Atty Pass memo

EXHIBIT D

TOWN OF SOUTH WINDSOR PLANNING & ZONING COMMISSION

APPLICTION 21-36P, 25 TALBOT LANE SITE PLAN

NOVEMBER 9, 2021

COMPLIANCE WITH REGULATIONS

QUESTION: Does Application 21-36P comply with the Town of South Windsor Zoning Regulations?

ANSWER: No. Although, the Application is for a "Distribution Facility", in reality this is a "Truck" or "Freight Terminal". In accordance with the Regulations, the Use requires a Special Exception.

Application:

The Project name is "25 Talbot Lane" and the box checked is "Site Plan of Development".

Site Plan

25 TALBOT LAND SITE PLAN APPLICATION 5 & 25 TALBOT LANE & 475 & 551 GOVERNOR'S HIGHWAY SOUTH WINDSOR, CONNECTICUT GIS Nos> 88900005, 889000025, 36900475, 36900551 PROJECT NO: 1976.U DATE: 07/02/21 DESIGNED BY: BPW DRAWN BY: BPW CHECKED BY: DHI PREPARED FOR: UW Vintage Lane II, LLC PO Box 504 South Glastonbury, CT 06073 860-268-2452T DESIGN PROFESSIONALS CIVIL & TRAFFIC ENGINEERS/LAND SURVEYOURS PLANNERS/ LANDSCAPE ARCHITECTS 21 JEFFREY DRIVE PO BOX 1167 SOUTH WINDSOR, CT 06074 869-291-8755-T 060-291-8758-F WWW.DESIGNPROFESSIONALSINC.COM. SHEET 1 OF 30.

SHEET 2 OF 30 of the above Site Plan states:

"INDUSTRIAL BUILDING 359,640 SF 54 LOADING DOCKS and 118 TRAILER SPACES 269 AUTO PARKING SPACES. SITE PLAN APPLICATION".

The Site Plan submitted with the application depicts "27 LOADING DOCKS" on both the East and West. In the trucking industry, this is the plan for a Cross-Dock/Truck Terminal.

EXHIBIT D

According to the Applicant, the Town Planner advised them that "LOADING DOCKS" were not permitted on the East side. On a revised Site Plan. The Applicant revised the Site Plan moving all 54 of the "LOADING DOCKS" to the West side.

Relocating the "LOADING DOCKS" does not change the Use the Application is requesting Planning & Zoning Commission to approve.

On August 18, 2021, the Applicant's Attorney wrote a letter to the South Windsor Town Planner. A copy of that letter is attached hereto and marked Exhibit A. In the regarding section of his letter he states:

> "RE: Application 21-36P - 25 Talbot Lane - 25 Talbot Lane Site Plan – request by UW Vintage Lane II, LLC for site plan approval for a 359,640 sq ft distribution facility on 30.37 acres of property, on property located at 5, 25 Talbot Lane, 475 and 551 Governor's Highway, (southerly side of Governor's Highway, easterly side of Talbot Lane), I zone"

A "distribution facility" is not one of the Uses permitted in the Industrial Zone on Table 4.1.1A.

ARTICLE 4 – COMMERCIAL AND INDUSTRIAL ZONES

Table 4.1.1A Permitted Commercial and Industrial Uses

SE = Special Exception SP = Site Plan ZP = Zoning Permit Blank = Not Permitted	Zones DC = Design Commercial GC = General Commercial I = Industrial RC = Restricted Commercial RO = Restricted Office TS = Route 5 Travel Services						Additional Provisions
Use	**DC**	**GC**	**I**	**RC**	**RO**	**TS**	
Training Facilities		SE	SE	SE			
Truck and Freight Terminals			SE				With the right to service, maintain and repair motor vehicles incidental to the afore- said use
Veterinary Hospitals and Boarding Kennels			SE				For the treatment and boarding of small animals, primarily cats and dogs, with all facilities housed inside a building with a limited outside fenced area for exercising and training with necessary office and service space
Warehouses and Distribution Centers			SP				
Wholesale sales and inventory directly related thereto			SE				
Wholesale sales and inventory directly related thereto for the public		SP					
Note that in the GC Zone, buildings in excess of 40,000 square feet, parking areas in excess of 50 cars, and non-bank drive-in facilities require a special exception approval.							

EXHIBIT D

LAW

If words are not defined within the regulation, they are construed according to the commonly approved usage of the language. Connecticut Land Use Law and Practice, Connecticut Practice Series, Robert A. Fuller, section 34:6

Where the ordinance does not define a term, the usual dictionary definition is used. Connecticut Land Use Law and Practice, Connecticut Practice Series, Robert A. Fuller, section 34:6

To define the words/terms in Table 4.1.1A applicable to this Application, the following authorities were consulted:

a. NAIOP (Commercial Real Estate Development Association) What to Know About the Different Types of Industrial Buildings, April 15, 2020, Don Catalano, https://neptis.org/publications/archetypes/chapters/logistics.

b. The Complete Illustrated Book of Development Definitions, Fourth Edition, Routledge Taylor & Francis Group, London and New York, Published 2017.

c. Definition of each words/terms applicable to the Application Google Search.

d. Merriam-Webster Dictionary.

None of the word/terms words/terms in Table 4.1.1 applicable to this application are consistent with Use being requested in **Application 21-36P**.

Based on the terms/words according to the commonly approved usage of the language read in connection with the Site Plan submitted with the Application and all of the sources consulted for the meaning of the words/terms, the Use requested requires a "Special Exception" according to the Town of South Windsor Zoning Regulations.

a. NAIOP (Commercial Real Estate Development Association) What to Know About the Different Types of Industrial Buildings, April 15, 2020, Don Catalano, https://neptis.org/publications/archetypes/chapters/logistics.

> "Industrial buildings are more complicated than other types of commercial real estate. One area where this complication manifests is in the vast array of industrial properties. While they fit into three groups – warehouses, manufacturing facilities and flex space, the categories get subdivided. Here are the types of industrial buildings that you can find in most communities.

EXHIBIT D

Warehouse Buildings

1.General Warehouse/Distribution. When you think of a warehouse property, you're probably thinking of a general **warehouse building**. Warehouses may be one or multiple stories (usually through the addition of "mezzanine" levels), and could have small office or showroom spaces, but their general purpose is to hold items for storage or for reshipment."

2. Cross Dock/Truck Terminals. A truck terminal or cross-dock facility typically has relatively little storage, and instead, has a large number of truck docks. They allow trucks to be unloaded and reloaded, facilitating the movement of goods along the supply chain." What to Know About the Different Types of Industrial Buildings, April 15, 2020, Don Catalano, https://neptis.org/publications/archetypes/chapters/logistics.

The printout from this website is attached hereto and marked Exhibit B.

As the terms are used by these commercial real estate specific definitions, a **Truck terminal** is synonymous with **Cross Dock Facility.**

The Site Plan submitted with the Application depicts a **Cross Dock Facility.** The Application was submitted together with the Site Plan. In light of the Site Plan, the application is an Application for a **Truck terminal.**

Site Plan approval is not allowed by the Town of South Windsor Zoning Regulations. The Use depicted by Application and Site Plan is not a **Warehouse.**

b. The Complete Illustrated Book of Development Definitions, Fourth Edition, Routledge Taylor & Francis Group, London and New York, Published 2017

The words defined, by this zoning specific treatise, as to this application, the Site Plan submitted with the Application does not depict a **Warehouse.**

As the terms are defined by the above referenced zoning specific treatise, the Site Plan submitted with the Application does not depict a **Warehouse**. "A building used primarily for storage of good and materials." Page 609

In the treatise, **Warehouses** are distinguished from a **Freight-Handling Facilities**; Freight-Handling Facilities do not usually store freight for any period of time. Page 220

Truck terminals generate more truck traffic than warehouses or distribution centers. page 585

EXHIBIT D

Site Plan approval is not allowed by the Town of South Windsor Zoning Regulations. The Use depicted by Application and Site Plan is not a **Warehouse.**

c. Definition of each words/terms applicable to the Application Google Search.

As the term is defined, by a Google search of the term; "A **Freight Terminal** is the connecting faciality where shipments are transferred, and trucks are switched. These include **Trucking Terminals"**. A copy of the Google printout is attached as Exhibit C

The Site Plan submitted with the Application depicts either a **Freight or Truck Terminal.** A Special Exception is required for that Use.

As the term is defined, by a Google search of the term **Warehouse** "is a structure or room for the storage of merchandise or commodities. A copy of the Google printout is attached as Exhibit D.

Site Plan approval is not allowed by the Town of South Windsor Zoning Regulations. The Use depicted by Application and Site Plan is not a **Warehouse.**

d. Merriam-Webster Dictionary

The Merriam-Webster Dictionary, does not contain a definition for a **Truck Terminal**,

The Merriam-Webster Dictionary definition of **Warehouse** is the same as the Google Search Definition. The Site Plan submitted with the Application does not depict a **Warehouse**.

Site Plan approval is not allowed by the Town of South Windsor Zoning Regulations. The Use depicted Application and Site Plan is not a **Warehouse.**

CONCLUSION

The Application fails to comply with Town of South Windsor Zoning Regulations, specifically Section 8.4 and Table 4.1.1A.

BY: _____

Attorney John H. Parks
Law Offices of John H. Parks
352 Billings Road
Somers, CT 06071
(860) 749-0797
JURIS # 100823

Exhibit A

UKS
MERITAS LAW FIRMS WORLDWIDE

EXHIBIT D

James M. Connor
(t) 860.548.2617
(f) 860.548.2680
jconnor@uks.com

August 18, 2021

Via email to Michele.Lipe@southwindsor-ct.gov and
First Class Mail

Michele R. Lipe, AICP
Town Planner
Town of South Windsor
Town Hall
1540 Sullivan Avenue
South Windsor, CT 06074

RE: Application 21-36P - 25 Talbot Lane- 25 Talbot Lane Site Plan- request by UW Vintage Lane II, LLC for site plan approval for a 359,640 sq ft distribution facility on 30.37 acres of property, on property located at 5, 25 Talbot Lane, 475 and 551 Governor's Highway (southerly side of Governor's Highway, easterly side of Talbot Lane), I zone

Dear Ms. Lipe:

This office represents UW Vintage Lane II, LLC in connection with the application referred to above.

UW Vintage Lane II, LLC consents to the extension of the deadline for action on its application, which we understand is currently September 16, 2021, by the full 65 days allowed under subsection 8-7d(b) of the Connecticut General Statutes.

Very truly yours,

James M. Connor

JAMES M. CONNOR

JMC/

cc: Bradford Wainman
Robert Urso
Peter DeMallie
Ben Wheeler

Exhibit B

iOptimize REALTY
Contact a Rep Today!

EXHIBIT D

What to Know About the Different Types of Industrial Buildings

Apr 15, 2020  Don Catalano

Industrial buildings are more complicated than other types of commercial real estate. One area where this complication manifests is in the vast array of industrial properties. While they fit into three groups -- warehouses, manufacturing facilities and flex space, the categories get subdivided. Here are the types of industrial buildings that you can find in most communities.

Warehouse Buildings

Warehouse buildings are typically large buildings with limited windows, many truck doors, and not much else. They come in one of five broad classes of building.

1. **General Warehouse / Distribution.** When you think of a warehouse property, you're probably thinking of a general **warehouse building**. Warehouses may be one or multiple stories (usually through the addition of "mezzanine" levels), and could have small office or showroom spaces, but their general purpose is to hold items for storage or for reshipment.

2. **Cross-Dock / Truck Terminals**. A truck terminal or cross-dock facility typically has relatively little storage, and, instead, has a large number of truck docks. They allow trucks to be unloaded and reloaded, facilitating the movement of goods along the supply chain.

3. **Cold Storage**. Cold storage facilities are refrigerated warehouses. Usually used in the shipment of food or other perishable goods, these properties have temperature control to keep items cool -- or frozen. In addition to food, cold storage facilities can hold agricultural products, artwork, or pharmaceutical items, among other things.

4. **Food Grade**. Food grade storage is a special type of warehouse that meets higher standards set by the Food and Drug Administration. Among other requirements, they usually meet high levels of cleanliness, have integrated pest management systems, and follow different cleaning and maintenance protocols. Pharmaceutical grade warehouses are similar to food grade properties, but typically meet even higher standards.

5. **Data Centers**. A data center is a warehouse for information. Data centers typically have specialized build outs to hold racks and racks of servers along with extensive security and physical hardening to keep those servers safe. They have robust connections to Internet backbones, ample power and powerful cooling systems to dissipate the heat generated by all of the computers inside of them.

Manufacturing Facilities

While manufacturing facilities can frequently look like warehouses from the outside, they are built differently. Expect to see specialized build outs and heavy power connections to support the machinery inside.

- **Heavy Manufacturing**. Heavy manufacturing buildings include everything from factories in what look like warehouses to extremely complicated structures like chemical plants and oil refineries.

- **Light Assembly**. Light assembly buildings are typically smaller, and may also be multi-tenant. Some light assembly buildings can be built similarly to warehouses, as well.

Flex Space

Flex space is an industrial property that mixes different applications. Sometimes referred to as showroom, office/warehouse or R&D space, a flex building typically has bays with roll-up doors in the back and windows in the front. Flex properties are usually smaller and lower than warehouses, with clear heights falling between 10 and 20 feet, instead of between 25 and 40 feet (or more). You might find spaces that are completely built out as offices in addition to spaces that have retail showrooms in the front.

Here are a few other article we think you'll enjoy:

What to Know About Your OPEX (Operating Expenses)

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EXHIBIT D

Kenneth Evwore 9/14/2020, 5:58:20 AM

Your article was really awesome.It is going to help many bloggers in their research activities. I will be ever grateful if you can help me to build a blog just like yours. I am willy to cooperate no matter worth. https://tecteem.com/how-to-send-money-from-usa-to-nigeria-online-money-transfer-websites/

Reply to *Kenneth Evwore*

Bryson Owens 11/4/2020, 3:15:12 PM

It's helpful to know that the light assembly buildings will sometimes look and act like a warehouse as well. My cousin is trying to get a new cleaning crew to the building this month. He wants to make sure that the space is clean and clear so that everyone is safe and comfortable.

Reply to *Bryson Owens*

Mary Shouvlin 1/21/2021, 7:40:53 AM

industrial building means a building or part thereof wherein products or, material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills dairies and factories.

Reply to *Mary Shouvlin*

Best Access Doors 2/19/2021, 4:38:21 AM

Industrial buildings include buildings used directly in the production of power, the manufacture of products, the mining of raw materials, and the storage of textiles, petroleum products, wood and paper products, chemicals, plastics, and metals. Good article with an excellent way of presentation. Keep it up. Thanks for sharing.

Reply to *Best Access Doors*

Access Doors and Panels 2/19/2021, 4:59:26 AM

Steel remains to be the material of choice when it comes to building industrial buildings. This fact is not only true in the United States but in the world over. More and more companies are choosing steel industrial buildings because these steel buildings are easy to erect and install. Excellent explanation. Anyone can easily comprehend since it's simple & focused. Keep up the great work!

Reply to *Access Doors and Panels*

Mia Evans 7/15/2021, 8:52:10 PM **EXHIBIT D**

Thanks for pointing out that there are storage facilities that would be able to hold agricultural products and other things as well. I can imagine how this would be beneficial to farm owners to ensure that their tools and equipment will be safe from damages. They would be investing a lot in those tools and equipment that is why they should make sure that they will be storing them well to be able to use them for a long time.

Reply to *Mia Evans*

Taylor Hicken 7/28/2021, 12:46:49 AM

I liked it when you sared that it is important to have cold storage that can be used for the shipment of food or other perishable goods. In this way, it helps to ensure that they are able to last longer at the optimum temperature. I would like to think if a company needs to provide cold storage for its perishable goods, it should consider getting the necessary commercial refrigeration from a reliable supplier.

Reply to *Taylor Hicken*

Hailey Miller 8/5/2021, 6:24:02 PM

Thanks for pointing out that warehouse buildings are large buildings with limited windows and many truck doors. As you said, a general warehouse may be one or multiple stories and holds items for storage or for shipment. I would imagine that any warehouse owner would need steel to repair or maintain their premises. I think they should look for a reliable company that can provide used steel pipe for their organization.

Reply to *Hailey Miller*

Tex Hooper 11/1/2021, 8:39:29 PM

I agree that you should have proper storage for your equipment. I need some heavy construction equipment imported. I'll have to make sure that it is stored properly.

Reply to *Tex Hooper*

Leave a Comment

EXHIBIT D

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Exhibit C

Google definition of a freight terminal

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Freight terminal - Wikipedia

A **freight terminal** is a processing node for **freight**. They may include airports, seaports, railroad **terminals**, and **trucking terminals**.

Freight terminal

A freight terminal is a processing node for freight. They may include airports, seaports, railroad terminals, and trucking terminals. As most freight terminals are located at ports, many cargo containers can be seen around the area. Wikipedia

Feedback

People also ask

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Freight Terminal - FreightCenter

A **freight terminal** is the connecting facility where shipments are transferred, and trucks are switched. These **terminals** can include **trucking terminals**, railroad ...

https://www.definitions.net › definition › freight+terminal

What does freight terminal mean? - Definitions.net

A **freight terminal** is a processing node for **freight**. Most **freight terminals** are located at ports. They may include airports, seaports, railroad **terminals**, and ...

https://educalingo.com › dic-en › freight-terminal

Meaning of "freight terminal" in the English dictionary

A **freight terminal** is a processing node for **freight**. Most **freight terminals** are located at ports. They may include airports, seaports, railroad **terminals**, ...

https://findwords.info › term › freight terminal

What is freight terminal - Word finder

A **freight terminal** is a processing node for **freight**. They may include airports, seaports, railroad **terminals**, and **trucking terminals**. **Freight** is usually loaded ...

https://www.collinsdictionary.com › dictionary › english

Freight terminal definition and meaning - Collins Dictionary

Freight terminal definition: (on a rail network) a place where **freight** is stored while awaiting onward transport | **Meaning**, pronunciation, translations and ...

https://www.thefreedictionary.com › freight+terminal

Freight terminal - The Free Dictionary

a **terminal** used for loading or unloading of **freight**. See also: **Terminal**. Webster's Revised Unabridged **Dictionary**, published 1913 by G. & C. Merriam Co.

https://www.freightpros.com › ... › Freight How-To's

Freight Terminal Shipping: Taking LTL Into Your Own Hands

Jul 1, 2015 — **What is a Freight Terminal?** ... A **freight terminal** is essentially a connecting facility where carriers transfer shipments, and rearrange trucks, ...

https://www.lawinsider.com › dictionary › truck-terminal

TRUCK TERMINAL Definition: 122 Samples | Law Insider

TRUCK **TERMINAL** means a building, structure or place where, for the purpose of a common carrier, trucks or transports are rented, leased, kept for hire, ...

EXHIBIT D

https://www.lawinsider.com › dictionary › freight-termi...

Freight terminal Definition | Law Insider

Define Freight terminal. means a transportation facility furnishing services incidental to air, motor freight, and rail transportation.

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Exhibit D

definition of warehouse

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EXHIBIT D

Dictionary

Search for a word

ware·house

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noun
/ˈwerˌhous/

a large building where raw materials or manufactured goods may be stored before their export or distribution for sale.

Similar: storeroom, storehouse, store, depot, depository, repository

verb
/ˈwerˌhouz,ˈwerhous/

store (goods) in a warehouse.

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What are the types of warehouse?

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Definition of warehouse - Merriam-Webster

Oct 25, 2021 — **Warehouse definition** is - a structure or room for the storage of merchandise or commodities. How to use **warehouse** in a sentence.

https://www.dictionary.com › browse › warehouse

Warehouse Definition & Meaning | Dictionary.com

Warehouse definition, a building, or a part of one, for the storage of goods, merchandise, etc. See more.

https://www.collinsdictionary.com › dictionary › wareh...

Warehouse definition and meaning | Collins English Dictionary

A **warehouse** is a large building where raw materials or manufactured goods are stored until they are exported to other countries or distributed to stores to ...

https://en.wikipedia.org › wiki › Warehouse

Warehouse - Wikipedia

A **warehouse** is a building for storing goods. **Warehouses** are used by manufacturers, importers,

More images

Warehouse

Building use

A warehouse is a building for storing goods. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, customs, etc. They are usually large plain buildings in industrial parks on the outskirts of cities, towns, or villages. Wikipedia

Naics

Skills

Origin

Cool

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definition of warehouse

EXHIBIT D

https://www.interlakemecalux.com › warehouse-manual

What is a warehouse? Our definition - Interlake Mecalux

A **warehouse** is a facility that, along with storage racks, handling equipment and personnel and management resources, allows us to control the differences ...

https://dictionary.cambridge.org › dictionary › warehouse

WAREHOUSE | definition in the Cambridge English Dictionary

5 days ago — **warehouse** noun [C] (STORAGE) ... a large building for storing things before they are sold, used, or sent out to stores, or : The goods have been ...

https://www.logisticsbureau.com › about-warehousing

A Definition and Basic Explanation of Warehousing in Supply ...

Oct 31, 2017 — A good **definition** of a **warehouse** is "a planned space for the efficient storage and handling of goods and materials".

https://www.yourdictionary.com › warehouse

Warehouse Meaning | Best 14 Definitions of ... - YourDictionary

The **definition** of a **warehouse** is a place where goods are stored. · To **warehouse** is to store, or to place a patient in a large institution with minimal medical, ...

https://www.definitions.net › definition › warehouse

What does warehouse mean? - Definitions.net

Mar 11, 2020 — A **warehouse** is a commercial building for storage of goods. **Warehouses** are used by manufacturers, importers, exporters, wholesalers, transport ...

https://marketbusinessnews.com › financial-glossary

Warehouse - definition and meaning - Market Business News

Warehouse – definition and **meaning** ... A **warehouse** is a large building used for storing goods before they are sold, sent to the shops, exported or imported, or ...

Related searches

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Exhibit E

EXHIBIT E

Submitted to South Windsor Planning and Zoning Public Hearing on 11/9/2021

Questions / Comments towards Traffic Impact Study (October 2021 version) and other matters for Proposed Warehouse Development

25 Talbot Lane South Windsor, Connecticut

Dane Mattran, Edgewood Drive Resident

1. **MDC Staff claims they do not have any application or inquiries for providing service to 25 Talbot Lane site.**

   What is the availability and capacity of all utilities, including Sewer (WPCA), Water, Gas and Electric? For water supply, what is the amount of water pressure available? For example, is the sufficient water pressure available for the sprinkler fire suppression system?

2. **The existing traffic volumes conducted in June 2021 were adjusted to pre-COVID conditions as requested by the Office of the State Traffic Administration (OSTA). Can the consultant please provide the raw turning movement counts (TMCs) for the three study intersections along Governors Highway?**

   The TIS does not include TMC summary data within the appendix of the report. It would be beneficial if the consultant could provide the raw peak hour TMCs for both vehicle summaries (i.e., either passenger car/motorcycle or heavy vehicle and not full FWHA classification breakdown). These count summaries are typically summarized within 15-minute intervals for each peak hour (AM: 7:00am to 10:00am; PM: 3:30pm to 6:30pm). This information would allow the public to review the collected heavy vehicle percentage (HV%) along Governors Highway and determine each intersections' peak hour factors (PHF) as they are not documented in the analysis other than the Synchro reports within Appendix B.

   Please differentiate between different vehicle types

   Based on review of the Synchro reports it appears that the default HV% is applied for all intersections within the study area; rather then, reflecting the actual adjusted count data that was collected in June 2021 (2% HV are shown throughout the Synchro Reports).

3. **The crash analysis states only one crash occurred during a three-year period from January 2018 to December 2020. Has ConnDOT reviewed and approved this crash analysis?**

   The consultant should please review this analysis for the set timeframe as the UConn Connecticut Crash Data Repository notes several crashes that occurred along Governors Highway within the limits of the study area; five crashes occurred along the Governors Highway with one additional crash along Talbot Lane. Please see the screenshot below that captures these crashes from the UConn Connecticut Crash Data Repository.

   Please note the three-year crash period included time where COVID-19 restrictions were implemented in Connecticut. Traffic volumes from March 2020 did not reflect typical vehicular

traffic conditions that are expected; therefore, crashes along the study limits could also be augmented. The crash analysis should follow ConnDOT guidance during the pandemic.

It is suggested that the consultant's crash analysis include crashes from 2017 in an effort to evaluate a three-year period that reflects typical traffic conditions along the study corridor.

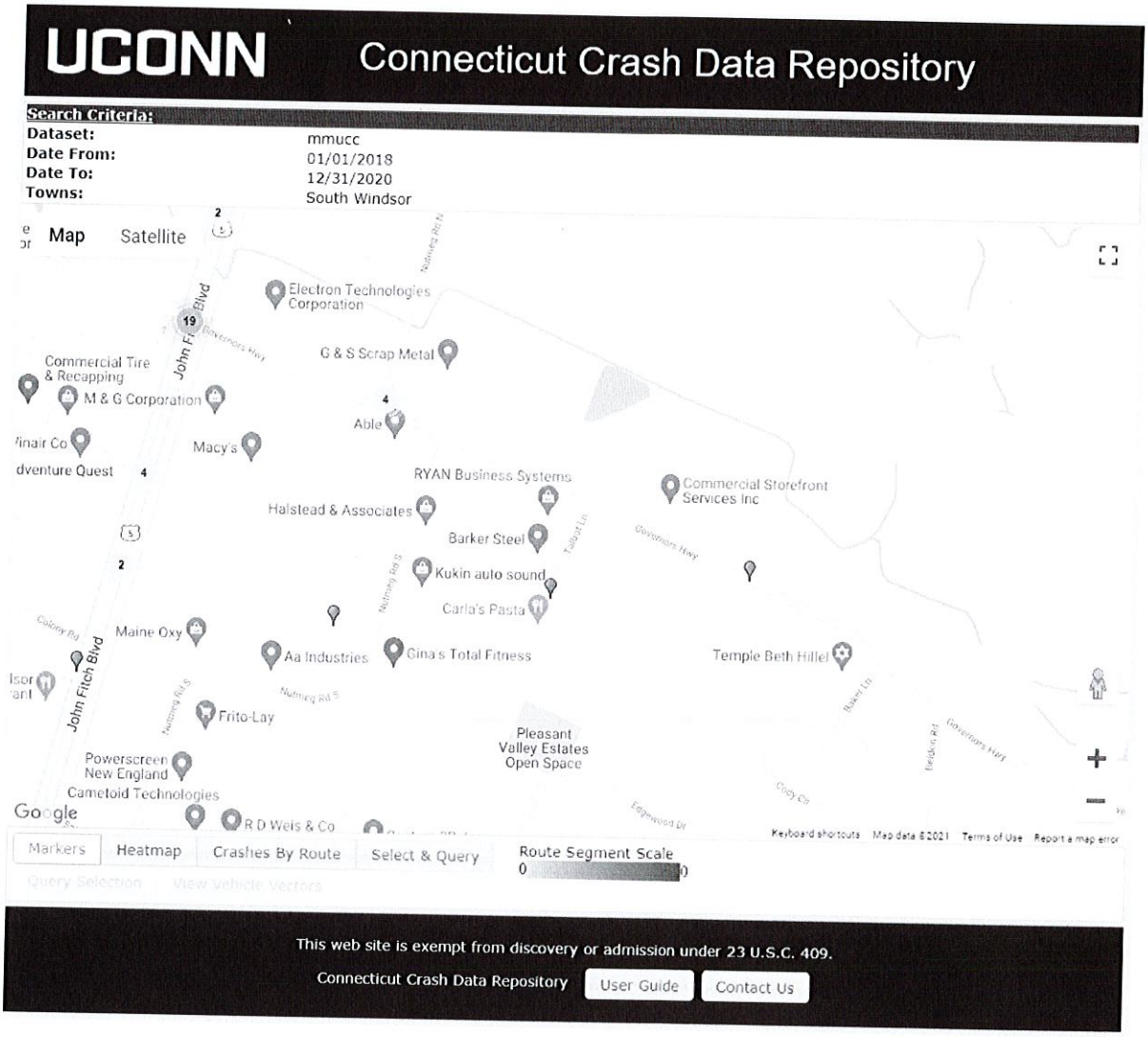


EXHIBIT E

4. **Were traffic signal timings (e.g., Synchro network or controller timing data) provided by ConnDOT/the Town of South Windsor for the purposes of evaluating the traffic signal operations at the intersections of John Fitch Boulevard at Governors Highway and Podunk Circle/Governors Highway and Ellington Road? Or did the consultant observed traffic operations and develop timing parameters to reflect existing conditions?**

Upon review of the Synchro reports for the Capacity Analysis, as noted within Appendix B, the traffic signal operations do not reflect the conditions that are shown in the field. If the Synchro network or controller timing data was provided by ConnDOT/the Town of South Windsor the peak hour Time of Day (TOD) operations for the AM and PM peak would more accurately reflect what is observed in the field, as such the appropriate cycle length, controller type, signal operations, offsets, green splits, yellow and red clearance intervals would match the information programmed into the controller cabinet.

For the intersection node #1, John Fitch Boulevard (Route 5) and Governors Highway, the northbound and southbound operations show conflicting phasing. The northbound left-turn has a permissive-protected phasing (pm+pt) and southbound left-turn has protected (prot) phasing. Based on the existing conditions at this signal, protected phasing should be applied for phase 1 and phase 5 operations (see screenshot turn types highlighted below from Synchro Report).

EXHIBIT E

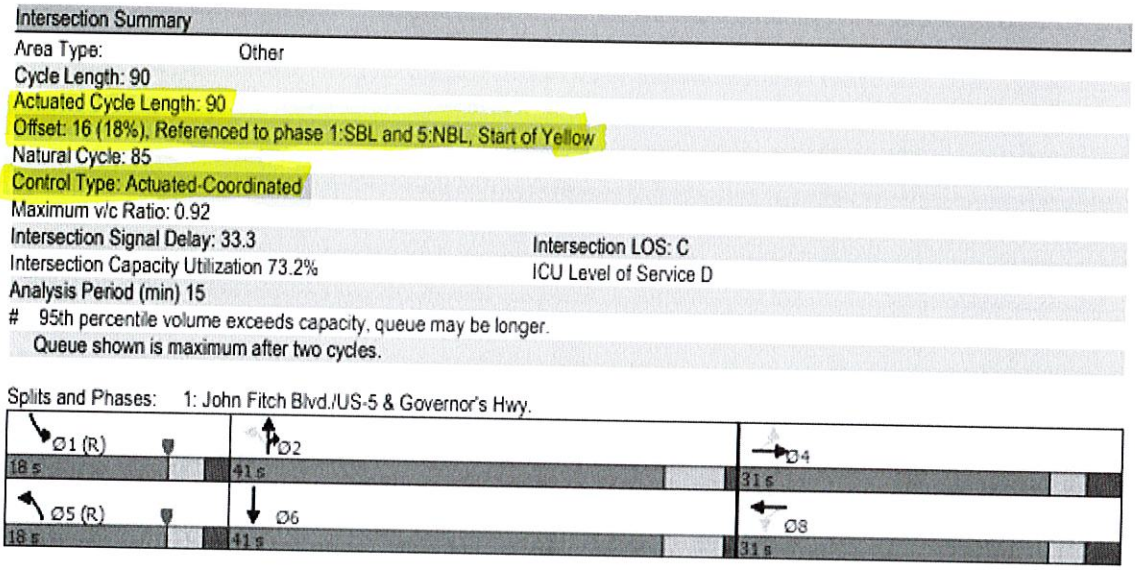
1: John Fitch Blvd./US-5 & Governor's Hwy.
Lanes, Volumes, Timings

AM Peak Hour

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	9	12	13	140	80	50	37	659	88	60	1094	70
Future Volume (vph)	9	12	13	140	80	50	37	659	88	60	1094	70
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0	260		280	260		0
Storage Lanes	0		0	0		0	1		1	1		0
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	0.95
Frt		0.949			0.975				0.850		0.991	
Flt Protected		0.987			0.975		0.950			0.950		
Satd. Flow (prot)	0	1745	0	0	1771	0	1770	3539	1583	1770	3507	0
Flt Permitted		0.907			0.817		0.114			0.950		
Satd. Flow (perm)	0	1603	0	0	1484	0	212	3539	1583	1770	3507	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		14			13				96		8	
Link Speed (mph)		30			30			50			30	
Link Distance (ft)		1034			2473			2927			1619	
Travel Time (s)		23.5			56.2			39.9			36.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	10	13	14	152	87	54	40	716	96	65	1189	76
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	37	0	0	293	0	40	716	96	65	1265	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Perm	NA		Perm	NA		pm+pt	NA	Prot	Prot	NA	
Protected Phases		4			8		5	2	2	1	6	
Permitted Phases	4			8			2					
Detector Phase	4	4		8	8		5	2	2	1	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		6.0	15.0	15.0	6.0	15.0	
Minimum Split (s)	23.9	23.9		23.9	23.9		18.0	24.0	24.0	18.0	41.0	
Total Split (s)	31.0	31.0		31.0	31.0		18.0	41.0	41.0	18.0	41.0	
Total Split (%)	34.4%	34.4%		34.4%	34.4%		20.0%	45.6%	45.6%	20.0%	45.6%	
Maximum Green (s)	25.1	25.1		25.1	25.1		13.0	35.0	35.0	13.0	35.0	
Yellow Time (s)	3.0	3.0		3.0	3.0		3.0	5.0	5.0	3.0	5.0	
All-Red Time (s)	2.9	2.9		2.9	2.9		2.0	1.0	1.0	2.0	1.0	
Lost Time Adjust (s)		0.0			0.0		0.0	0.0	0.0	0.0	0.0	

EXHIBIT E

Additionally, this intersection notes that actuated-coordinated control is provided at the intersection node #1, John Fitch Boulevard (Route 5) and Governors Highway. Can the consult/traffic engineer please share why this control type was used as there are no traffic signals within 1000-ft of the intersection. Coordination is typically provided to facilitate smooth flow between signalized intersection in order to increase operations for the mainline through movements (typically the busiest traffic movement); therefore, the offset would be placed on phases 2 and 4. It is interesting that a traffic signal offset would be placed on the mainline left-turns (phases 1 and 5) for this intersection (see screenshot turn types highlighted below from Synchro Report).



For the intersection node #3, Podunk Circle/Governors Highway and Ellington Road, the southeastbound and northwestbound operations show conflicting phasing. The southeast left-turn has split (Split) phasing and northwest left-turn has permissive (perm) phasing. Based on the existing conditions and traffic signal heads that are provided at this signal, permissive phasing should be applied for phase 4 and phase 8 operations (see screenshot turn types highlighted below from Synchro Report).

EXHIBIT E

3: Podunk Cir. /Governors Hwy. & Elington Road
Lanes, Volumes, Timings

AM Peak Hour

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations		↕			↰	↱		↕			↕	
Traffic Volume (vph)	2	277	1	0	540	220	90	1	2	2	0	0
Future Volume (vph)	2	277	1	0	540	220	90	1	2	2	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		240	0		0	0		0
Storage Lanes	0		0	0		1	0		0	0		0
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt						0.850		0.997				
Flt Protected								0.954			0.950	
Satd. Flow (prot)	0	1863	0	0	1863	1583	0	1772	0	0	1770	0
Flt Permitted		0.997						0.954				
Satd. Flow (perm)	0	1857	0	0	1863	1583	0	1772	0	0	1863	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)						239		1				
Link Speed (mph)		40			40			25			25	
Link Distance (ft)		1820			1725			3853			188	
Travel Time (s)		31.0			29.4			105.1			5.1	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	301	1	0	587	239	98	1	2	2	0	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	304	0	0	587	239	0	101	0	0	2	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	Perm	NA			NA	Perm	Split	NA		Perm	NA	
Protected Phases		2			6		4	4			8	
Permitted Phases	2			6		6				8		
Detector Phase	2	2		6	6	6	4	4		8	8	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0		5.0	5.0	
Minimum Split (s)	29.0	29.0		26.2	26.2	26.2	15.0	15.0		10.0	10.0	
Total Split (s)	45.0	45.0		45.0	45.0	45.0	15.0	15.0		10.0	10.0	
Total Split (%)	64.3%	64.3%		64.3%	64.3%	64.3%	21.4%	21.4%		14.3%	14.3%	
Maximum Green (s)	36.8	36.8		36.8	36.8	36.8	8.9	8.9		6.0	6.0	
Yellow Time (s)	4.2	4.2		4.2	4.2	4.2	3.7	3.7		3.0	3.0	
All-Red Time (s)	4.0	4.0		4.0	4.0	4.0	2.4	2.4		1.0	1.0	

These phasing errors and control type issues occur throughout the report for the entire traffic analysis. The consultant should update traffic signal operations to reflect existing conditions so that the provided control delay per vehicle and Level of Service (LOS) are accurate.

EXHIBIT E

5. **Section 4 of the TIS states that the HCM 6th Edition was used as the evaluation criteria from the Synchro 10 software. Based on the Synchro Reports shown within Appendix B, the standard Synchro Intersection Report is used for signalized intersections rather than HCM 6th Reports. Can the consultant please state why this is case? Additionally, using Synchro Intersection Report calculates delay based on the percentile delay method (see PDF page 364 in the Synchro 10 User Guide) and not HCM methodologies. Section 4 of the TIS should be updated to reflect the appropriate Synchro report and its methodologies.**

6. **Has ConnDOT reviewed and approved the selected design vehicle for the proposed warehouse development at 25 Talbot Lane?**

   The Site Access section of the TIS notes that two full-movement stop-controlled driveways are proposed for the project's main driveway; one for passenger vehicles only on the eastern side of the site and one for truck traffic only on the western side of the site along Talbot Lane due to the existing through truck restriction along Governor's Highway.

   Has the site plan been reviewed to ensure the approved design vehicle can enter and exit the site through the existing unsignalized intersection at Talbot Lane and Governors Highway? If additional design considerations or intersection enhancements are needed, they should be incorporated within the site plan of the applicant to ensure combination truck access can be accommodated.

Design Vehicle being Tractor Trailers w/extended trailers

7. **Has ConnDOT reviewed the design vehicle's turn movements in to and out of Talbot Lane (AutoTurn Analysis) as well as the truck driveway to ensure additional design considerations are not needed for this driveway to accommodate combination truck traffic?**

   The Revised 2013 ConnDOT Highway Design Manual states that Urban Collect Streets for new construction/major construction should have a minimum of 4-ft shoulders, a max superelevation of 4%, and minimum radius of 345-ft as stated in Figure 5E. Did the applicant ensure these design considerations are met?

   Additionally, did the site plan look to ensure the approved design vehicle had the appropriate space to turnaround in order to enter and exit the truck driveway? Providing this AutoTurn turn movement analysis would be beneficial to ensure this step was completed.

8. **What ConnDOT data was reviewed to determine the 0.46% growth rate?**

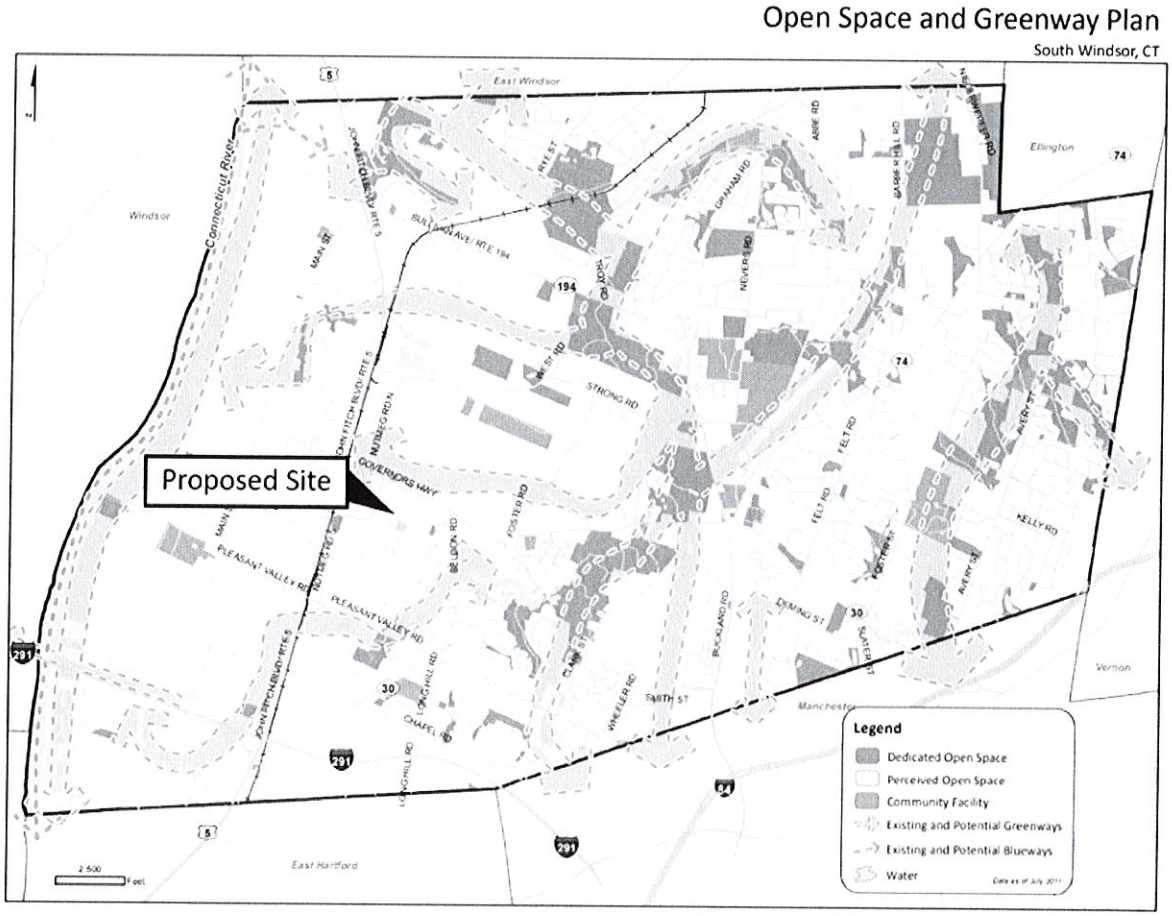
   Can the consultant team please provide additional document and insight into how the historical traffic count data was used and reviewed to develop this growth rate? Additionally, was the ConnDOT Statewide Travel Model reviewed for this study area?

EXHIBIT E

9. **Is there a reason why intersection spacing was not evaluated for the site plan or traffic analysis?**

   Section 11-1.05 Intersection Spacing within the Revised 2013 ConnDOT Highway Design Manual states all new intersection should be spaced at least 400-ft apart in order to avoid short gaps between opposing T-intersections.

10. **Review of the 2014 Amended South Windsor Plan of Conservation and Development (page 41) notes several pockets of dedicated open space that reside within the proposed Site Plan. How does the Town of South Windsor and the applicant plan to maintain these two areas of dedicated open space (see screenshot below)?**



Need 3rd Party Traffic Impact Assessment

Financial Survey of Homes Impacted by Appl.25 Talbot No. 21-36P

EXHIBIT F

Prepared by Karen McLean
26 Edgewood Drive
November 9, 2021

EXHIBIT F

45 Homes Partly or Entirely Within 500' Site Offset

Street	House Number	Market Value	Assessed Value	2021 Property Tax	Notes
Governor's Highway					
	550	$245,000	$152,800	$5,785	
	560	$266,300	$172,900	$6,546	
	570	$286,100	$160,400	$6,073	
	584	$298,100	$172,900	$6,546	
	596	$410,700	$243,900	$9,234	
	608	$215,900	$138,800	$5,255	
	620	$268,600	$156,000	$5,906	
Cody Circle					
	126	$403,000	$211,500	$8,007	
	114	$416,700	$240,200	$9,094	
	105	$392,700	$191,200	$7,239	
	90	$418,400	$233,600	$8,844	
	95	$375,000	$197,700	$7,485	
	80	$359,100	$198,500	$7,515	
	65	$361,900	$218,000	$8,253	
	50	$305,000	$169,700	$6,425	
	55	$312,200	$185,400	$7,019	
	44	$352,200	$203,000	$7,686	
Edgewood Drive					
	26	$247,700	$144,900	$5,486	
	34	$279,300	$157,000	$5,944	Sold 12/23/20 for $251,000
	42	$331,600	$183,300	$6,940	
	50	$340,400	$187,800	$7,110	
	58	$349,900	$172,500	$6,531	For sale - Placed on market following Wetlands decision; under contract as of 11/9/21
	66	$284,400	$173,000	$6,550	
	74	$329,300	$179,100	$6,781	
	80	$337,300	$171,600	$6,497	
	88	$321,800	$188,900	$7,152	
	98	$287,700	$174,000	$6,588	
	106	$310,600	$168,000	$6,360	Sold 9/10/21 for $305,000
	116	$367,200	$185,200	$7,012	Sold 6/12/20 for $302,500
	124	$329,500	$170,000	$6,436	Sold 8/9/19 for $257,500
	144	$305,900	$172,500	$6,531	
	152	$386,800	$198,300	$7,508	
	153	$322,600	$163,700	$6,198	Sold 12/4/18 for $265,000
	135	$387,700	$179,100	$6,781	Sold 12/11/20 for $342,500
	121	$383,000	$187,500	$7,099	Sold 2/24/21 for $350,000
	113	$368,100	$193,400	$7,322	
	105	$310,000	$174,900	$6,622	
	97	$327,100	$196,600	$7,443	
	89	$272,400	$159,200	$6,027	
	81	$327,600	$165,700	$6,273	
	73	$262,200	$161,300	$6,107	
	65	$418,100	$221,800	$8,397	
	57	$320,000	$177,000	$6,701	
	49	$353,000	$208,500	$7,894	
Marilyn Road					
	63	$231,300	$132,400	$5,013	
TOTAL WITHIN 500' OFFSET		**$14,779,400**	**$8,193,700**	**$310,215**	

Source: Zillow.com; accessed 11/6/2021 and 11/9/2021

"NUISANCE ZONE" BEYOND 500' OFFSET

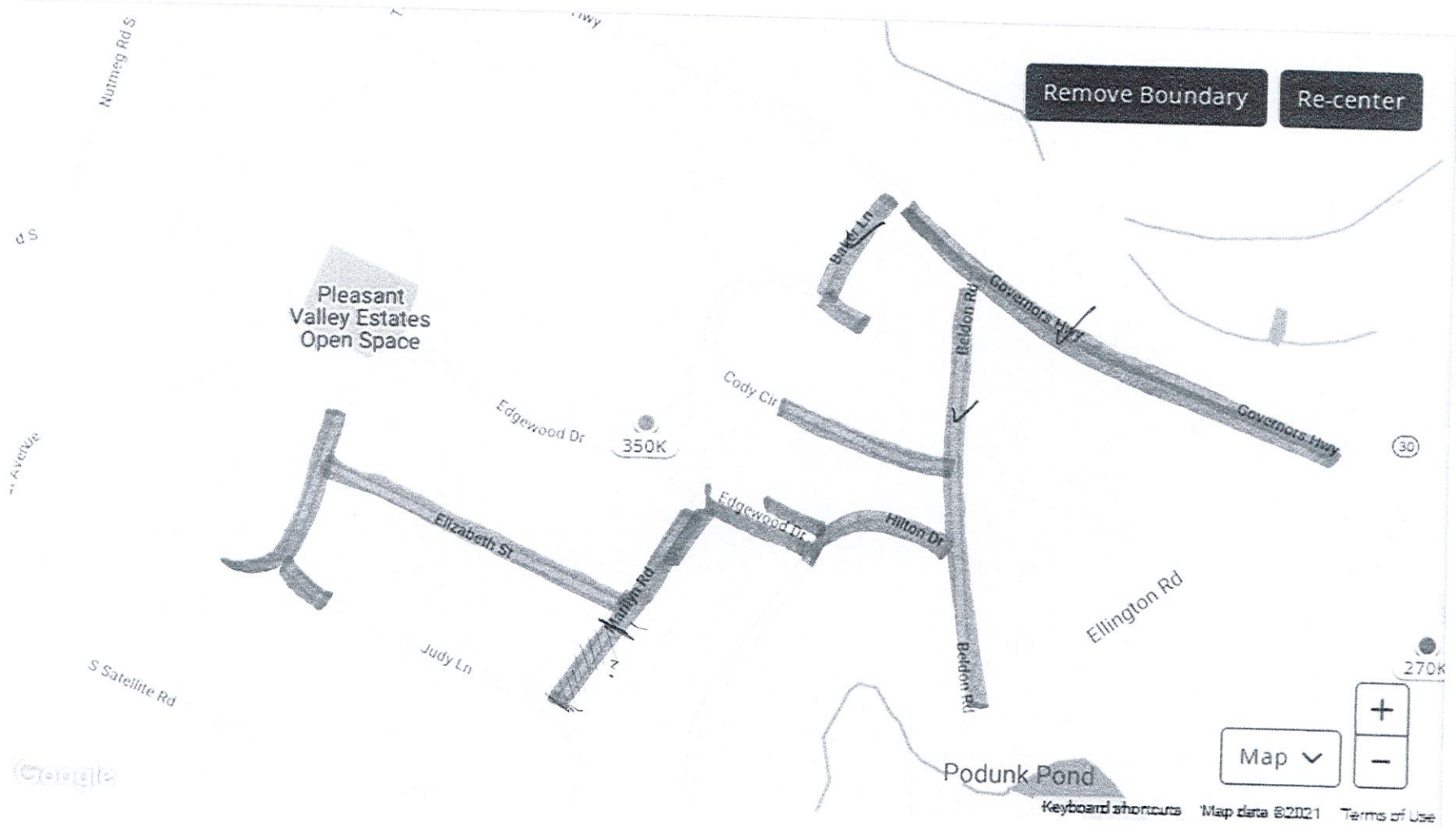


EXHIBIT F

"NUISANCE ZONE" - DETAIL

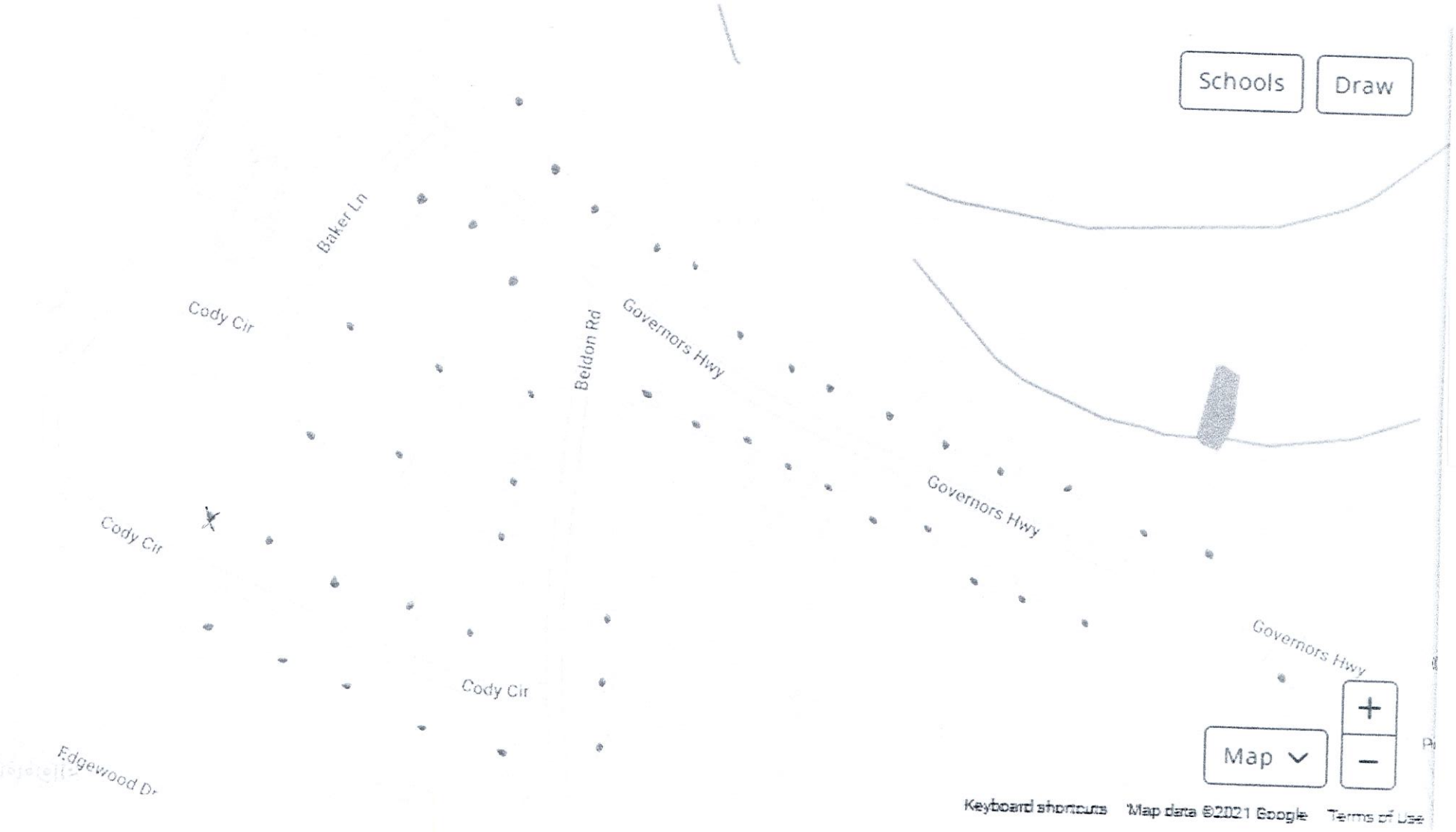


EXHIBIT F

"NUISANCE ZONE" - DETAIL

EXHIBIT F

EXHIBIT F

"NUISANCE ZONE" - DETAIL

103 Homes Beyond 500' Site Offset but still within "Nuisance Zone"

- Traffic
- Noise Pollution
- Air Pollution
- Light Pollution
- Visual Blight

EXHIBIT F

Street	House Number	Market Value	Assessed Value	2021 Property Tax	Notes
Governor's Highway					
	630	$322,500	$211,500	$8,007	From offset to Ellington Road
	642	$331,000	$161,100	$6,099	
	650	$234,000	$154,500	$5,849	
	660	$222,200	$135,300	$5,122	
	668	$182,000	$118,000	$4,467	
	678	$211,800	$126,200	$4,778	
	686	$248,600	$131,600	$4,982	
	694	$271,600	$145,100	$5,493	
	700	$216,500	$129,200	$4,892	
	710	$254,400	$126,300	$4,782	Sold 9/18/18 for $184,000
	720	$264,300	$148,300	$5,615	Sold 6/22/18 for $205,000
	730	$257,600	$160,700	$6,084	
	740	$284,600	$161,900	$6,130	
	752	$276,400	$178,300	$6,750	
	743	$306,100	$137,200	$5,194	Sold 6/12/18 for $245,000
	733	$271,600	$160,600	$6,080	
	725	$285,900	$167,200	$6,330	
	711	$286,200	$137,000	$5,187	
	701	$274,200	$166,300	$6,296	
	697	$321,000	$170,500	$6,455	
	691	$283,400	$178,400	$6,754	
	685	$217,800	$134,200	$5,081	
	677	$239,800	$138,700	$5,251	
	669	$317,200	$167,600	$6,345	
Ellington Road					
	1118	$245,600	$134,000	$5,073	Corner lot at Governor's Highway; Sold 11/21/18 for $130,000; built 1880
Baker Lane					
	7	$350,300	$176,400	$6,679	
	15	$301,600	$175,300	$6,637	
	21	$387,000	$208,600	$7,898	Sold 12/18/19 for $300,000
Cody Circle					
	125	$403,800	$208,000	$7,875	
	135	$412,000	$219,800	$8,322	Sold 10/18/19 for $343,000
	140	$501,300	$224,600	$8,503	Sold 8/30/21 for $490,000
	130	$412,700	$209,600	$7,935	
	40	$374,700	$208,500	$7,894	
	24	$363,200	$211,000	$7,988	
	20	$400,000	$232,400	$8,799	Sold 11/20/20 for $350,000
	10	$345,000	$187,100	$7,084	
	39	$393,900	$233,000	$8,821	
	35	$387,900	$144,760	$5,481	
	19	$405,200	$254,500	$9,635	Sold 4/28/21 for $380,000
	15	$413,500	$216,600	$8,200	Sold 7/22/19 for $340,000
	7	$398,700	$219,300	$8,303	
Beldon Road					
	115	$295,900	$159,000	$6,020	
	105	$425,100	$247,300	$9,363	
	95	$342,000	$166,500	$6,304	
	90	$296,500	$185,700	$7,031	
	80	$240,300	$133,800	$5,066	
	70	$218,000	$127,200	$4,816	
	60	$289,700	$160,900	$6,092	
	50	$265,800	$157,300	$5,955	
	41	$258,700	$137,100	$5,191	Sold 6/10/19 for $215,000; built 1800
	40	$350,900	$168,800	$6,391	
	31	$250,500	$147,800	$5,596	
	11	$272,700	$148,900	$5,637	Sold 6/22/18 for $200,000; built 1776
Hilton Drive (partial)					

103 Homes Beyond 500' Site Offset but still within "Nuisance Zone"

- Traffic
- Noise Pollution
- Air Pollution
- Light Pollution
- Visual Blight

EXHIBIT F

Street	House Number	Market Value	Assessed Value	2021 Property Tax	Notes
	386	$328,300	$202,800	$7,678	
	366	$226,400	$133,000	$5,035	
	363	$231,500	$136,400	$5,164	
	354	$218,900	$133,800	$5,066	
Edgewood Drive	343	$288,100	$142,800	$5,406	Sold 9/14/20 for $245,000
	10	$318,800	$158,800	$6,012	
	18	$307,300	$151,400	$5,732	Sold 4/24/20 for $249,900
	21	$292,000	$145,100	$5,493	
	160	$339,600	$177,900	$6,735	Sold 9/4/18 for $267,500
Elizabeth Street	168	$262,300	$164,500	$6,228	
	86	$263,200	$152,800	$5,785	
	78	$359,900	$174,500	$6,607	
	70	$266,700	$160,000	$6,058	
	62	$309,000	$156,500	$5,925	
	54	$267,400	$157,100	$5,948	
	46	$295,800	$154,300	$5,842	
	38	$290,500	$164,500	$6,228	
	30	$295,800	$179,100	$6,781	
	22	$270,200	$163,000	$6,171	
	14	$339,400	$182,500	$6,909	
	15	$271,100	$159,900	$6,054	
	23	$250,500	$145,600	$5,512	
	31	$363,100	$186,100	$7,046	
	39	$305,100	$184,300	$6,978	
	47	$348,200	$193,400	$7,322	Sold 12/1/18 for $279,900
	55	$296,900	$187,300	$7,091	
	63	$247,200	$147,700	$5,592	
	71	$286,100	$173,200	$6,557	
Judy Lane (partial)	83	$294,100	$172,300	$6,523	
	175	$271,600	$162,700	$6,160	
	165	$355,100	$149,900	$5,675	Sold 4/1/21 for $330,000
	155	$286,000	$149,800	$5,671	
	154	$291,900	$176,300	$6,675	
	138	$353,800	$172,600	$6,535	
	129	$315,700	$156,600	$5,929	
Barbara Road	139	$322,200	$186,000	$7,042	
	3	$302,000	$181,100	$7,121	
	15	$311,300	$197,400	$7,474	
	23	$305,300	$148,200	$5,611	Sold 11/25/20 for $270,000
	31	$280,800	$146,500	$5,546	
	39	$275,700	$156,800	$5,936	
Marilyn Road (partial)	10	$265,400	$135,400	$5,126	
	64	$285,800	$151,100	$5,721	
	54	$274,200	$151,500	$5,736	
	44	$300,800	$163,400	$6,186	
	38	$457,800	$232,900	$8,818	Sold 6/4/21 for $437,000
	30	$300,200	$164,800	$6,239	
	25	$241,400	$135,400	$5,126	
	43	$287,500	$146,600	$5,550	
	53	$252,300	$151,400	$5,732	
TOTAL WITHIN "NUISANCE ZONE"		**$31,153,400**	**$17,206,460**	**$651,699**	

Source: Zillow.com; accessed 11/8/2021

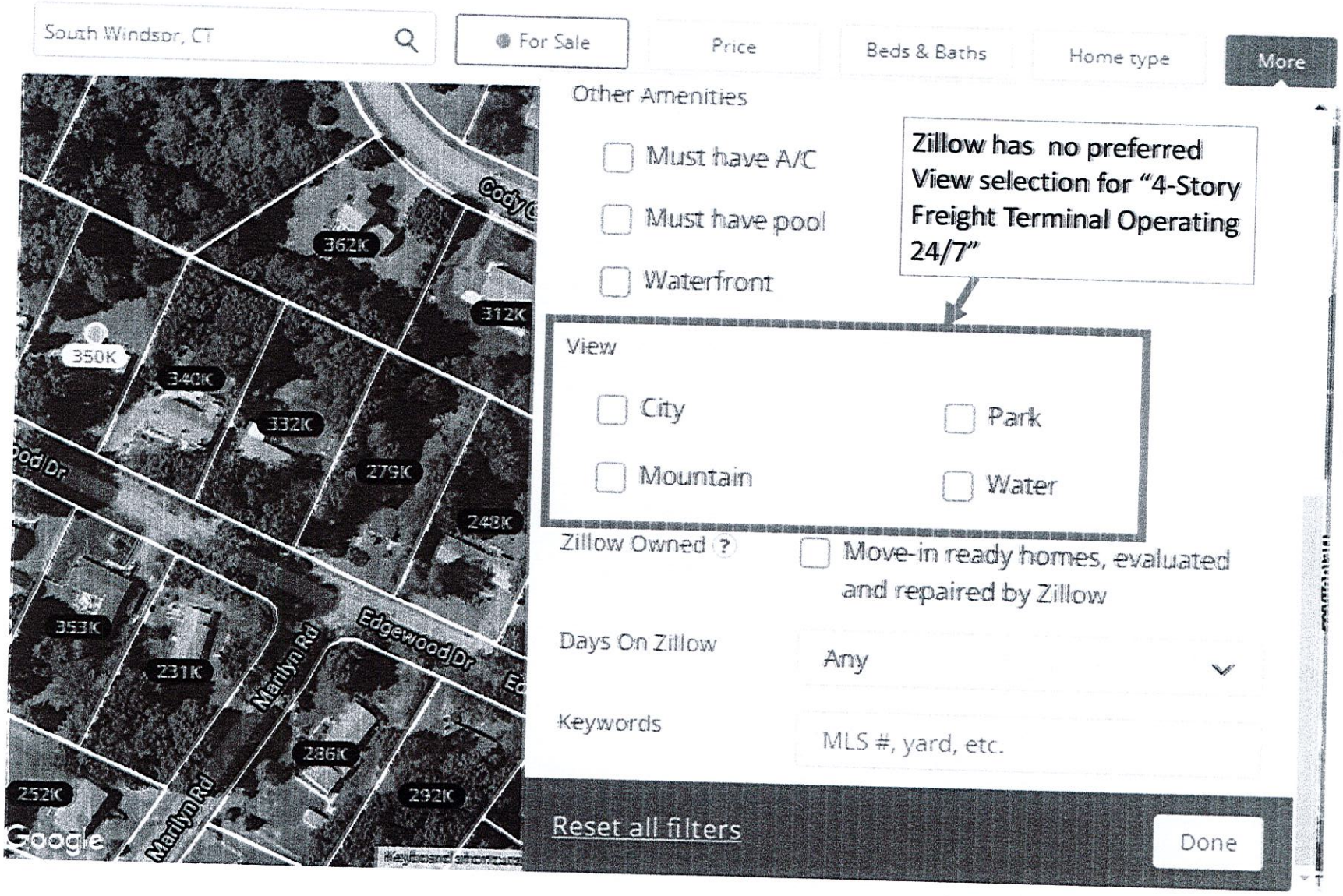
Financial Survey of Homes Impacted by Appl.25 Talbot No. 21-36P

	Number of Homes	Market Value	Assessed Value	2021 Property Tax
Within 500' Site Offset	45	$14,779,400	$8,193,700	$310,215
Within "Nuisance Zone"	103	$31,153,400	$17,206,460	$651,699
TOTAL	**148**	**$45,932,800**	**$25,400,160**	**$961,914**

Financial damage to homeowners for each 10% loss of property value:

$4,593,280

EXHIBIT F


South Windsor, CT
For Sale
Price
Beds & Baths
Home type
More
Other Amenities
Must have A/C
Must have pool
Waterfront
Zillow has no preferred View selection for "4-Story Freight Terminal Operating 24/7"
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Edgewood Dr
Marilyn Rd
Google

EXHIBIT F

Jotart
Cody Circle

VENTURE ONE REALTY LLC
The Zubretsky Team

EXHIBIT G

11/9/2021
39 Cody Circle , South Windsor CT

One of the most imperative things we can do to get your home sold quickly, is to price it correctly, according to the market.

1. After running a comparable analysis of single family homes with similar criterion within 1 mile of your property, we can see what's under Closed within the last 360 days. We arrive at a listing price of between $390,000 and $437,000. If the Amazon Warehouse is built, I believe the value of the property would decrease by $25,000- $50,000. Bringing the Value down to $370,000-$380,000

Status: Closed (5)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP
Min	7	3	3	2,058	1961	.37	3	$369,900	$380,000	$150.60	$134.66	8
Max	10	4	4	2,822	1995	.77	19	$425,000	$437,000	$199.17	$208.94	10
Avg	8	4	3	2,399	1980	.49	8	$403,940	$404,800	$170.69	$171.92	10
Median	8	4	3	2,177	1979	.45	6	$409,900	$390,000	$172.45	$177.77	10
Sum								$2,019,700	$2,024,000			

Change	Status Date	Change Details	Prop Type	List/Closed Price	Address	City	Acres	Sq Ft	Style/Rent Type	Rooms	Beds	Bathrooms	Garage/Par
CLSD	07/30/21	UC->CLSD	SF	LP: $409,900 CP: $430,000	98 Sycamore Rd	South Windsor	0.38	2,058	Colonial	7	3	2 Full & 1 Half	2 Car/Atta
CLSD	05/28/21	UC->CLSD	SF	LP: $369,900 CP: $390,000	18 Sally Dr	South Windsor	0.77	2,145	Colonial	8	4	2 Full & 1 Half	2 Car/Atta
CLSD	12/18/20	UC->CLSD	SF	LP: $389,900 CP: $387,000	70 Sycamore Rd	South Windsor	0.37	2,827	Colonial	10	4	2 Full & 1 Half	2 Car/Atta
CLSD	06/04/21	UC->CLSD	SF	LP: $425,000 CP: $437,000	38 Marilyn Rd	South Windsor	0.45	2,794	Colonial	8	4	3 Full & 1 Half	2 Car/Atta
CLSD	04/28/21	UC->CLSD	SF	LP: $425,000 CP: $380,000	19 Cody Cir	South Windsor	0.47	2,822	Colonial	8	4	2 Full & 1 Half	2 Car/Atta

3. If we take into consideration the Close Price to List Price ratio of single family homes with similar criterion within 1 mile of your property, we see a ratio of 100%. This data tells us that on average, you can expect to receive offers that are approximately 100% of the price you list at.

4. Looking at the Number of New Listings and Active listings for by price point, within 1 mile of the property address with similar criterion over the past 365 days, is an excellent way to gauge the competition your property faces in the marketplace.

Status: Active (1)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	6	3	2	1,153	1930	.31	11	$249,900	-	$216.74	-	-
Max	6	3	2	1,153	1930	.31	11	$249,900	-	$216.74	-	-
Avg	6	3	2	1,153	1930	.31	11	$249,900	-	$216.74	-	-
Median	6	3	2	1,153	1930	.31	11	$249,900	-	$216.74	-	-
Sum								$249,900	-			

Status: Under Contract - Continue to Show (1)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	5	2	3	1,432	1988		31	$255,000	-	$178.07	-	-
Max	5	2	3	1,432	1988		31	$255,000	-	$178.07	-	-
Avg	5	2	3	1,432	1988		31	$255,000	-	$178.07	-	-
Median	5	2	3	1,432	1988		31	$255,000	-	$178.07	-	-
Sum								$255,000	-			

Status: Under Contract (7)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	5	2	1	948	1934		2	$214,900	-	$152.84	-	-
Max	8	4	3	1,780	1988	.75	21	$349,900	-	$296.53	-	-
Avg	6	3	2	1,287	1959	.43	8	$261,214	-	$207.63	-	-
Median	6	3	2	1,292	1958	.45	5	$229,000	-	$198.78	-	-
Sum								$1,828,500	-			

10/11/21	ACTV->UC	SF	LP: $216,000	7 Ravine Rd	South Windsor	0.25	948	Ranch	5	2	1 Full	1 Car/Attached Garage	1953	5
10/25/21	ACTV->UC	SF	LP: $298,900	32 Hilton Dr	South Windsor	0.64	1,608	Ranch	6	3	2 Full	1 Car/Attached Garage	1958	2
11/08/21	UC-CTS->UC	SF	LP: $229,000	65 Judy Ln	South Windsor	0.45	1,152	Ranch	6	3	2 Full	1 Car/Attached Garage	1962	5
10/29/21	Listing Entered	SF	LP: $249,900 N	1153 Ellington Rd	South Windsor	0.31	1,153	Cape Cod	6	3	1 Full & 1 Half	2 Car/Attached Garage	1930	11
10/11/21	UC-CTS->UC	SF	LP: $219,900	70 Lakewood Dr, Unit #70	South Windsor	0.00	1,292	Colonial	5	2	2 Full	1 Car/Attached Garage	1988	12
11/08/21	ACTV->UC	SF	LP: $214,900 ↓	60 Daywell Rd	South Windsor	0.48	1,405	Cape Cod	7	3	2 Full & 1 Half	2 Car/Unpaved, Paved, Off	1934	21
11/02/21	ACTV->UC	SF	LP: $299,900	1060 Ellington Rd	South Windsor	0.75	2,824	Ranch	7	3	1 Full & 1 Half	2 Car/Attached Garage	1953	8
10/25/21	ACTV->UC-CTS	SF	LP: $255,000	3 Victorian Woods Ln, Unit #3	South Windsor	0.00	1,432	Colonial	5	2	2 Full & 1 Half	1 Car/Attached Garage	1988	31
11/07/21	ACTV->UC	SF	LP: $349,900	58 Edgewood Dr	South Windsor	0.45	1,780	Colonial	8	4	1 Full & 1 Half	2 Car/Detached Garage, P	1963	3

5. Over pricing is a major pitfall that could cause your property to sit for an extended period of time. By looking at similar properties within 1 mile That have canceled, expired or withdrawn from the market we can see how the market is reacting to properties that are overpriced.

EXHIBIT G

Status: Expired (1)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	7	3	2	1,568	1959	.49	95	$269,900	-	$172.13	-	-
Max	7	3	2	1,568	1959	.49	95	$269,900	-	$172.13	-	-
Avg	7	3	2	1,568	1959	.49	95	$269,900	-	$172.13	-	-
Median	7	3	2	1,568	1959	.49	95	$269,900	-	$172.13	-	-
Sum								$269,900	-			

Status: Cancelled (1)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	6	3	2	1,248	1963	.49	7	$249,900	-	$200.24	-	-
Max	6	3	2	1,248	1963	.49	7	$249,900	-	$200.24	-	-
Avg	6	3	2	1,248	1963	.49	7	$249,900	-	$200.24	-	-
Median	6	3	2	1,248	1963	.49	7	$249,900	-	$200.24	-	-
Sum								$249,900	-			

Status: Withdrawn (3)

	Rooms	Beds	Baths	Total Sq Ft	Built	Acres	DOM	List Price	Close Price	LP$/SqFt	SP$/SqFt	SP/LP%
Min	5	1	1	825	1938		2	$119,000	-	$144.24	-	-
Max	9	3	2	2,276	1973	7.7	157	$359,900	-	$245.10	-	-
Avg	7	2	1	1,442	1957	2.72	57	$259,633	-	$182.49	-	-
Median	6	3	1	1,224	1960	.45	13	$299,999	-	$158.13	-	-
Sum								$778,899	-			

07/19/21	ACTV->WITH	SF	LP: $119,000	161 Candlewood Dr, Unit #161	South Windsor	0.00	825	Other	5	1	1 Full	Car/Off Street Parking	1973	2
09/06/21	TEMP->WITH	SF	LP: $299,999	100 Foster Rd	South Windsor	7.70	1,224	Cape Cod	6	3	1 Full	2 Car/Detached Garage	1938	157
10/13/20	UC->CANC	SF	LP: $249,900	130 Northview Dr	South Windsor	0.49	1,578	Raised Ranch	6	3	1 Full & 1 Half	2 Car/Attached Garage	1963	7
02/16/21	TEMP->EXPD	SF	LP: $269,900	413 Pleasant Valley Rd	South Windsor	0.49	1,568	Colonial	7	3	1 Full & 1 Half	2 Car/Attached Garage	1959	95
08/19/21	ACTV->WITH	SF	LP: $359,900	78 Elizabeth St	South Windsor	0.45	2,276	Colonial	9	3	2 Full	2 Car/Attached Garage	1960	13

Resume of Derrick Butler

596 Governors Highway • South Windsor, CT 06074
(860) 291-9837

EXHIBIT H

EDUCATION

1987

University of Connecticut; Storrs Connecticut
Bachelor of Science
Management and Human Resources

EXPERIENCE

1996 - Present

Hartford Despatch Moving & Storage; East Hartford, Connecticut
Vice President - Operations

- Plan, organize and control the overall operation including local and short-hall moving teams and long-haul independent contractors.
- Manage and oversee all daily functions of the 200,000 square foot warehouse and records storage center, and facilities.
- Responsible for organizing and managing numerous large scale corporate relocations. To date over 3.4 million square feet moved.
- Responsible for compliance with O.S.H.A., D.O.T., I.R.P. regulations.
- Manage garage and the upkeep of 100-unit fleet.

1995 - 1996

Hartford Despatch Moving & Storage; East Hartford, Connecticut
Assistant Vice President

- Commercial moving and warehouse services.
- Project Manager responsible for many of the area's successful corporate facility moves, both office and industrial.
- Develop and maintain warehouse space and distribution accounts.
- Under my leadership Hartford Despatch earned the Connecticut Motor Transport Association Division 3 Safe Fleet Award.
- Fleet Safety manager and primary liaison with Allied Van Lines Safety Department.

1987 - 1995

Hartford Despatch Moving & Storage; East Hartford, Connecticut
Commercial Move Coordinator

- Responsible for development and maintenance of national account base.
- Crew and Driver Dock Supervisor.

1980 - 1987

Hartford Despatch Moving & Storage; East Hartford, Connecticut
Intrastate, Interstate Class I Driver and Crew Foreman

- Serviced national accounts such as IBM, Aetna, Travelers, UTC, Union Carbide; Dock Supervisor.

PROFESSIONAL DEVELOPMENT

1995

National Moving and Storage Association
Young Executive, Development Program; Alexandria, Virginia

1993

Connecticut Business and Industrial Association
O.S.H.A. reporting and compliance seminar; Hartford, Connecticut

1992

Dale Carnegie Marketing and Sales Course; West Hartford, Connecticut

Intervener Petition supplement against Application 21-36P

Intervener Derrick J. Butler 596 Governors Highway South Windsor CT.

EXHIBIT I

Intervener section 4D) Application and use of said property will have adverse affects to public health and safety.

I am adding as an Exhibit the Air Quality and Land Use Handbook from the California Environmental Protection Agency. In this report, they show large truck terminals and (DC)s produce heavy truck traffic that produces Diesel PM emissions. Diesel Pm is identified as a toxic air contaminant and represents 70% of the potential cancer risk from air toxics. Their report is based on 100 tractor trailer trips per day which is half of the activity planned for the applicant's site. They report additional concentrations of diesel PM creates an increased cancer risk of 100 per million when allowing these operations within 800 feet of a neighborhood. The risk drops to between 10 and 100 per million when there is a separation of 800 feet to 3600 feet. The cancer risk drops again to less than 10 per million when the separation between the operation and the homes is over 3000 feet . Their (AQMD) analysis indicates a separation of 1000 feet would substantially reduce the diesel PM concentration and health hazard for the neighborhood.

Since many of the surrounding homes are within 1000 feet of the applicants site, this project is unsafe for the surrounding homes .

EPA regulations regarding reducing idling times will not help. The Federal Motor Carriers Safety Administration –(FMSCA), regulates and has enforcement power over the domestic trucking industry .

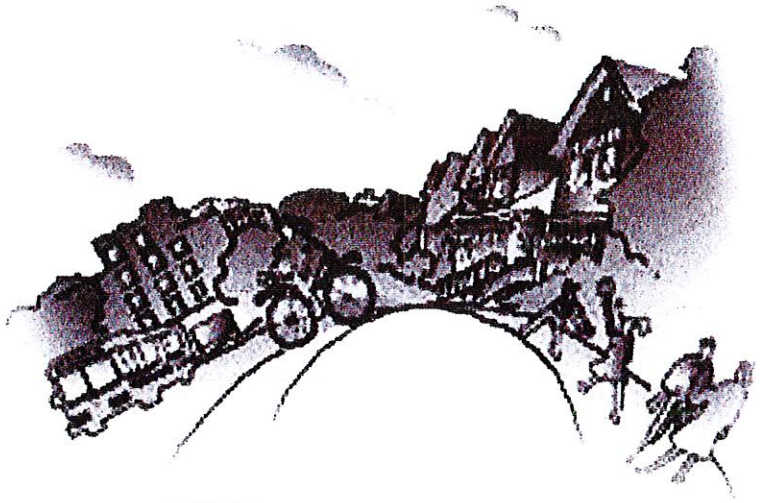
(FMSCA) mandates pre trip inspections must be completed on all class 7 and 8 vehicles being used on a shift. The Pre trip inspection (DVIR), in regulation 49cfr 396.11 must be completed each day and takes a driver on average 20 min. Trucks are running during the (DVIR) process. The DVIR process supersedes the EPA idling restrictions. Also please note that in our area large Diesel engines run twice as long in the cold winter months to prevent fuels from jelling.

The additional run time in the winter ,was not planned for in the AQMD analysis. Winter idling, TRU Motor running times on refrigerator units, can easily increase the diesel PMs within 500 feet of the neighborhood.

11/9/21

EXHIBIT I

AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE



April 2005

California Environmental Protection Agency
California Air Resources Board

- Zhu, Y et al. *"Study of Ultra-Fine Particles Near A Major Highway With Heavy-Duty Diesel Traffic."* Atmospheric Environment. 2002 ; 36:4323-4335
- Knape, M. *"Traffic related air pollution in city districts near motorways."* The Science of the Total Environment. 1999; 235:339-341
- *Roseville Rail Yard Study.* ARB (October 2004)
- *ARB Diesel Risk Reduction Plan.* (2000)
- Delfino RJ *"Epidemiologic Evidence for Asthma and Exposure to Air Toxics: Linkages Between Occupational, Indoor, and Community Air Pollution Research."* Environmental Health Perspectives. (2002) 110 (supplement 4): 573-589
- English P., Neutra R., Scalf R. Sullivan M. Waller L. Zhu L. *"Examining Associations Between Childhood Asthma and Traffic Flow Using a Geographic Information System."* (1999) Environmental Health Perspectives 107(9): 761-767

Distribution Centers

Distribution centers or warehouses are facilities that serve as a distribution point for the transfer of goods. Such facilities include cold storage warehouses, goods transfer facilities, and inter-modal facilities such as ports. These operations involve trucks, trailers, shipping containers, and other equipment with diesel engines. A distribution center can be comprised of multiple centers or warehouses within an area. The size can range from several to hundreds of acres, involving a number of different transfer operations and long waiting periods. A distribution center can accommodate hundreds of diesel trucks a day that deliver, load, and/or unload goods up to seven days a week. To the extent that these trucks are transporting perishable goods, they are equipped with diesel-powered transport refrigeration units (TRUs) or TRU generator sets.

The activities associated with delivering, storing, and loading freight produces diesel PM emissions. Although TRUs have relatively small diesel-powered engines, in the normal course of business, their emissions can pose a significant health risk to those nearby. In addition to onsite emissions, truck travel in and out of distribution centers contributes to the local pollution impact.

ARB is working to reduce diesel PM emissions through regulations, financial incentives, and enforcement programs. In 2004, ARB adopted two airborne toxic control measures that will reduce diesel PM emissions associated with distribution centers. The first will limit nonessential (or unnecessary) idling of diesel-fueled commercial vehicles, including those entering from other states or countries. This statewide measure, effective in 2005, prohibits idling of a vehicle more than five minutes at any one location.[3] The elimination of unnecessary idling will reduce the localized impacts caused by diesel PM and other air toxics

[3] For further information on the Anti-Idling ATCM, please click on: http://www.arb.ca.gov/toxics/idling/outreach/factsheet.pdf

in diesel vehicle exhaust. This should be a very effective new strategy for reducing diesel PM emissions at distribution centers as well as other locations.

The second measure requires that TRUs operating in California become cleaner over time. The measure establishes in-use performance standards for existing TRU engines that operate in California, including out-of-state TRUs. The requirements are phased-in beginning in 2008, and extend to 2019.[4]

ARB also operates a smoke inspection program for heavy-duty diesel trucks that focuses on reducing truck emissions in California communities. Areas with large numbers of distribution centers are a high priority.

Key Health Findings

Diesel PM has been identified by ARB as a toxic air contaminant and represents 70 percent of the known potential cancer risk from air toxics in California. Diesel PM is an important contributor to particulate matter air pollution. Particulate matter exposure is associated with premature mortality and health effects such as asthma exacerbation and hospitalization due to aggravating heart and lung disease.

Distance Related Findings

Although distribution centers are located throughout the state, they are usually clustered near transportation corridors, and are often located in or near population centers. Diesel PM emissions from associated delivery truck traffic and TRUs at these facilities may result in elevated diesel PM concentrations in neighborhoods surrounding those sites. Because ARB regulations will restrict truck idling at distribution centers, the largest continuing onsite diesel PM emission source is the operation of TRUs. Truck travel in and out of distribution centers also contributes to localized exposures, but specific travel patterns and truck volumes would be needed to identify the exact locations of the highest concentrations.

As part of the development of ARB's regulation for TRUs, ARB staff performed air quality modeling to estimate exposure and the associated potential cancer risk of onsite TRUs for a typical distribution center. For an individual person, cancer risk estimates for air pollution are commonly expressed as a probability of developing cancer from a lifetime (i.e., 70 years) of exposure. These risks were calculated independent of regional risk. For example, the estimated regional cancer risk from air toxics in the Los Angeles region (South Coast Air Basin) is approximately 1,000 additional cancer cases per one million population.

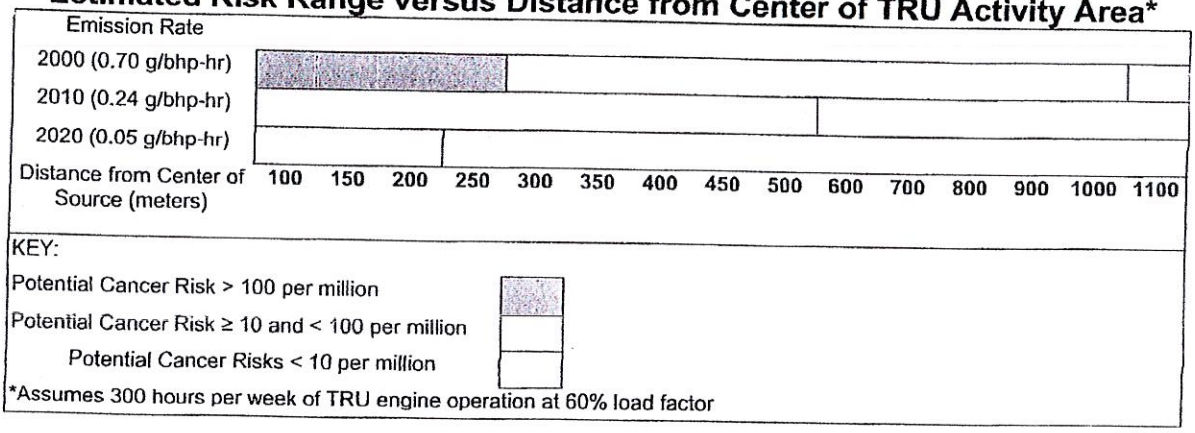
[4] For further information on the Transport Refrigeration Unit ATCM, please click on: http://www.arb.ca.gov/diesel/documents/trufaq.pdf

The diesel PM emissions from a facility are dependent on the size (horsepower), age, and number of engines, emission rates, the number of hours the truck engines and/or TRUs operate, distance, and meteorological conditions at the site. This assessment assumes a total on-site operating time for all TRUs of 300 hours per week. This would be the equivalent of 40 TRU-equipped trucks a day, each loading or unloading on-site for one hour, 12 hours a day and seven days a week.

As shown in Figure 1-2 below, at this estimated level of activity and assuming a current fleet diesel PM emission rate, the potential cancer risk would be over 100 in a million at 800 feet from the center of the TRU activity. The estimated potential cancer risk would be in the 10 to 100 per million range between 800 to 3,300 feet and fall off to less than 10 per million at approximately 3,600 feet. However with the implementation of ARB's regulation on TRUs, the risk will be significantly reduced.[5] We have not conducted a risk assessment for distribution centers based on truck traffic alone, but on an emissions basis, we would expect similar risks for a facility with truck volumes in the range of 100 per day.

Figure 1-2

Estimated Risk Range versus Distance from Center of TRU Activity Area*

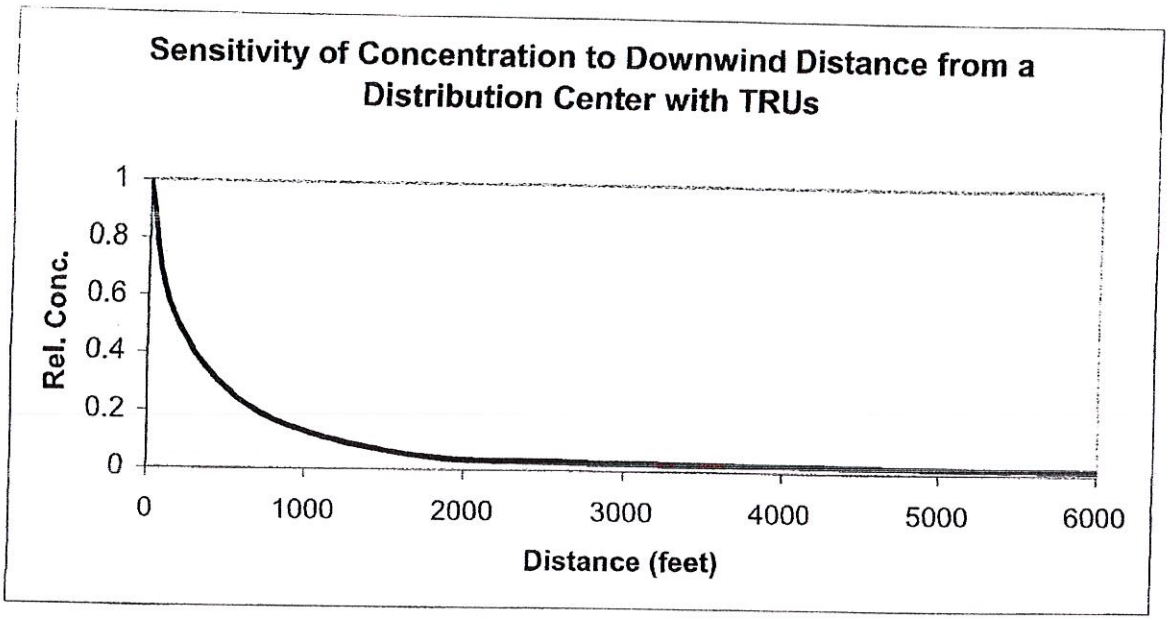


The estimated potential cancer risk level in Figure 1-2 is based on a number of assumptions that may not reflect actual conditions for a specific site. For example, increasing or decreasing the hours of diesel engine operations would change the potential risk levels. Meteorological and other facility specific parameters can also impact the results. Therefore, the results presented here are not directly applicable to any particular facility or operation. Rather, this information is intended to provide an indication as to the potential relative levels of risk that may be observed from operations at distribution centers. As shown in Figure 1-2, the estimated risk levels will decrease over time as lower-emitting diesel engines are used.

[5] These risk values assume an exposure duration of 70 years for a nearby resident and uses the methodology specified in the 2003 OEHHA health risk assessment guidelines.

Another air modeling analysis, performed by the South Coast Air Quality Management District (South Coast AQMD), evaluated the impact of diesel PM emissions from distribution center operations in the community of Mira Loma in southern California. Based on dispersion of diesel PM emissions from a large distribution center, Figure 1-3 shows the relative pollution concentrations at varying distances downwind. As Figure 1-3 shows, there is about an 80 percent drop off in concentration at approximately 1,000 feet.

Figure 1-3
Decrease In Relative Concentration of Risk With Distance



Both the ARB and the South Coast AQMD analyses indicate that providing a separation of 1,000 feet would substantially reduce diesel PM concentrations and public exposure downwind of a distribution center. While these analyses do not provide specific risk estimates for distribution centers, they provide an indication of the range of risk and the benefits of providing a separation. ARB recommends a separation of 1,000 feet based on the combination of risk analysis done for TRUs and the decrease in exposure predicted with the South Coast AQMD modeling. However, ARB staff plans to provide further information on distribution centers as we collect more data and implement the TRU control measure.

Taking into account the configuration of distribution centers can also reduce population exposure and risk. For example, locating new sensitive land uses away from the main entry and exit points helps to reduce cancer risk and other health impacts.

Good Afternoon, EXHIBIT J

Regarding 25 Talbot Lane Site Plan Review / Approval for a Trucking/Freight Terminal on (4) parcels consisting of over 30 acres comprised of old-growth forest, wetlands, watercourses and other various wildlife habitats.

We are very concerned about the effect this may have on the species of tree roosting bats that inhabit that area. The local field office for the US Fish & Wildlife Service (USFWS) and the Connecticut Department of Energy and Environmental Protection (CT-DEEP) Wildlife Division should be consulted prior to any project approvals to determine what impact the clearing of the land will have on either the federally protected Indiana Bat, Northern Long-Eared Bat or any other species of bat considered to be "Endangered" by the State of Connecticut. Since 2007, upwards of 99% of some of the bat species here in Connecticut have been wiped out as a result of White Nose Syndrome affecting them during their winter hibernation cycle, and habitat encroachment.[1] See CT-DEEP Wildlife Division Fact Sheet on Bats (Sept. 2021) at 2.

Some species of bats are clearly present in and around the area of the proposed site plan, per the attached Affidavits and supporting documentation. One need only go outside at dusk to witness them foraging the area for insects as they emerge from the wooded area. It's important to determine what species and to what extent they inhabit the parcels at issue. In particular, if there are any annual maternity roosts or hibernacula within or near the 33 Acre area prior to any clearing operations.

DISCUSSION:

According to the 2015 Connecticut Wildlife Action Plan (CT-WAP), of the (9) species of bats that call Connecticut home, ALL are classified as being the "Greatest Conservation Need" (GCN)[2] (See CT-DEEP Bat Fact Sheet at 1). Five of those nine species are considered "Endangered" in the State of Connecticut pursuant to Conn. Agencies Regs. § 26-306-4. Two of those are Federally classified as either "Threatened" in the case of the "Northern Long-Eared Bat" (NLEB), or "Endangered" in the case of the "Indiana Bat". The Indiana Bat is on the Federal List of Endangered Species and protected by the Endangered Species Act of 1973.[3]

Connecticut Bats and their Status

Common Name	Scientific Name	CT Status (2015)*	Federal Status*
Big brown bat	*Eptesicus fuscus*	GCN	
Little brown bat	*Myotis lucifugus*	E, GCN	
Northern long-eared bat	*Myotis septentrionalis*	E, GCN	T

[1] CT-DEEP Bat Fact Sheet https://portal.ct.gov/-/media/DEEP/wildlife/pdf_files/outreach/fact_sheets/Bats.pdf
[2] 2015 Connecticut Wildlife Action Plan https://portal.ct.gov/DEEP/Wildlife/CT-Wildlife-Action-Plan/CT-WAP-Current-Status#Review
[3] U.S. Fish & Wildlife Service (USFWS) Indiana Bat Fact Sheet https://www.fws.gov/midwest/Endangered/mammals/inba/pdf/inbafctsht.pdf

(2015) pp. 213-219)[6]. This may unnecessarily stress populations of bats during the critical summer months, when they are foraging and storing fat for their winter hibernation, or when the females may be nursing their pups.

CONCLUSION:

In conclusion, further information is required. The Planning & Zoning Commission should delay any approvals or endorsements of the proposed site plan, until a more inclusive Wildlife Inventory can be established, and a survey can be conducted in accordance with the US Fish & Wildlife Service's Bat Survey Guidelines for CY20-21 (see attached), and the findings be included in any Environmental Impact Study used to support it. The Survey Guidelines were designed for use for both the Indiana Bat and the Northern Long-Eared Bat.

Depending on the result, an "Incidental Take" Permit may be required from USFWS prior to any clearing of trees.

Thank you for your time and consideration.

Respectfully,

Karen Viklinetz
Edgewood Drive
South Windsor, CT 06074

[6] *E.L. Stone et al*; "Impacts of Artificial Lighting on Bats"; Mammalian Biology 80 (2015) pp. 213-219 (https://www.researchgate.net/publication/272889669_Impacts_of_artificial_lighting_on_bats_A_review_of_challenges_and_solutions)

VOL. 1616 PAGE 318

WARRANTY DEED

EXHIBIT K

Attorney

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING: 003984

KNOW YE, THAT THE FRENCH SOCIAL CIRCLE BUILDING ASSOCIATION, INC., a/k/a THE FRENCH SOCIAL CIRCLE BUILDING ASSOCIATION, INCORPORATED, a Connecticut corporation of East Hartford, Connecticut, for consideration paid, does hereby give, grant, bargain and convey with Warranty Covenants to **HALE REALTY II, LLC** of Manchester, Connecticut ("Grantee"), two certain pieces or parcels of land located in the Town of South Windsor, County of Hartford and State of Connecticut known as 475 and Assessor Parcel R006B Governors Highway and being more particularly described on Schedule A attached hereto and made a part hereof.

Said premises are conveyed subject to:

1. Terms and conditions of a Drainage Easement in favor of GTT Corp., as Trustee of Onyx Properties Realty Trust dated April 29, 1994 and recorded in Volume 799 at Page 255 of the South Windsor Land.

2. Provisions of existing building and zoning laws.

3. Real estate taxes in favor of the Town of South Windsor on the Grand List of October 1, 2003, which taxes the Grantee assumes and agrees to pay as part consideration for this deed.

4. Easements, conditions, restrictions and other matters of record which do not interfere with the development and use of the property, including but not limited to Buyer's obligation to maintain a walking trail, detention basin or other areas to be used by or for the benefit of the Premises.

5. Any and all provisions of any ordinance, municipal regulation, public law or other governmental regulation

6. Such a state of facts that a current survey or personal inspection may reveal.

7. Any liens for municipal betterments assessed after the day of the delivery of this deed.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 7th day of June, 2004.

Signed and delivered
in the presence of:

Richard I Sellman

James Jepeal

The French Social Circle Building Association, Inc. a/k/a The French Social Circle Building Association, Incorporated

By: Evelyn Sirois
Evelyn Sirois
Its President, Duly Authorized

STATE OF CONNECTICUT)
) ss: Manchester June 7, 2004
COUNTY OF HARTFORD)

Personally appeared the within named Evelyn Sirois, President of The French Social Circle Building Association, Inc. a/k/a The French Social Circle Building Association, Incorporated, signer of the foregoing instrument and acknowledged the same to be her free act and deed as such officer of the corporation and the free act and deed of said corporation, before me.

Richard I. Sellman
Commissioner of the Superior Court

CONVEYANCE TAX RECEIVED
STATE $ 1750.00 LOCAL $ 875.00 No.
Gretchen G. Bickford
TOWN CLERK OF SOUTH WINDSOR

crenn/10

Volume: 1616 Page: 318 File Number: 003984 Seq: 1

EXHIBIT K

Schedule A - Legal Description

475 Governors Highway

A certain piece or parcel of land situated in the Town of South Windsor, County of Hartford, known as 475 Governors Highway and shown and designated as Lot No. 1 on a map entitled "RESUBDIVISION MAP PLAN PREPARED FOR French Social Circle Building Association, Inc. GOVERNORS HIGHWAY SOUTH WINDSOR, CONNECTICUT, Design Professionals, Inc. civil engineers, - planners - surveyors, 441c Governors Highway, South Windsor, Connecticut 06074 Date: 2-18-94 Scale 1 inch = 100 ft.", which map is recorded in the South Windsor Town Clerk's Office as Map No. 2268 A, to which reference may be had. Said premises are more particularly bounded and described as follows:

Beginning at the northwest corner of the parcel herein described, which point is 225.00 feet from a monument along a bearing of S 66° 28' 48" E; thence S 66° 28' 48" E along Governors Highway 285.67 feet to a point; thence S 64° 08'48" E along Governors Highway 207.50 feet to a point; thence S 23° 31' 12" W along other land of French Social Circle Building Association, Inc. as shown on said map 335.64 feet to a point; thence N 66° 28' 48" W along other land of French Social Circle Building Association, Inc. as shown on said map 493.00 feet to a point; thence N 23° 31' 12" E along land now formerly of Capuano 344.08 feet to the point and place of beginning.

R006B Governors Highway

A certain piece or parcel of land situated in the Town of South Windsor, County of Hartford, shown and designated as "Other Land of French Social Circle Building Association, Inc." on a map entitled "RESUBDIVISION MAP PLAN PREPARED FOR French Social Circle Building Association, Inc. GOVERNORS HIGHWAY SOUTH WINDSOR, CONNECTICUT, Design Professionals, Inc. civil engineers, - planners - surveyors, 441c Governors Highway, South Windsor, Connecticut 06074 Date: 2-18-94 Scale 1 inch = 100 ft.", which map is recorded in the South Windsor Town Clerk's Office as Map No. 2268 A, to which reference may be had. Said premises are more particularly bounded and described as follows:

Beginning at a northwesterly corner of the herein described premises and the northeasterly corner of Lot No. 1 as shown on said map; thence S 64° 08' 48" E along Governors Highway 131.92 feet to a point; thence S 64° 74' 12" E along Governors Highway 160.27 feet to a point; thence S 67° 25 '40" E along Governors Highway 256.33 feet to a point; thence S 23° 48' 61" W partly along property now or formerly of Temple Beth Hillel and partly along property now or formerly of Clark Realty, Inc., in all 1120.99 feet to a point; thence N 66° 12' 42" W partly along land now or formerly of Pleasant Valley Estates and partly along land now or formerly of the Town of South Windsor, in all 695.20 feet to a point, thence N 65° 33' 43" W partly along land now or formerly of Marlowe and partly by land now or formerly of the Town of South Windsor, in all 340.35 feet to a point; thence N 23° 31' 12" E along land now formerly of Capuano 784.04 feet to a point; thence S 66° 28' 48" E along Lot No. 1 as shown on said map 493.00 feet to a point; thence N 23° 31' 12" E along said Lot No. 1 335.64 feet to the point and place of beginning. Together with a Drainage Easement in favor of GTT Corp., as Trustee of Onyx Properties Realty Trust dated April 29, 1994 and recorded in Volume 799 at Page 255 of the South Windsor Land Records.

RECEIVED FOR RECORD:
DATE 6-7-04 TIME 4:25 P.M.

Nan A Tahan asst
TOWN CLERK, SOUTH WINDSOR, CT