

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

Deborah W. Reid, ARC
RECEIVED DEC 18 2023
@ 3:48pm

SPECIAL MEETING MINUTES

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NOVEMBER 28, 2023

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

ALTERNATES PRESENT: Paul Bernstein, Atif Quraishi

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

SPECIAL MEETING

CALL TO ORDER: Chair Pacekonis called the Special Meeting to order at 6:30 p.m.

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

1. Stipulated Agreement related to pending litigation for **Appl. 21-11P, REESG Newco South Windsor, LLC** – request for a Zone Change from General Commercial Zone (GC) to Sullivan Ave Mixed Use Development Overlay Zone (SAMUD) of 19 +/- acres and General Plan of Development for the renovation of 60,740 sf of commercial space and the development of 125 apartment units, on property known as Sullivan Avenue Plaza, located at 959, 1017 and 1079 Sullivan Avenue, GC zone

Director of Planning Michele Lipe noted materials that had been distributed to the Commission, including the proposed stipulated agreement, the general plan of development (**Exhibit A**), and a diagram (**Exhibit B**) and a photograph (**Exhibit C**) of the proposed type of fencing. Chair Pacekonis explained that the agreement involves the installation of an ornamental fence.

Commissioner Wagner made a motion to approve the following stipulated agreement related to pending litigation for Appl. 21-11P, REESG Newco South Windsor, LLC:

The plaintiff, REESG Newco South Windsor, LLC and the defendant South Windsor Planning and Zoning Commission stipulate and agree as follows:

1. On June 8, 2021, the South Windsor Planning and Zoning Commission approved the plaintiff's request for a zone change from the General Commercial Zone to the Sullivan Avenue Mixed Use Development Overlay Zone (SAMUD) of 19 +/- acres and General Plan of Development for the renovation of 60,740 sf of commercial space and the development of 125 apartment units, on property known as Sullivan Avenue Plaza, and located at 959, 1017 and 1079 Sullivan Avenue in South Windsor (the "Approval").
2. The Approval was made subject to five conditions.
3. Condition of approval no. 5 relates to additional sidewalk construction and provides as follows:

The applicant will work with the State of CT to evaluate and establish an additional sidewalk from the Geissler's Plaza entrance in Sullivan Ave to Ayers Road, including a pedestrian crossing the signalized intersection of Sullivan Ave and Ayers Road. The applicant will also provide a path/sidewalk to minimize the walking distance from the vicinity of one of the apartment buildings to the Sullivan Ave/Ayers crossing.

4. In the interest of resolving the pending appeal, the parties have agreed that Condition No. 5 shall be modified as follows:

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The applicant will install an ornamental fence along the property frontage on Sullivan Avenue as shown on (1) "General Plan of Development Sullivan Avenue Plaza Zone Change & General Plan of Development 959, 1017 & 1079 Sullivan Avenue South Windsor, Connecticut GIS Nos. 87300959, 87301017 & 87301079 Prepared for Mr. Gregg R. Nanni Prospect Enterprises 231 Farmington Avenue Farmington, CT 06032 860-249-2242 T Design Professionals 21 Jeffrey Drive P.O. Box 1167 South Windsor, CT 06074 860-291-8755 – T 860-291-8757 – F Project No: 4256 Date: 1/25/23 Revisions 1 1/25/2023 Initial Sidewalk Concept 2 2/3/2023 Revised Concept as Per Town Engineer 3 2/13/2023 Revised Concept as Per Town Engineer 4 8/17/2023 Settlement Plan Fence Options 5 9/25/23 Settlement Plan Fence Revisions Sheet C-GP1," attached hereto as Exhibit "A"; (2) "SPS Centurion 2 Panel Titan 3 Rail" Fence Design Detail, attached hereto as Exhibit "B"; and (3) Ornamental Steel Fence Photograph, attached hereto as Exhibit "C".

5. The plaintiff shall withdraw its appeal upon execution of this Joint Stipulation.

Commissioner Dexter seconded the motion.

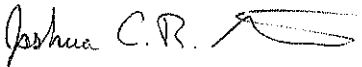
Chair Pacekonis said the fence would extend from the entrance of Geissler's Plaza past Ayers Road to the retaining walls near the 36-unit building. In response to a question from Commissioner Dexter, Commissioner Wagner outlined the other four approval conditions, which are printed on the plan and have not been questioned by the applicant. In response to a question from Commissioner Foley, Michele Lipe said there were no conditions regarding issuance of certificates of occupancy as the approval was for a zone change and general plan of development.

The motion was called. Commissioners Cavagnaro, Vetere, Wagner, Dexter, LeBlanc, and Chair Pacekonis voted in favor and Commissioner Foley voted against. The motion passed 6:1.

ADJOURNMENT

The meeting adjourned by consensus at 6:44 p.m.

Respectfully Submitted,



Joshua Stern, Recording Secretary