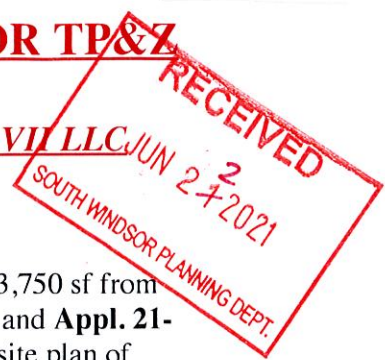


PETITION SUBMITTED TO SOUTH WINDSOR TP&Z

Regarding the Following Applications

Appl. 21-27P, UW Realty VII LLC/ Appl. 21-28P, UW Realty VII LLC

June 22, 2021



Reference: **Appl. 21-27P, UW Realty VII LLC**, request for a zone change of 33,750 sf from Industrial to General Commercial, on property located at 140 Troy Road, I zone and **Appl. 21-28P, UW Realty VII LLC**, request for a special exception to Table 4.1.1A and site plan of development for a duplex, on property located at 140 Troy Road, GC zone

Dear Chairman, Pacekonis

The undersigned Property Owners are all situated in the immediate vicinity of the above referenced Applications.

We strenuously object to the requested zone change as it constitutes a veiled but very clear attempt to implement a "Spot Zone" for the sole benefit of owners of Property Situated at 140 Troy Street, South Windsor, CT.

We are certain that the Commission understands the definition of Spot Zoning. So that the record is clear it is the application of zoning to a specific parcel of land within a larger zoned area when the rezoning is at odds with a Town's Master Plan of Development and current zoning restrictions. The requested Spot zoning in this instance, should be ruled invalid and denied by the Commission as it clearly constitutes an "arbitrary, capricious and unreasonable treatment" of a limited parcel of land by a local zoning ordinance. While zoning regulates the land use in whole districts, spot zoning makes unjustified exceptions for a parcel or parcels within a district

The small size of this parcel is not the sole defining characteristic of a spot zone. Rather, the defining characteristic is the narrowness and unjustified nature of the benefit to the particular property owner, to the detriment of the Town's general land use plan and the public goals. The requested rezoning would provide this applicant with an unjustified special treatment that solely benefits only this particular owner, while undermining the pre-existing rights and uses of adjacent property owners. There is no other way to describe the requested action other than "Spot Zoning".

Based on the foregoing we respectfully request that the application be unanimously denied.

Signed:		199 Troy Rd SW
Owner	Wendy Files	Address 199 Troy Rd SW.
Owner		Address 118 TROY RD SW. CT 06074
Owner		Address IMP. OIL 648 SULLIVAN AVE
Owner		Address 65 Troy Rd
Owner	Jacqueline R. [Signature]	Address 94 Troy Rd SW CT 06074
Owner		Address

Owner	Marrine Flynn	125 Troy S.W	Address
Owner	Christine Brucher	151 Troy Rd SW	Address
Owner	Boat Works	620 SULLIVAN AVE	SO. WINDSOR,
Owner	George Heller Mgr.	Whitney Supply	30 Brookfield St. SWINDSOR
Owner	Whitney Supply	90 Brookfield St	SW
Owner			Address
Owner			Address
Owner			Address
Owner			Address
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 JUN 21 2021
 SOUTH WINDSOR PLANNING DEPT.

EXHIBIT B

MANNARINO BUILDERS, INC.

June 18, 2021

Town of South Windsor
Michele Lipe, Town Planner
Chairman Bart Pacekonis , Planning & Zoning Commission
1540 Sullivan Avenue
South Windsor, Ct. 06074

Re: Kilkenny Heights II App 20-02P

Dear Michele and Bart,

I am writing to you today to request that the Planning and Zoning Commission accept a Surety Bond to file the Mylars in the town land records to comply with the subdivision approvals and State Statutes in lieu of a Letter of Credit.

We ask this because our own needs to not start the project until June of 2022 due to shortage of materials and our present work load. In addition, if accepted we expect that part of this approval will state that we cannot start construction until we post a Letter of Credit from a qualified lender along with are willingness to place language on the land records for us not to be able to sell any lots.

We hope you find this request reasonable under these unusual times and as always appreciate the commission considering our request.

Sincerely,

Robert Mannarino
Mannarino Builders, Inc.



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