living facilities and independent living facilities. Chairman Pacekonis commented that the State of Connecticut requires affordable units and, therefore, feels affordable units must be included in these developments. He then reviewed how these facilities are counted per the Department of Housing. Chairman Pacekonis referred back to the letter submitted by Attorney Chris Smith that initially asked for a reduction of affordable units for this type of use. Chairman Pacekonis commented that he would in favor of reducing the required number of affordable units in these developments from 15% down to 10%. Commissioner Wagner commented on the affordable portion of this section. Commissioner Wagner commented that often the billing for these facilities is broken down into two sections, one for the rent and one for the food services. He questioned if this can be structured in such a way that the rent portion is considered affordable. Dr. Poland commented that this is easier to differentiate in the assisted living developments.

Chairman Pacekonis commented on Section 7.5.1.A.3 Duplex Dwelling Units and a comment received from Capital Region Council of Governments, CRCOG, who felt that a 25% requirement was an unnecessary burden. Chairman Pacekonis commented that he understood CRCOG's point, however, he feels families may need the additional space. With that said, he would consider a decrease of 25% to 10%. Commissioner Foley questioned if CRCOG suggested a percentage that was more acceptable. Michele Lipe commented that they did not proposed a percentage. Commissioner Foley and Commissioner LeBlanc spoke in favor of increasing the lot size minimum by 25%. A majority of the Commission agreed with their sentiment.

Chairman Pacekonis commented on Section 7.7.5 Elderly Housing and the area requirements. There was a suggestion to eliminate the 10 units per acre criteria. Again, Chairman Pacekonis commented that he would rather a developer come forward to suggest a change and keep the regulation as it currently reads.

Chairman Pacekonis then discussed Section 7.17.5 Senior Residence Development, SRD, zone. He commented on previous discussion of raising the unit cap. Chairman Pacekonis commented that he would be willing to raise the overall cap for these developments from 250 units to 350 units. However, he did not feel it was necessary at this time to raise the cap of units per development. He commented that he felt 25 units per development was a fair number, especially since there is not a large amount of developable land left. Commissioner Dexter commented that a total raised cap of 350 units with 25 units per development would essentially allow for four 25-unit developments. Commissioner Dexter spoke in favor of this adjustment. Commissioner Wagner commented that he did not see the need to limit the cap of these developments to 25 units and why not allow for 50 units. Commissioner Foley commented the he understood Commissioner Wagner's point, however, if they were to allow 50 units then he feels they should also expect a community center. With that said, Commissioner Foley commented that he felt the larger purpose of the SRD zone being reintroduced at this time was to focus on the affordability component. Chairman Pacekonis reiterated that he felt the Commission should move forward with what they have suggested as he feels it is important to get the SRD zone back into the regulations. Commissioner Carey suggested they allow 25 units without a

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community center since there is an additional affordability component added. A majority of the Commission agreed to keep the SRD section as it was proposed.

Chairman Pacekonis commented on Section 7.17.7 Architectural Considerations, it was previously discussed to allow for larger units in the SRD zone. Chairman Pacekonis reiterated his hopes to move these regulations forward and if a developer feels they need larger units then they can propose those changes to the Commission. Chairman Pacekonis commented that he felt a 2,000 square foot unit was a large unit for an older couple. Commissioners LeBlanc and Vetere agreed with Chairman Pacekonis. Commissioner Wagner commented that he felt that this language may be too complicated. Chairman Pacekonis commented that this was the language that has existed before they eliminated this section from the Zoning Regulations. Chairman Pacekonis commented that there was a comment from Commissioner Wagner on single floor living mandate for these units and understands his thoughts. Chairman Pacekonis commented that he feels a developer understand the need and desire of single floor living and is unsure how the Commission could incorporate this language into the regulations. Michele Lipe suggested that they include a statement encouraging developers to consider single floor living. Commissioner Wagner commented that he would like to see this language incorporated. Chairman Pacekonis questioned if Michele Lipe was aware of any SRD developments that were two-story units. Ms. Lipe responded that the only development to her knowledge was Quarry Brook.

Chairman Pacekonis questioned if the Commission felt they should close the public hearing. Commissioner Wagner commented that he felt comfortable closing the public hearing.

Commissioner Wagner motioned to close the public hearing.

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

The public hearing was closed at 9:02pm.

2. **PZC Sponsored Subdivision Text Amendment-** Add to Definitions; Chapter 3, Sections H. Inclusionary Zoning requirements, I. Agricultural Division, J. First Cut, K Lot line Revisions; Chapter 4, Modify Section B and C with minor changes related to landscaping and sidewalk requirements; Add Appendix B regarding street trees.

Chairman Pacekonis commented that he would look to town staff for remarks.

Director of Planning Michele Lipe commented that there was not much public input to add to this item. The major change they heard at the previous public hearing was to only require a fee in lieu of an affordable housing unit and for that fee to be paid at the time of issuance of a CO.

Chairman Pacekonis asked for public comment. No public comment.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Wagner questioned the wording in Chapter 3 item H and confirmed the wording should read approved instead of created. Michele Lipe agreed.

Commissioner Vetere questioned the number of affordable units required in a subdivision. Michele Lipe reviewed the formula but explained that from her understanding and from Commission discussion this wording would be removed and replaced with just a fee in lieu of an affordable unit. She added that the Commission seemed to be more comfortable with just collecting a fee in lieu of affordable units.

Chairman Pacekonis reviewed some minor grammatical and clarification changes. Chairman Pacekonis commented that he would like the fee in lieu of funds to be overseen by some kind of Housing Committee.

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Chairman Pacekonis questioned if the Housing Trust Fund Account would be an interest earning account. Michele Lip commented that she did not believe these would be but would review with the Director of Finance. Chairman Pacekonis agreed that they should eliminate requiring an affordable unit and only collect a fee.

Commissioner Vetere clarified a section that would need to be removed since they are only doing a fee in lieu of affordable units.

Chairman Pacekonis closed the public hearing at 9:16pm.

3. PZC Sponsored Zoning Text Amendment – Extend for 4 months Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing.

Chairman Pacekonis explained that this item is on for discussion since they are close to the residential moratorium expiring. The recent weather has reminded the Commission that should there be a snow storm next week that postpones the Special Meeting then the Commission would miss their deadline to put something into effect.

Chairman Pacekonis asked for town staff comments.

Michele Lipe explained that based on comments received tonight she could revise the zoning text amendment and distribute those to the Commission to review and approve for their Special Meeting on March 7. With that said, she would still recommend a two week extension for the moratorium in the event of a weather issue that postpones next week's meeting. Ms. Lipe explained that without an extension the Commission must adopted something by March 7. Chairman Pacekonis added that the housing moratorium expires on March 27. The extension would allow the Commission to cover their bases while they try to put something into place.

Chairman Pacekonis asked for public comment.

Ben Tripp of Metro Realty wanted to point out that they have some specific deadlines to meet for affordable housing financing purposes. Mr. Tripp commented that he would be concerned with a four month moratorium and would suggest a lesser amount of time for a moratorium. Mr. Tripp commented that they have an affordable housing project that they are looking to bring to the Commission and a four month extension would cause an issue with securing financing.

No additional public comment.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Cavagnaro commented that he would be willing to vote for a two week extension but nothing longer.

Commissioner Vetere and LeBlanc both agreed to a two week extension.

Commissioner Wagner commented that he did not believe it would be easy to do any additional extensions after this one. With that said, he would recommend a four week extension instead of two weeks just to be sure they have ample time to review and decide on the texts. Michele Lipe commented that she would have regulations to review very soon and the Commission has meetings scheduled on Tuesday March 7, March 14 and March 28. Ms. Lipe commented that she felt confident that they can put something into place during one of these upcoming meetings, however, they should act on an extension tonight though just to cover their bases. Commissioner Wagner reiterated that he felt a four week extension may be better just as an extra precaution.

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Commissioner Dexter and Carey and Foley commented that they would be comfortable with a four week extension.

Commissioner Bernstein agreed to an extension but no more than four weeks.

Chairman Pacekonis closed the public hearing at 9:28pm.

REGULAR MEETING

CALL TO ORDER

PUBLIC PARTICIPATION:

MINUTES: 2/14/23- Minor typos would agree to approval by consensus.

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

1. **Appl. 23-01P- Miller Heights Subdivision (Resubmission)** - request for a Minor Subdivision for one interior lot, on property located at 73 Miller Road, AA-30 zone

Peter DeMallie commented that this application as previously approved in January 2022. He explained that they missed a mylar filing deadline, which is why the application is back in front of the Commission for approval.

Director of Planning Michele Lipe read the Planning Report:

1. Request for a Minor Subdivision for one interior lot and redevelopment of the existing frontage lot, on property located 73 Miller Road, AA-30 zone The PZC approved a Special Exception to Section 3.2.2 for an interior lot in 2021, however the applicant did not file the mylars in time to keep the subdivision approval valid.
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 has removed the existing house. 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. For lot #1, the approved location of the house, garage and driveway are an integral part of the 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.

Commissioner Wagner motioned to approve Appl. 23-01P 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.

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

Peter DeMallie requested that item number 12 be removed from the approval conditions since a shared driveway easement will no longer be necessary. Ms. Lipe agreed to eliminate item number 12. Commissioner Wagner agreed to this amendment.

Commissioner Vetere seconded the motion. The motion as called and the motion passed unanimously.

2. Appl. 18-23P 150 Sullivan Avenue Approval Extension Request

Director of Planning Michele Lipe reviewed the need for the extension. The project was previously approved in 2018 and the developer has started construction, however, they are almost at the end of the 5-year approval. Ms. Lipe commented that this extension would be approved with the same conditions.

Commissioner Dexter motioned to approve Appl. 18-23 extension with the following conditions:

A 5-year approval extension with original approval granted on 6-12-18; revised 3-15-22 with all original approval conditions as followed:

1. Prior to commencement of any site work, a meeting must be held with Town Staff.

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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 compliance with the erosion and sediment control measures and \$10,000 to ensure establishment of storm water system.
4. A landscape bond in the amount of \$3,000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.
6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
7. 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. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected. Only one free standing sign is permitted.
12. A maintenance agreement with the TOSW must be entered into for the vinyl fence and plantings along the westerly property boundary.
13. The applicant must return to the ADRC once final design for the buildings have been completed.
14. The sidewalk easement must include a metes and bounds description.
15. Engineering comments dated 6/4/18 must be incorporated into the final pans.
16. Three additional handicap spaces to be added to the site plan

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

- 3. Appl. 23-05P TOSW Recreation Department** – request for a site plan approval for a “Splash Pad” to be located in front of the Community Center at 150 Nevers Road, RR zone.

Superintendent of Parks John Caldwell and Director of Parks and Recreation Molly Keays were present to review the proposed splash pad. Ms. Keays reviewed a video of what a splash pad would look like. Ms. Keays commented that the Splash Pad would be natured themed with various touch and motion activated functions. Additionally, the Splash Pad would be ADA accessible.

Director of Planning Michele Lipe read the Planning Report:

1. Request for a site plan approval for a “Splash Pad” to be located in the lawn area between the Boundless Playground and Nevers Road, at the Community Center at 150 Nevers Road, RR zone.
2. The plans show the location of the splash pad (roughly 50’X50’) including a five-foot concrete walkway will be extended from the existing parking area to the site of the splash pad.
3. The existing parking area will be utilized.

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4. The disturbed areas are proposed to be reseeded – there is no new landscaping proposed, however we have requested a decorative fence will provide a barrier between the splash pad and Nevers Road.
5. The water from the facility will discharge directly in the town’s sewer system. WPCA approval is required.
6. Town staff will be working closely with Recreation Department to address any concerns as they arise as they bid the project and go into construction.

John Caldwell and Michele Lipe briefly reviewed the site plan.

Chairman Pacekonis asked for Commissioner comments.

Commissioner Cavagnaro confirmed that there would be a pathway to the Splash Pad. Commissioner Cavagnaro questioned if they would be willing to add an additional pathway from the current playground. John Caldwell commented that they felt that they should let the public find and create a natural footpath and if or when this is created they can go back and better establish this pathway. Commissioner Cavagnaro questioned if they would be willing to put a bike rack near the Splash Pad. Mr. Caldwell responded that they would be adding a bike rack donated through South Windsor Walk and Wheelways.

Commissioner Vetere questioned if there would be specific hours of operation. John Caldwell commented that the hours would mimic Veterans Memorial Pool, open from 11am until approximately 7pm starting Memorial Day. The Splash Pad would remain open a little later in the season, closing sometime near the end of September. Molly Keays commented that they would also have the ability to allow the Splash Pad to open earlier or later on very hot days or close altogether on poor weather days. Commissioner Vetere questioned if there would be a water fountain on the site. Molly Keays commented that there was no water fountain planned.

Commissioner LeBlanc questioned the maintenance for the Splash Pad. John Caldwell commented that he did not feel this would be a large burden on the town. Unlike Veterans Memorial Pool, the Splash Pad would not require staffing and would not require chemical testing. The exterior around the Splash Pad would have some simple shrubbery, a couple of benches, some shade structures and solar lighting. The Parks Department already mows at Nevers Road Park so it would not be a new area to mow.

Chairman Pacekonis clarified the hours again. Molly Keays commented that the Splash Pad would be open from 11am to 7pm from Memorial Day to mid to late September.

Commissioner Cavagnaro commented that this area had been used as overflow parking in the past and questioned if they had any area that would replace this parking. John Caldwell commented that they would utilize overflow parking by Community Center for events like the Strawberry Festival. Molly Keays added that there would be overflow parking available in the area the Farmers Market was held.

Commissioner LeBlanc motioned to approve Appl. 23-05P with the following conditions:

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. If there are buildings, structures, signs or other items that require a building permit or other Town approvals/permits, all such approvals or permits must be obtained prior to construction or use of the site.
4. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.

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5. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
6. This approval does not constitute approval of the sanitary sewer, which can only be granted by the Water Pollution Control Authority.

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

1. **PZC Sponsored Text Amendment-** Remove Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing; modifications to multiple section of the regulations affecting single family housing; addition of Section 2.24 Inclusionary Zoning requirements for percentages of affordable units payment in single family and multi-family zones; and add affordability requirements and modifications to multiple section of the regulations related to multi-family developments.

The Commission agreed to take this item up at the March 7 Special Meeting.

2. **PZC proposal** to opt out of provisions of Public Act 21-29 (subdivision (9), subsection (d) of Section 8-2) regarding limitation on the number of parking spaces for dwelling units.

The Commission agreed to act on this item at the March 7 Special Meeting.

Commissioner Cavagnaro questioned if this item needed to be acted on by January 1, 2023. Michele Lipe reviewed the timeline for this item.

3. **PZC Sponsored Subdivision Text Amendment-** Add to Definitions; Chapter 3, Sections H. Inclusionary Zoning requirements, I. Agricultural Division, J. First Cut, K Lot line Revisions; Chapter 4, Modify Section B and C with minor changes related to landscaping and sidewalk requirements; Add Appendix B regarding street trees.

The Commission agreed to act on this item at the March 7 Special Meeting.

4. **PZC Sponsored Zoning Text Amendment** – Extend for 4 months Section 1.4 Residential Moratorium on Single Family Subdivision and Special Exception Permits for Housing.

Chairman Pacekonis commented that it seemed the Commission agrees to a four-week extension for the moratorium.

Director of Planning Michele Lipe reviewed the wording for the moratorium extension and the explanation of the new dates.

Commissioner Wagner motioned to approve the following text amendment:

1. The PZC proposed to extend the moratorium for 4 weeks to continue updating the regulations until 4/23/23.
2. The Planning and Zoning Commission finds that the zone text is in conformance with the Town Plan of Conservation and Development.
3. The effective date of the zone text amendment is 3/26/23.

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

BONDS: Callings/Reductions/Settings

OLD BUSINESS:

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

-12-

FEBRUARY 28, 2023

Chairman reminded the Commission of the Federation of Planning and Zoning Agencies Conference on March 23rd and those interested in attending should notify town staff as soon as possible.

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 23-09P Pelletier MHO Renewal-** request for renewal of a 5-year major home occupation of a hair salon known as ‘Studio 549’, on property located at 549 Ellington Road, RR zone.

CORRESPONDENCE/REPORTS:

ADJOURNMENT:

Commissioner LeBlanc motioned to adjourn.
Commissioner Dexter seconded the motion.
Meeting adjourned at 9:59 pm.

Respectfully Submitted,

Caitlin O’Neil, Recording Secretary