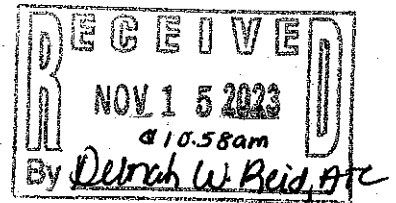


TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION



MINUTES

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OCTOBER 10, 2023

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

ALTERNATES PRESENT: Paul Bernstein, Carolyn Carey

STAFF PRESENT: Michele Lipe, Director of Planning; Jeffrey Doolittle, Town Engineer; Michael Lehmann, IT Support; Joshua Stern, Recording Secretary

Chair Pacekonis called the public hearing to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Appl 23-41P, Scannell Properties #644, LLC – request for a minor Resubdivision for the redesign of the cul-de-sac at the northern end of Kennedy Road, I zone

Commissioner Wagner read the legal notice.

Peter DeMallie, Design Professionals, Inc., said in 2022, the Commission approved a resubdivision associated with a site plan for a warehouse. The applicant, Scannell Properties, proposed to finish Kennedy Road with a cul-de-sac; a resubdivision to change the street design was approved, but the approval has expired. As a result of a project to repave the roadway, the grades have changed slightly since then, and the design has been modified to accommodate this change. Scannell has agreed to grant the Town the entire 2.4-acre property on the east of the end of Kennedy Road, accommodating the street expansion and the water quality and detention basins; therefore no need for a drainage easement. He presented **Exhibit A**.

Director of Planning Michele Lipe provided the Planning report.

1. Request for resubdivision – request for a minor Resubdivision for the redesign of the cul-de-sac at the northern end of Kennedy Road, I zone. The original subdivision was approved in 1965; however, the entire roadway was not constructed at the time and currently there is no cul-de-sac at the northern end. The applicant was in front of this Commission in September of 2022 and the application was approved. This plan reflects the changes that were requested at that time of that approval.
2. With this resubdivision, the applicant is proposing to construct a hammer head cul-de-sac to create a turnaround and would deed the needed ROW to become part of the town's road network. They are not showing any changes to the remaining ROW to the north. It would be up to the Town Council to determine the deposition of the remaining ROW.
3. The resubdivision also shows the merger of some existing properties to make one large lot, 16+ acres that currently has an approved Warehouse/Distribution facility. Through the original application process, the applicant proposed deeding the land on the easterly side of Kennedy Road to the town. This plan reflects this on Resubdivision plans RS-1 and RS-2.
4. The applicant has provided a zoning data table demonstrating compliance with the zoning regulations. Since the size of the lot is increasing substantially and a large property with feet of frontage on Sullivan frontage is being added to the subdivision, staff had recommended and the PZC required a five-foot sidewalk along Sullivan Ave. The plans reflect a five-foot sidewalk along Sullivan Ave.
5. There is a substantial amount of regulated wetlands on the building lot proposed. The IWA/CC has granted approval for this resubdivision in conjunction with the site plan approval.

If this application is approved, the Planning Dept. requests no additional approval modifications other than those already noted.

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Town Engineer Jeffrey Doolittle said the redesign of the cul-de-sac fits with the Town's road design plans. He said the property line along the west side of Kennedy Road should be monumented in accordance with Town standards.

Chair Pacekonis asked for public comments for and against the application. Hearing none, he asked for Commission questions and comments.

Commissioner Foley asked if the grant that allowed the repaving was specific to Kennedy Road. Doolittle said it was a STEAP grant specific to Kennedy Road in conjunction with the anticipated economic development in the area. A public information meeting on the road's reconstruction will take place next week.

Commissioner Carey asked where on the plans the sidewalk is shown and whether there is grass between the road and the sidewalk. DeMallie said there is a grass strip between the sidewalk and Route 194.

Chair Pacekonis asked how employees could walk from the bus stop to the businesses along Kennedy Road. DeMallie said there is a sidewalk from Sullivan Avenue to the Scannell building, per the conditions of the Commission's prior approval of the site plan. The site plan was approved without a sidewalk along the length of the road. Chair Pacekonis said he would not be in favor of the resubdivision without a sidewalk, noting that FedEx, Woodcock Refrigeration Co., and other businesses are also on this stretch of road. Commissioners and DeMallie discussed the placement of a sidewalk.

In response to another question from Chair Pacekonis, DeMallie said the snow shelf is about 8', which Doolittle said is adequate for snow storage in a typical year.

The public hearing was closed on this item at 7:25 p.m.

REGULAR MEETING

CALL TO ORDER: Chair Pacekonis called the regular meeting to order at 7:25 p.m.

PUBLIC PARTICIPATION: None

MINUTES: 9/19/23

The minutes were approved by consensus.

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

1. **Appl 23-40P, Lovett Major Home Occupation Renewal dba Pleasant Valley Landscaping** – request for a 5-year renewal of a landscaping major home occupation, on property located at 44 West Road, RR zone

Tom Lovett presented the application. He said he has been running the business for just over 20 years and there have been no changes since the last approval.

Director of Planning Michele Lipe provided the Planning report.

1. This is an application for a renewal of a 5-year major home occupation for a landscaping business, at 44 West Road, RR zone. The original permit was granted in 2003. The lot size is about 2.3 acres.
2. The Commission should note that today a landscaping business cannot be proposed as a major home occupation, but this property is grandfathered.
3. The applicant's original narrative defined the scope of the business. He indicated that all landscaping equipment used in his business is stored in the barn to the rear of the property. The only activity on-site is

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the departure and arrival of the trucks at the beginning and end of the day. The hours of operation are generally 7:30 am – 5:00 pm, Monday through Friday and Saturday's on occasion. The applicant has indicated that there have been no changes to the operation of the business.

4. The reasons for requiring PZC approval and subsequent renewals are to ensure that:
 - the home occupation is clearly secondary to the use of the building for dwelling purposes;
 - the home occupation is compatible with other permitted residential uses in the residential district;
 - the residential character of the dwelling and the neighborhood are preserved, and;
 - all residents have freedom from excessive noise, excessive traffic, nuisances, fire hazards offensive odors and pollutants, and other possible effects of commercial uses being conducted in residential areas.
5. We have not received any complaints regarding this business during the 5 years it has been in operation. The applicant has indicated that there is one other employee involved in the business. The regulations allow for a two square foot sign, however he does not have any signage. There is no outdoor storage of material, and all vehicles are stored in the barn.

The applicant will be required to return to this Commission upon expiration of the 5-year permit period.

The Chair asked for Commissioner questions and comments.

In response to a question from Commissioner Cavagnaro, Lovett said he does not anticipate any significant changes in the next five years.

Commissioner Wagner asked about the trucks parked at two different buildings in the aerial. Lipe said the regulations permit the use of an accessory structure for a minor home occupation.

Commissioner Cavagnaro asked why the regulations were changed to prevent landscaping businesses as home occupations. Lipe said there were enforcement issues with two such businesses in residential areas that grew beyond their original scope. Landscaping home occupations are still allowed in the Route 5 area.

Commissioner Cavagnaro made a motion to approve the application with the following conditions:

1. The business must be operated by the homeowner.
2. The permit will expire on October 10, 2028, and will have to be renewed at that time.
3. Refuse from the business cannot be disposed of with residential refuse. Adequate arrangements must be made for business refuse disposal.
4. There is no outdoor storage of material nor disposal of material permitted on site.

Seconded by Commissioner Vetere. Motion passed unanimously.

2. **Appl 23-32P, Evergreen Walk Unit 5** – request for a site plan approval for three retail/restaurant buildings totaling 10,725 sf., on property located southerly of Cedar Ave. and westerly of Buckland Rd. Gateway Development (GD) Zone.

Presenting the application were: Sarah Stine, Development Manager, O'Connell Development Group; Rock Emond, Civil Engineer, SLR Consulting; Brian Kaye, Landscape Architect, SLR Consulting; Douglas Grunert, BKA Architects; and Carl Giordano, PE, SLR Consulting.

Stine said O'Connell also developed the Peoples Bank location on the same property, which opened during the summer. The current application is for a 5,000-sf restaurant, a 2,300-sf Chipotle with a drive-up window, and a 3,400-sf multi-tenant building containing a Starbucks with a drive-thru and an adjacent retail space; the bank and its driveway and drainage system were designed with this buildout in mind.

Emond showed the aerial view of the site and pointed out the through road connecting Cottonwood Lane and Cedar Avenue. The proposed development would divide the site into four quadrants, including the existing

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bank. The entrance to the site would be accessed via Cottonwood due to the median on Cedar. He showed the locations of the parking areas (including ADA and EV spaces) and dumpster pads for each of the three proposed buildings, as well as explaining the traffic circulation. The Chipotle would have spaces reserved for customers waiting for their orders to be ready to be picked up from the drive-up window; the Starbucks would have a mobile pickup spot as well. The southwest portion of the site is an intermittent watercourse and the IWA/CC approved the application in September.

Kaye said the developers' intention is to tie into the connectivity of Evergreen Walk. All four quadrants have adjacent sidewalks that connect to the site's central corridor and up to Buckland Road. There is a 6' grade change from Buckland Road down to the site; planting beds and shade trees are planned along the path from the road to the site to match the landscaping at the bank. Evergreens would be planted to screen the north side, and maples and other shade trees would be planted to cover the parking spaces. The total amount of interior landscaped area would be close to 10,000 sf.

Emond said based on a recommendation from the IWA/CC, rain gardens were added to the plan next to Chipotle and in a grassed area near the parking for the 5,000-sf restaurant. Each restaurant would be serviced with a grease trap and sanitary services. The applicant is working with Connecticut Water Company for water service to the site; the development would tie into the existing gas main, and the lights on the site would be tied to the existing services as well. Landscaping would obscure the view of the Starbucks drive-thru from the roadway. The Chipotle would be the first phase of the development, followed by the Starbucks/retail building; the driveway for the 5,000-sf restaurant would be built concurrently with this second phase.

Gruner said the Architectural and Design Review Committee forwarded a positive review of the application after some collaboration to make the Chipotle and Starbucks designs unique to the site. He displayed the elevations for the Starbucks and Chipotle and said both incorporate elements of modernist architecture, with harder materials on the bottom and large wrap-around windows. The retail space adjacent to the Starbucks would have more masonry and less window space. He listed the materials for the Starbucks and Chipotle and displayed renderings of each. Each restaurant would have an outdoor patio with a fenced enclosure. Emond noted the numbered pull-in spaces for mobile pickup.

Emond said that per the regulations, 212 parking spaces would be required, but the applicant is requesting a 10% reduction to 191 spaces. He and Giordano outlined the parking analysis that led to this request.

Giordano said the traffic study also examined the Buckland-Cedar and Cedar-Cottonwood intersections, as well as the driveway and the exit onto Cedar. Crash history data showed seven crashes that occurred in the area over the past five years. He recommended that the vegetation near the Cottonwood driveway be trimmed back to improve the sight line. He summarized the traffic capacity analysis and recommended adding a three-way stop sign at the Cedar-Cottonwood intersection.

Director of Planning Michele Lipe provided the Planning report.

1. This is a request for a site plan approval for three retail/restaurant buildings totaling 10,725 sf., on property located southerly of Cedar Ave. and westerly of Buckland Rd. Gateway Development (GD) Zone. The site size is 5+ acres.
2. The Buckland Gateway Development zone allows for drive-up and drive thru facilities subject to the criteria of Sections 4.2.5 E and F and 4.2.6.
3. The primary access to this site is from Evergreen Walk's internal road network, previously known as Evergreen Way, now Cottonwood Drive, as well as using the existing right turn in and out off of Cedar Drive (heading east).

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4. This proposal is the second phase of development on this site - the People's Bank and the access drives were completed as a part of phase 1. At this time, two restaurants with drive thru and/or drive up windows are proposed. The 5,000 sf restaurant does not yet have a tenant - the applicant would return at late time with the architectural plans for that building.
5. The parking requirement for the restaurant uses are 1 space for 50 sf. and 4 spaces for the retail outlet. The plan requires 212 spaces for the restaurants; the applicant is providing 191 spaces. The applicant has requested a 10% reduction in spaces based in accordance with Sec 6.4.9 on the traffic impact and parking report.
6. The applicant is proposing EV charging stations as required.
7. Sidewalks are proposed to be added along Cottonwood Lane and extended throughout the site. Crosswalks have been added at all of the intersections. We have requested these crosswalks have the same decorative treatment as other crosswalks in Evergreen Walk.
8. Lighting pole height is 25 feet. Luminaires are full cutoff fixtures of the same type used in other areas of Evergreen Walk. There will be accent lighting on the buildings. We had requested a reduction of light in the area of the Starbucks drive through. The applicant has accommodated that request.
9. Architectural and Design Review Committee reviewed this plan on September 7 and will be reviewing the plans again on October 5. I will provide report at the meeting.
10. Building signage is proposed for the building. The applicant has provided a graphic of the proposed signage on the plans that were submitted. There is no monument sign proposed at this time.
11. Landscaping is proposed along the site frontages as well as within the parking areas. They are exceeding the interior landscaping requirements. There should be no visible rooftop mechanical equipment. Dumpsters are shown screened with fencing and landscaping.
12. There are regulated wetlands on site. IWA/CC approved the application on September 20 with a bond in the amount of \$20,000 to ensure compliance with the erosion and sediment control and \$10,000 for the stormwater structures.
13. Public water and sewer are available in Cottonwood Drive. Water Pollution Control Authority approval is required for the new sewer connection.
14. The applicant has provided a traffic report with this application. Based on the anticipated traffic volumes, the findings support the addition of a three way stop sign at the intersection of Cedar Ave and Cottonwood Lane.
15. The applicant has provided a phasing plan showing the sequence of construction. We would recommend an approval condition that the applicant return to ADRC and this Commission with the final restaurant architectural design before the start of phase 3.

If this site plan is approved, the Planning Dept. has no other modifications to request.

Town Engineer Jeffrey Doolittle said the Engineering Department recommends a stop sign coming into the driveway from Cedar Avenue, making the intersection a 3-way stop. He also asked for a detail for the proposed rain gardens.

The Chair asked for Commission questions and comments.

Commissioner Cavagnaro asked about the triangular island shown near Chipotle on the exterior design plans; Stine said it has been removed from the site plans. Commissioner Cavagnaro asked if speed bumps or raised crosswalks would be installed. Stine said the plan is to use textured crosswalks to create a visual effect to slow drivers; stop signs would also be added as shown on the plans. Commissioner Cavagnaro expressed support for the parking reduction and asked if the parking spaces could be changed to permeable pavers. Stine said permeable pavers make snow clearing more difficult. Commissioner Cavagnaro asked if the nearby Starbucks

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and Chipotle would relocate to this location and wondered how viable Chipotle would be if they were open in both locations. He also asked about the locations of the nearest public bus stops.

Commissioner Bernstein asked if the developers have a commitment from Chipotle for the proposed space. Stine said they do; Chipotle is a company, not a franchise, and has expressed willingness to occupy both locations. Commissioner Bernstein asked if the Cedar-Cottonwood intersection could become congested as the Costco area has. Giordano said that based on the traffic analysis, adding the all-way stop should allow the intersection to function.

Commissioner Vetere noted that although there is only one entrance to the site, cars can exit directly onto Cedar Avenue. He asked about snow removal. Stine said snow removal would take place in each corner of the site; after a large storm, some parking spaces might be temporarily taken up by snow, but the team is continuing to examine the issue. Emond said there would be other spaces on the site where snow could be placed to prevent a large buildup. There are no tenants yet for the 1,000-sf retail space or the 5,000-sf restaurant; the applicant will present the restaurant's design to the Commission once a tenant is secured.

Commissioner Foley confirmed that the 5,000-sf restaurant would be a sit-down, dine-in restaurant. He asked if it was impacted by the reduction in parking spaces; Lipe said the parking calculation applies to the whole site. Commissioner Foley asked for confirmation that the 5,000-sf space could not be changed to a fast casual restaurant. Lipe said if this application is approved, changing the space to fast casual would require a site plan modification.

Commissioner Wagner asked about the locations of the EV charging stations and said the regulations require one ADA-accessible EV space. Emond said an accessible EV space was part of the approval for the bank; Commissioner Wagner said each of the buildings should have an accessible EV space. He asked if the utility connections such as meters and air conditioning would be shielded. Emond said the landscaping would screen most of these areas, and the utilities would be located at the rear of each restaurant. He agreed to a condition of approval that the utility connections will be screened. Commissioner Wagner asked about the parking regulations for drive-up facilities. Emond said the parking regulations do not take drive-thru and drive-up uses into account; the applicant is seeking the parking reduction partly because of these uses since most customers do not place mobile orders from the parking lot. The IWA/CC only has jurisdiction over the activities in the intermittent watercourse and the Upland Review Area. In response to another question from Commissioner Wagner, Doolittle said he does not think a break in the Cedar Avenue median is necessary.

Commissioner Dexter asked if there would be a door connecting the Starbucks and the retail space on the inside; Emond said there would not. He reviewed the difference between drive-thru and drive-up restaurants. Commissioner Dexter expressed support for the parking reduction and said she would prefer the 5,000-sf sit-down restaurant to be on the upscale side. She said the turning radiuses should be widened to help accommodate the traffic from Costco.

Commissioner LeBlanc said the plans show 46 parking spaces for the Chipotle, twice the number shown for the Starbucks/retail space, but he has rarely seen more than 15 people in a Chipotle at once. Emond said the whole site would be interconnected, with sidewalks throughout, and the drive-thru is expected to be the primary use of the Starbucks. Commissioner LeBlanc asked if the retail space should be moved to the side of the building closer to the parking. Emond said the layout was designed to shelter the drive-thru window and make it adjacent to the drive aisle. Commissioner LeBlanc concurred with the need for a sit-down restaurant.

Commissioner Carey asked Lipe to confirm that the regulations allow both drive-through ordering facilities and pickup windows in Evergreen Walk. She asked about the distance from the edge of the bank's parking to

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Buckland Road. Emond said the front setback is 65', with the drive-thru bypass right on the edge; the setback of the restaurant's parking lot is also 65'.

Chair Pacekonis asked if queuing issues are anticipated from vehicles turning left into the site from Cottonwood, saying many drivers would travel in this direction from Costco. Emond said no street name is proposed for the site's aisleway; Lipe said the building addresses would be on Cottonwood. Giordano said the traffic study suggested that a left-turn lane on Cottonwood into the site would not be warranted as most traffic would travel on Cedar. The queue for the left turn into the site could extend up to 120', six cars, without blocking cars from turning onto Cedar. The numbers in parentheses are for the Saturday midday peak hour; Giordano explained how the data were collected and clarified that some of the tables include the roads' current level of service, without the all-way stop, as a reference point.

Chair Pacekonis asked if the 3.5' islands would be adequate to plant 3" maples. Commissioners discussed placement of these trees with Kaye; Commissioner Foley recommended placing a root barrier on each side. Chair Pacekonis asked if the regulations regarding additional outdoor dining could be applied to expand the outdoor dining at the Chipotle. Lipe said a certain amount of outdoor dining is required for restaurants with pickup windows; these regulations are different from the outdoor dining regulations added during the pandemic. The sit-down restaurant's footprint and amount of outdoor dining space can be re-evaluated once a tenant is confirmed. Chair Pacekonis said it can be difficult to find parking at similar restaurants in the area.

Chair Pacekonis asked about the slope of the sidewalk from Buckland Road down to the site. Kaye said the slope is 4.5% and it is ADA compliant. Chair Pacekonis asked how deliveries would affect traffic flow. Emond said most deliveries would not take place during work hours and showed where the delivery trucks would park for each restaurant to maintain traffic circulation. Chair Pacekonis asked about protective bollards along the drive-thru; Emond pointed them out on the plans. The pickup window for the Chipotle extends farther from the building than the Starbucks drive-thru; the distance between the Starbucks building and the bollards was a request from Starbucks to protect pedestrians on the crosswalk. The turn from Cottonwood onto the connector road has an internal radius of around 25', as do the turns from the connector into the driveways. Chair Pacekonis asked if the Chipotle and the 5,000-sf restaurant would have DoorDash pickup spaces. Emond said the Chipotle would have three numbered pickup spaces, but DoorDash customers would likely use the mobile pickup lane. He confirmed that the curbing was cut for pedestrians walking from the parking to Starbucks.

Commissioner Cavagnaro asked if bike racks could be added to the development. Emond and Stine said they would be willing to add them.

Commissioner LeBlanc noted that the sidewalk from the site up to Buckland is diagonal due to the grade and asked if a second sidewalk should be added for pedestrians wanting to walk north on Buckland. Emond said the sidewalk along Buckland, Cedar, and Cottonwood wraps around the entire development. Commissioner LeBlanc asked if outdoor dining affects the square footage of a restaurant. Lipe said the relevant regulation requires restaurants with outdoor seating to have a certain percentage outdoors.

Commissioner Bernstein asked if the roads are adequate for emergency vehicles. Emond said they are, and a diagram of the fire truck turning movements will be submitted to the Fire Marshal.

Commissioner Wagner made a motion to approve the application with the following modifications:

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.

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3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$20,000 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 \$15,000 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. No building permits will be issued until the Office of State Traffic Administration certificate has been issued (per CGS §14-311).
10. The building street number must be included on the final plan.
11. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
12. All free-standing signs and/or building signs require the issuance of a sign permit before they are erected.
13. Engineering comments dated 10-10-23 must be incorporated into the final plans.
14. The applicant is to return to the ADRC and PZC with final design of the 5,000-sf restaurant.
15. The requested parking reduction of 10% is granted in accordance with Section 6.4.9.
16. Utility connections shall be screened by landscaping or physical barriers.
17. A barrier shall be provided in the landscaping design on the sides of the maple trees along the access drive.
18. A minimum of one accessible EV charging station shall be installed in each quadrant of the project, up to a minimum total of six on the site. EV-ready spaces shall be distributed in accordance with the regulations.
19. Bike racks are to be added at Chipotle and Starbucks.

Seconded by Commissioner Cavagnaro. Motion passed unanimously.

3. Appl 23-41P, Scannell Properties #644, LLC – request for a minor Resubdivision for the redesign of the cul-de-sac at the northern end of Kennedy Road, I zone

Commissioners LeBlanc and Foley concurred with Chair Pacekonis' desire for a sidewalk. Doolittle said the sidewalks were included in the original STEAP grant application; however, he encouraged people to comment at the public hearing to be held on the road reconstruction. The Commission discussed the potential placement of a sidewalk and crosswalks, and whether it should be part of the approval of this application or a recommendation from the PZC to the Town Council.

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

1. This approval is for redesign of the cul-de-sac.
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 CT Water.
5. This application is subject to the condition of approval of the Inland Wetlands Agency/Conservation Commission.

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6. Street lighting shall be installed on streets, at intersections, and on cul-de-sacs in accordance with the policy established by the Chief of Police. Street lighting is to be coordinated with the Chief of Police (copy enclosed).
7. Street names and locations of fire hydrants are subject to the approval of the Fire Marshal of the Town of South Windsor. Street names and supporting posts shall be installed by the developer in conformance with the standards of the Town of South Windsor, at no expense to the Town.
8. A liability insurance policy shall be submitted to this Commission naming the Town of South Windsor as an insured, with a combined single limit for bodily injury and/or property damage in the amount of \$1,000,000.
9. Prior to commencement of any site work, a preconstruction meeting must be held with Town Staff.
10. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
11. 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.
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.
12. A deed combining the properties into one lot, as shown on the plans, is required.
13. The Town Engineer's review comments dated 10/10/23 must be incorporated in the final plans. With respect to the reconstruction of Kennedy Road and new cul-de-sac, it is the responsibility of the applicant to construct the new improvements associated with the new cul-de-sac. The applicant shall work the town to complete the balance of the needed Kennedy Road reconstruction.

Commissioner Cavagnaro seconded the motion.

Commissioner Foley made a motion to amend Commissioner Wagner's motion to add the following modification: A sidewalk shall be installed on the westerly side up to the intersection of the entrance to FedEx, with crosswalks from the existing properties to get to the westerly side. Commissioner Dexter seconded the motion. The motion passed 5:2:0 with Commissioners Cavagnaro, Foley, Dexter, LeBlanc, and Chair Pacekonis in favor and Commissioners Vetere and Wagner opposed.

The amended motion was called. The application passed unanimously.

BONDS: Callings/Reductions/Settings

<u>IWA/CC Bond</u>	<i>AMOUNT</i>	<i>REDUCTION</i>	<i>BALANCE</i>
22-06P, Peoples Bank – erosion and sedimentation	\$10,000	\$10,000	-0-
22-06P, Peoples Bank – stormwater	\$15,000	\$15,000	-0-

Commissioner Cavagnaro made a motion to release the erosion and sedimentation and stormwater bonds for Appl. 22-06P. Commissioner LeBlanc seconded the motion. The motion passed unanimously.

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OLD BUSINESS:

Michele Lipe said the three applications received at the previous meeting from the Town Pollution Control Division (Appl. 23-36P – 23-38P) have been approved by staff. She said the Recreation Department submitted an application to use ARPA funds to replace the exercise equipment on the trail system and relocate it to an area between the ball fields. The plan is to handle this application as a change order.

APPLICATIONS OFFICIALLY RECEIVED:

Appl 23-42P, The Metro Realty Management Corporation – request for a special exception to Sec. 7.22 and site plan of development for a 55-unit apartment complex on property located at 240 Deming Street and a portion of 440 Buckland Road (northerly side of Deming St. and easterly of Buckland Rd.), MAH Zone

OTHER BUSINESS:

The Commission briefly discussed the application process for development at 240 Deming Street. Lipe indicated it was to be handled like all other applications; a public hearing is being scheduled for October 24.

CORRESPONDENCE/REPORTS: None

ADJOURNMENT

Commissioner LeBlanc made a motion to adjourn. Commissioner Cavagnaro seconded the motion. The motion was unanimously approved.

The meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Joshua Stern, Recording Secretary