

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

MINUTES

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JUNE 23, 2020

MEMBERS PRESENT: Bart Pacekonis, Stephanie Dexter, Stephen Wagner, Bill Flagg, Kevin Greer

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Elizabeth McGuire

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Scott Roberts, Assistant Town Manager; Lauren Zarambo, Recording Secretary

PLEDGE OF ALLEGIANCE

REGULAR MEETING / Webex Conference ONLINE MEETING

CALL TO ORDER: Chairman Pacekonis called the meeting to order at 7:00 p.m.

The Chairman appointed Alternate Commissioner McGuire to be seated for Commissioner Bonzani, Alternate Commissioner LeBlanc to be seated for Commissioner Foley, and Alternate Commissioner Bernstein to be seated for Commissioner Greer.

PUBLIC PARTICIPATION:

Mr. Scott Roberts stated two calls were on the line but neither indicated they want to speak.

Chairman Pacekonis stated the meeting is being live-streamed through a Webex call on our website as well as local channels and will be operated under the following procedures:

- This session is being audio-recorded and video recorded.
- To ensure sound quality, the default rule for this meeting is that everyone will remain on mute.
- Commissioners and staff will generally remain on mute except when speaking or voting, and will generally be keeping video of themselves on throughout the meeting.
- Applicants should feel free to leave their video on or off. However, they will be asked to turn on their video when speaking.
- The public can provide public comments by email and/or phone. The email address and phone number with meeting code can be found on the front of the agenda.
- During public meetings, all of the normal rules, including stating, and now spelling your name, still apply.
- If you are speaking at this meeting and have an exhibit to submit to the Commission, which was not distributed in advance of the meeting with the rest of the materials, please indicate that you wish to submit an exhibit. You will need to hold it up to the camera so that the Commission and all members of the public may review it. In addition, you will be required to email the exhibit, or take a photograph of it and email it to planningzoningcomments@southwindsor.org, and it will be included in the permanent records of the Commission.
- Members of the public may only speak during public participation for an item not on the agenda and during the public hearing comment period.
- Lastly, a reminder to the public on the phone to press *3 to indicate that you want to speak and # to get back to the main menu.

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

1. **Appl. 19-57P Evergreen Walk, LLC** – request to modify the Evergreen Walk General Plan of Development for a 161,000 +/- sf store, including a gas station, on Unit 12 (combining retail sf originally shown on Units 4, 9, 12 and 13), on property located at 151 Buckland Road, Buckland Gateway Development Zone

Director of Planning Michele Lipe stated the public hearing closed on June 9th and reviewed approval conditions items for consideration by commissioners.

Chairman asked if commissioners had questions.

Commissioner Flagg confirmed with Director Lipe all conditions would be addressed at time of site plan application.

Commissioner Wagner made a motion to approve with the following conditions:

1. The Commission notes that this approval is for a General Plan of Development, which does not address all engineering and site design details. The applicant must submit an application Site Plan of Development approval prior to construction, per Section 4.2.15.D of the zoning regulations. Construction phasing must be included on Site Plan of Development if appropriate.
2. At which time the Commission will review all specific details of the project, including but not limited to the following concerns raised during the General Plan application process to be incorporated into the final plans:
 - The temporary roadway portion of Evergreen Way shall be completed and concrete sidewalks installed;
 - The remainder of the Tamarack Road network (south of the Independent Living) shall be completed;
 - The walking trail system shown on the general plan shall be submitted with the filing on the retail Site Plan application and completed prior to Issuance of a CO.
3. No building permits will be issued until any required OSTA certificate has been issued (per CGS §14-311). The developer shall discuss with OSTA the specific traffic study parameters and establish the specific baseline traffic data to be used and report back to town staff for concurrence. Any study must account for the traffic currently approved in The Gateway General Plan development along the easterly side of Buckland Road. Additionally, the Developer's traffic engineer shall meet with Town staff to identify specific intersections of concern e.g. Cedar/Buckland and Hemlock/Buckland for additional analysis in the traffic study. This analysis may include, but is not limited to, evaluation of timing/adjusting of signals, adequacy of turn lanes and other potential road improvements.
4. The general plan shall reflect the 3-way stop intersection at Evergreen Way and the Harbor Chase driveway; and the proposed sidewalk network around this facility shall be shown on the general plan.
5. All approval considerations of the March 11, 2014 for Appl. 14-09P, Evergreen Walk General Plan of Development remain in effect including:
 - The Plum Gulley Brook/Podunk River watershed is a highly sensitive watershed and stream corridor, hydrologically, hydraulically and ecologically. Storm drainage design at the site plan

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stage must thoroughly and adequately address storm water quality and quantity, including both on-site and downstream impacts.

- Views of parking areas from Buckland Road must be minimized through the use of berms and perimeter landscaping.
- Roofs and roof equipment must be screened from Buckland Road, Smith Street and Deming Road.
- Pedestrian and bicycle interconnection between the lifestyle center (“main street” retail center), indoor recreation facilities, office and housing must be provided.
- Delivery trucks must use routes other than the “main street” to make site deliveries.
- Trees and hedgerows must be preserved to the maximum extent possible; preservation details to be shown on the site plan.
- No outdoor storage is allowed in the Gateway zone, per Section 5.8.6.c of the zoning regulations.
- Construction phasing, including phasing of external roadway improvements, must be shown on the site plan.
- As additional green space is added, it should include some of the site’s existing natural features

Commissioner Bernstein seconded the motion.

The Chairman noted approval condition # 5 regarding delivery trucks. Director Lipe clarified it was in regard to the Shops at Evergreen Walk.

Commissioner Greer arrived at the meeting and Alternate Commissioner Bernstein was no longer seated for the commissioner.

The motion carried and the vote was unanimous.

PUBLIC HEARING / Webex Conference ONLINE MEETING

CALL TO ORDER: Chairman Pacekonis called the Public Hearings to order at 7:15 p.m.

Acting Secretary Commissioner Dexter read the legal notice as published on the Town of South Windsor website. Chairman Pacekonis gave meeting information and connection details.

- 1. Appl. 20-25P, Costco Wholesale Text Amendment** - request to modify Section 4.2.11.F (2) to allow, by Special Exception, changes to hours of loading activities, deliveries or pickups provided certain requirements are satisfied, specifically: minimum size of the facility, distance from residential zones/area, truck routing plan avoiding residentially zoned areas; and incorporation of design criteria to mitigate noise from loading areas, for properties located in the Buckland Road Gateway Development Zone (**Public Hearing continued from 6/9/20**)

Mr. Alan Lamson, Principle of FLB Architecture and Planning representing the applicant, responded to requests for information from the last meeting. The example requested of a typical delivery truck schedule for Costco does not exist. Timing of deliveries varies significantly and is dependent on store needs and

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product availability. The applicant has offered a change for the prohibited hours for deliveries and loading from 12 a.m. to 4 a.m. to 10 p.m. to 4 a.m.

Ms. Michelle Carlson, Director of Land Development for BL Companies clarified the primary delivery truck route as Buckland Road to Deming Street to Tamarack Avenue by ECHN, stating trucks will not go left on Deming Street.

Director of Planning Lipe had no further comments.

Chairman Pacekonis asked for comments from the public

Acting Secretary Commissioner Dexter read a summary of emails written in support of Costco received by 4:30 p.m., June 22, 2020 from Brian Girard of Tumblebrook Drive, Linda Magnotta of 223 Long Hill Road, The Matterns of 646 Pleasant Valley Drive, Muthu Krishnan Chandrasekaran, of 15 Lexi Lane, Ulf Jonsson of 100 Sally Drive, Lisa Friedrich of 31 Pleasant Valley Drive, Holly Chandler of 479 Rye Street, Prasith Gaddam of South Windsor Woods, Janice Wojick of Kebalo Lane, Brian Faraci of 25 Grandview Terrace, Helena and Bryan Galley of 35 Jonathan Lane, Marie Fiasconaro of 21 Avonwood Drive, Joel and Jessica Ziff of 73 Autumn Drive, Lakshmi Bethi of South Windsor Woods, Alan and Teresa Platteis of 71 Quarry Brook Drive, Nancy Ouellette of 182 Debbie Drive, Victor and Christina Pina of 51 Bancroft Lane, William and Marjorie Glater of 21 Hazel Street, Balaji Hughenahally Maruthi of 249 Pepin Place, Bruce LeFebvre of 1496 John Fitch Boulevard, Lawrence and Cynthia Polite of 124 Long Hill Road, Harsha Vardhan Reddy, Deb Russo, Nancy Kasimer, Gloria Powers, Elizabeth Carey, Peter Bortolan, Natasha Adams Hassoubi, Charlie and Maryellen Brennan, Emily Balducci, Julia Goldberg Dumas, Sumanth D, Teresa and Don Ryder, Prem Narayandas, Srivivas (Sunny) Dasari, Venu Jaini, Mallorie Saavedra of the Branford family, Pawal Rana, Melissa Menchero, Delores Demont, Harish Ragavan, Sanjeev Grover, Bree Hockenberry, Sree Pal, Aravinth Raj, John Murphy III, and Melissa Chilberg, (Exhibit A)

Director Lipe read emails written in support from Paul Ramsey of 1688 Main Street, Jeff and Heather Trachtenberg of 36 Simcka Drive, Andrew Paterna of 301 Strawberry Lane and Mayor of South Windsor, and Raja Ejonworthe (spelling?). (Exhibit B)

Town Engineer Jeff Doolittle read an email written in opposition from Mark and Patricia Lazos Hood of 500 Clark Street and emails written in support from Aimee Kass and Rob Malinowski. (Exhibit C)

A call was received from Mr. Marek Kozikowski, AICP of 863 Clark Street referencing a letter he sent to the Commission that was read at the June 9th meeting. He expressed concern that the hours of 11 p.m. to 5 a.m. suggested by the Chairman were dismissed by the applicant, and voiced his support for 10 p.m. to 5 a.m. Tax abatements have been granted and the plan requested bastardizes the Evergreen Walk general plan leaving the area less walkable and auto dependent, and now sleep is requested to be sacrificed. Mr. Kozikowski noted all the public comment submitted at this meeting made no reference to the text amendment.

Commissioner Wagner made a correction to his suggested text wording for section 2a. from 'outside residential sleep hours' to 'during residential sleep hours' in order to define residential sleep hours as 10 p.m. to 7 a.m. He asked the applicant why the hours of 11 p.m. to 6 a.m. suggested by the Chairman were not accepted while they offered 10 p.m. to 4 a.m. Costco's Director of Development Mark Marchisano stated the majority of their activity takes place in the morning before customers arrive but can adjust their evening hours.

Commissioner Wagner suggested defining, through the Town Council, roadway (Deming Street) between Tamarack Avenue to Clark Street, or Tamarack to Ellington Road, as a no through truck zone posted and

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enforceable by the police that could be included in map services for truck routing. Mr. Marchisano stated they will commit to their main truck route off Deming Street down Tamarack but if Tamarack or Deming are obstructed their secondary route by LA Fitness would be used, and acknowledged the pictures shown by the Commissioner at the last meeting stating Tamarack will be their main access. Commissioner Wagner suggested signage will be necessary to guide trucks, and that public comments received are from residents from all over town but not from the residential communities yet to be occupied within Evergreen Walk that the Commission is trying to address.

Commissioner Dexter voiced support for the primary truck route and change in prohibited hours for delivery. She has visited the site and noted how the drop in elevation will benefit screening with the wooded areas that she is hopeful will stay. The commissioner commented that the Buckland Road Gateway Development zone is a commercial zone as well as a sub zone with specific requirements. Section 4.2.1 of the regulations reads it is beneficial to the economic viability of the zone and overall high quality of the area to introduce a multifamily residential component at certain, but not all, locations to create a fully integrated mixed-use land use pattern. Commissioner Dexter concluded Costco will be a good neighbor and integrate into this zone.

Commissioner Flagg asked Mr. Marchisano about the frequency and number of trucks accessing the site and truck route. Mr. Marchisano described how 6 or 7 trucks per day would be accessing the site, the majority of which will come in the morning, and the truck route. The 4 a.m. start for deliveries is necessary but they are agreeable to stop at 10 p.m.

Commissioner Greer voiced his support for the changed prohibited delivery hours of 10 p.m. to 4 a.m.

Commissioner Bernstein noted Commissioner Wagner's text suggestions should become part of the regulations and asked to consider why the commission needs to fix a problem that does not yet exist.

Commissioner LeBlanc voiced his support for the changed prohibited delivery hours of 10 p.m. to 4 a.m.

Commissioner McGuire asked Director Lipe about other special exceptions for delivery trucks and Mr. Marchisano about timing of deliveries and noise barriers.

Chairman Pacekonis voiced his concern with the 4 a.m. start for deliveries and discussed with Mr. Marchisano internal loading operations. The Chairman noted the language suggested by Commissioner Wagner to eliminate trucks on Deming Street may have unintended consequences since the post office on Clark Street has large trucks that could be affected. The language is vague regarding sound measured with closed windows when the sound ordinance uses readings from the edge of a property. Eliminating back up alarms is not allowable. Commissioner Wagner stated the noise ordinance does not apply to trucks and suggested the design of back up alarms can be directional to reduce the impact of noise.

The Chairman discussed with Mr. Marchisano that trucks come from different distribution centers in New Jersey, Maryland and elsewhere. The Chairman asked how any issues that may arise after 4 a.m. will be addressed for nearby residents. Director Lipe stated approval would be through a special exception with modifications to include a truck routing plan and conditions that no trucks would operate between 10 p.m. and 4 a.m. and if violations occurred, zoning enforcement would occur, and Evergreen Walk may also have discussions with them.

Commissioner Wagner asked if the language in 2b. of the text needs to be refined to read 'residences' rather than 'residentially zoned dwellings' after it was determined, it did not apply to the two residential structures in Evergreen Walk because they are not in a residential zone, but in the Gateway zone as a residential use. Commissioner Wagner asked to clarify the language in 2c., residential buildings and 2e., residentially zoned

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uses. Director Lipe clarified with Mr. Lamson that in item 2b., ‘residentially zoned dwellings’ refers to the residentially zoned properties not the Buckland Gateway Development zone; item 2c. refers to those residentially zoned properties located within 1,320 feet or 500 feet from residential uses meaning the independent living and assisted living facilities; item 2e. refers to screening between residentially zoned uses.

Commissioner Flagg noted the emails received were not from the Buckland Road Gateway Development zone, nor were they written in opposition. Chairman Pacekonis noted the letters of concern received from Mr. Marek Kozikowski on Clark Street. Commissioner Flagg voiced his support for the application.

A call was received from Mr. Marek Kozikowski regarding hours of delivery proposed by the applicant will have trucks arriving at 4 a.m. and on the road in the area at 3:30 to 3:45 a.m. during prime sleeping hours.

The Chairman closed the public hearing at 8:15 p.m.

- 2. Appl. 20-04P, Chestnut Ridge Subdivision** – request from Horseshoe Lane Assoc, LLC for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 56+ acres, to create a total of 19 lots, on property located at 534 Barber Hill Road (easterly side of Barber Hill Road, southerly of East Windsor town line), RR zone (**Public Hearing continued from 3/10/20**)

Mr. Ben Wheeler of Design Professionals, Inc. representing Horseshoe Lane Associates, LLC, presented the application with applicant Mr. Robert Urso and Mr. Daniel Jameson, PE from Design Professionals, Inc. The proposed location for a school bus stop has been changed from Barber Hill Road at the southern intersection of the proposed roadway to a central location on the proposed subdivision road. The location of the bus stop will not be finalized by the school system until the homes are built and number of students is determined. The development is located at the town line so the bus company will be using the subdivision road to turn around and circulate back onto Barber Hill Road.

A sidewalk on Barber Hill Road not being considered given the new information about the bus stop, and to protect the significant grouping of trees on Barber Hill Road that provides screening to residents on the west side of Barber Hill Road, and for the safety of students. IWA/CC supports preservation of open space and trees along Barber Hill Road in addition to the hedgerow easements along the northern and southern property lines. Mr. Wheeler also noted neither the POCD nor the master sidewalk plan show Barber Hill Road as a priority for sidewalks.

Revised plans have been submitted addressing comments from Town staff with one exception of providing tapers at both intersections of Barber Hill Road, which the applicant has agreed to provide in lieu of widening Barber Hill Road and will be shown on the final plans. The internal sidewalk for the subdivision will now be located to the outside of the proposed street serving 13 of the 19 lots and will be shown on the final plan. The applicant has worked with Director of Parks and Recreation Ray Favreau regarding the gravel parking lot to be located south of the power lines on Niederwerfer Road, and has agreed to install wooden guardrails in the perimeter of the parking lot with an opening to serve the future greenway.

Mr. Wheeler summarized 19 lots have been proposed, with no house lots planned on Niederwerfer Road, and as a result, more open space is granted and the rural character of Neiderwerfer Road preserved. Almost 60% of the land will be open space, and gravel parking lot to be built by the applicant on Neiderwerfer Road will serve the future crosstown greenway within the Eversource corridor connecting East Windsor to Manchester. IWA/CC has approved the application with the preservation of woods and wetlands. CRCOG reviewed the

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application as aligned with regional goals and policies that encourage cluster subdivisions and protects environmentally sensitive areas.

Director of Planning Michele Lipe noted staff comments read into the record at the first public hearing were enclosed in commissioners' packets to review. The Commission determined at the preliminary discussion for the application to come in as an open space subdivision. It is identified as high priority open space in the OSTF Master Plan. The OSTF sent a recommendation to Town Council that the open space become Town owned land, and the resolution has been read into the record. IWA/CC approval was granted with standard bonds required. The houses will be served by onsite septic systems and public water.

The school system has not yet determined the location of the bus stop since the number of children and age groups are unknown. The new sidewalk location provides 13 of the new lots direct access to the sidewalk. Bus stops are not determined by the Commission but it does have the goal of building a sidewalk network that can aid the school system in picking up students on a bus route.

Town Engineer Jeff Doolittle gave staff comments:

1. Tapers need to be provided, particularly at the southern end of the road at Barber Hill Road, so the radius going into the new road starts at least 12 feet from the center of the pavement on Barber Hill Road.
2. Sidewalks will be better served on the outside lots serving 13 lots rather than 6 lots.

Chairman Pacekonis asked for comments from the public.

A call was received from Director of Parks and Recreation Ray Favreau expressing support on behalf of the Open Space Task Force and the South Windsor Walk and Wheel Ways Committee for the open space subdivision that creates the perfect northern trailhead for the entire Crosstown Trail system.

Commissioner Dexter read two letters written in opposition from Jeffrey Hamm of 577 Barber Hill Road. Director Lipe then read a follow up letter with additional questions from Mr. Hamm about the location of the subdivision's road onto Barber Hill Road. (Exhibit D)

Director Lipe read an email written in support from Ginny Hole and Ken Sek. (Exhibit E)

Town Engineer Doolittle read an email written in support of the development but not in support of sidewalks on Barber Hill Road from Andrew Paterna of 301 Strawberry Hill Road. (Exhibit F)

Chairman Pacekonis asked for comments from commissioners.

Commissioner Bernstein asked if any children would be walking north or south on Barber Hill Road to get to the school bus stop on Gedrim Place. Director Lipe indicated there is the expectation children living on Barber Hill Road would be picked up on Barber Hill Road, and clarified the subdivision sidewalk is proposed on one side of Gedrim Place to be located on the outer side with 13 homes.

Commissioner Wagner voiced support for the bus stop on Gedrim Place and added conditions that the bus stop is located where children are not encouraged to walk on Barber Hill Road to get to the bus, and is not located on Barber Hill Road. Director Lipe stated the location cannot be conditioned because the Commission does not control the School Board policy on bussing but a recommendation to the School Board can be made. Commissioner Wagner referenced the grading plan and proposed that the concrete curb shown for the bus pad located on the south corner is removed from the plan so that the location at Barber Hill Road is not encouraged for a bus stop.

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Commissioner Wagner asked about tapers. Mr. Wheeler explained Barber Hill Road is a rural road of varying widths across the frontage of the property. Town Staff has asked that the road, at the two proposed intersections, is extended in width on the side of the subject property so that it is at least 12 feet wide. It would taper from that point from a radius of the curb of new road and taper back into the existing edge of Barber Hill Road.

Commissioner Flagg voiced support for a sidewalk on Barber Hill Road noting tree trimming will provide room for the sidewalk and the safety of children.

Commissioner Dexter stated she was not at the March 10th meeting but had reviewed the minutes and recordings and asked if an affordable component was discussed for this subdivision. Director Lipe stated regulations do not require an affordable component for the subdivision.

Chairman Pacekonis noted the Board of Ed typically uses intersections for school bus stops and voiced his support for a sidewalk on Barber Hill Road that would offer a circular pattern for walking around the community. If trees need to be removed they should be removed for better walkability on 400 feet of sidewalk. The Chairman stated he will not support the application without a sidewalk on Barber Hill Road, suggesting there should be sidewalks on both sides of the street to make a walkable community. Any time there is an opportunity to build a new community we need to look at ways to make it the best and safest community it can be.

A call was received from Mr. Robert Dickinson, formally of 19 Birch Road and now of Bloomfield, who voiced his support for sidewalks or multi-use side paths on every connector road in South Windsor, however if the Crosstown Trail is built, there will be an alternative not too far away for people to walk, bike or jog toward the center of town so having sidewalks on both sides of the Barber Hill Road may not be as necessary.

Chairman Pacekonis closed the public hearing at 9 p.m.

REGULAR MEETING (Continued)

PUBLIC PARTICIPATION: (Continued)

Acting Secretary Commissioner Dexter read an email from Sara requesting a change to the zoning regulations regarding chickens. Director Lipe described the current regulations and will provide input from the Town of Manchester's regulations and South Windsor's Zoning Enforcement Officer at the next meeting.

BONDS: Callings/Reductions/Settings

MINUTES: 6/9/20 accepted by consensus

OLD BUSINESS: *see page 3*

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 20-31P, Sullivan Place LLC**- request for Mexicali Outdoor Dining permit to establish a permanent outdoor dining area on property located at 935 Sullivan Avenue, GC zone
2. **Appl. 20-32P, L & L Landscaping** – request for site plan approval to convert an existing residential house into a commercial landscape office and equipment storage, on property located at 366 Burnham Street, I zone
3. **Appl. 20-34P, Royal House Chapel Connecticut Mission** – request for renewal of a 2-year temporary and conditional permit (Section 2.13.a) to allow a church use, on property located at 52A Connecticut Ave., I zone

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OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT: Motion to adjourn the Regular Meeting at 9:07 p.m. was made by Commissioner Flagg
Seconded by Commissioner Bernstein. The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren Zarambo, Recording Secretary