

**TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION**

MINUTES**-1-****AUGUST 18, 2020**

MEMBERS PRESENT: Bart Pacekonis, Frank Bonzani, Stephanie Dexter, Stephen Wagner, Bill Flagg

ALTERNATES PRESENT: Paul Bernstein, Elizabeth McGuire

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Michael Lehmann, IT Technician; Lauren Zarambo, Recording Secretary

REGULAR MEETING / Webex Conference ONLINE MEETING

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

Chairman Pacekonis appointed Alternate Commissioner Bernstein to be seated for Commissioner Foley, and Alternate Commissioner McGuire to be seated for Commissioner Greer.

PLEDGE OF ALLEGIANCE

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

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

Director Lipe stated the IT Department is also experimenting with broadcasting the meeting on UTube.

PUBLIC PARTICIPATION: None

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

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1. **Appl. 20-30P, Windsor Federal Savings & Loan Association** – request for Site Plan of Development for 2,682 sf building, on property to be known as 176 Deming Street (formally 395 Buckland Road), RC zone

Mr. Benjamin Wheeler, Director of Operations from Design Professionals, Inc., presented the request with Licensed PE Daniel Jameson and Project Landscape Designer Rachel Meier, with Mr. George Hermann, CEO of Windsor Federal Savings and Loan, Architects Jim Becker and Kathryn Mease of Tecton Architects, and Traffic Consultant Matt Skelly of Fuss & O'Neill.

Mr. Wheeler stated this will be the first South Windsor branch for Windsor Federal that is currently operating from a temporary address on Deming Street next door to the site. The 2,682 sf bank with drive-thru will be located at the northwest corner of Buckland Road and Deming Street, and have its main access point on Deming Street. The existing access point on Buckland Road for the Carmon Samsel Funeral Home will be widened to meet Town standards, and employed to facilitate better traffic flow. Sixteen parking spaces are required, but thirty-three parking spaces will be provided around three sides of the building and shared with the funeral home for overflow parking when needed. Cross-travel easements will be provided.

Mr. Wheeler showed the site plan describing permeable pavers, crosswalk and sidewalk connections from Deming Street to Buckland Road. No dumpster is proposed with all refuse taken off site to be disposed of by a service. Landscaping was described for the site including the large maple tree that is existing and will be saved as a long term asset to the property. The applicant will commit to irrigation of the landscaping on the highly visible site.

The ADRC reviewed the project favorably and commented about low light levels on site so lighting levels have been increased without increasing the four poles planned. Traffic for the site was reviewed and showed no negative impacts on the existing roadwork. An elevation was shown of the modern colonial building. Per ADRC suggestion, the clapboard will be dove gray in color rather than stark white. Signage was shown as a ground mounted illuminated sign. There is one engineering comment still to be addressed and will be accepted as a condition of approval.

Director of Planning Michele Lipe gave staff comments:

1. This request is for a site plan of development for 2,682 sf building including a bank drive thru, on property to be known as 176 Deming Street (formally 395 Buckland Road), RC zone
2. The subject site will be accessed through the existing entrance to the Carmon Funeral Home driveway at 419 Buckland Road, as well as through the existing access drive off of Deming Street. Both existing drives will be widened to a standard 24 foot driveway and the former access to the site will be eliminated. This meets the goals of the Town access management program.
3. The impervious coverage proposed is 58.6%; 60 % allowed. The parking requirement for a financial institution is 1 space for 250 sf of gfa +1 for each employee requiring 16 spaces. The plan shows a total of 33 spaces. The extra parking being created will be used by the funeral home; certain spots dedicated on site for day use and opportunity to use the entire site's parking during the evening and weekends for their services. Currently there is regularly a shortage of parking and this provides an opportunity to mitigate the problem.
4. A new sidewalk proposed along the Deming Street frontage as required as well as sidewalks connecting onto the site from both Deming Street and Buckland Road. A new cross walk is shown at the Deming Street access drive.

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5. The building will be set down approximately 13 feet at the Buckland Road/Deming Street. There is a retaining wall proposed that will range from 3 – 7 feet. There will be a four foot black rod-iron fence along the top of the wall.
6. Architectural and Design Review Committee reviewed this proposal on July 16, 2020 and were pleased with the proposed design. They recommended that the applicant consider a grey siding as opposed to white siding and white trim to provide more contrast.
7. The mechanical equipment is proposed on the top of the building and will not be visible from the public ways.
8. Proposed lighting will include four 15' high poles, with cutoff fixtures as well as building mounted lighting.
9. The applicant is proposing to save the significant maple tree on the corner of Deming and Buckland. Other landscaping includes perimeter trees and foundation plantings. Parking lot landscaping requirements have been met with 15+% landscaping coverage in the parking area.
10. There is no dumpster area shown on the site as the owner does not need one for their current operation. If one were needed in the future, there is adequate room and extra parking that a space could be converted.
11. There are regulated wetlands on the site. The applicant received approval from IWA/CC on July 1, 2020 with the recommendation of a \$10,000 erosion & sediment control bond, and a \$10,000 bond for the stormwater structures.
12. Public water and sewer will be provided. Water Pollution Control Authority approval is required.
13. The Fire Marshal has reviewed the plan and has no issues with the proposed site layout.

If this application is approved, the Planning Department requests that a crosswalk and landing area be added to the plans in the area along the driveway on Deming Street that is being expanded.

Town Engineer Jeff Doolittle noted the following engineering comments dated 8/11/20 have been addressed with the exception of one outstanding comment needing completion, to inspect the downstream drainage system to the outfall behind several buildings to the west to make sure that it can accommodate the flow from the development.

1. It appears the proposed maintenance easement to the Town at the corner of Deming Street and Buckland Road is for the sidewalk and traffic control equipment and that should be included. This easement should be large enough to allow room for a crew to maintain and repair/replace these items and should be in whole numbers, i.e. 10 feet x 6 feet.
2. Include a painted crosswalk across the western driveway by Deming Street and a concrete accessible ramp and landing on the western side of this driveway.
3. The entrance from the parking lot to the north should be shifted west about 3 to 4 feet to the existing parking space and to line up with the aisle in that parking lot. The east side of the entrance should be moved a little west as well. The parking spaces on the east side, just north of this entrance will be difficult to get in and out of and should be marked so vehicles do not block this driveway to the bank.
4. The slope between the bottom of the proposed retaining wall and the curb along the parking lot appears to be steeper than 3H:1V which will be difficult to maintain.

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5. The Pollution Control Superintendent prefers to use the existing sanitary sewer lateral that was installed in Buckland Road for this parcel. This is shown on the attached Sanitary Sewer Plan Sheet 33-B. Provide a reason why this lateral is not being used, if the plan remains to install a new sewer lateral as shown.
6. Show the existing drainage pipes with sizes and slopes/inverts all the way to the existing outlet and include this entire system in the drainage analysis.
7. What is the purpose of the underdrains shown around the underground stormwater retention system?
8. The traffic report does not include traffic from the large Costco development proposed at Evergreen Walk behind LA Fitness.
9. WPCA review and approval is needed for this application.

Chairman Pacekonis asked for any comments from the public to be entered into the record. There were no comments from the public.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Wagner discussed the sidewalk that ends at the property line with Mr. Wheeler who noted a crosswalk and landing area, to be located on the other side of the driveway, is shown on the plans.

Commissioner McGuire asked about the access from Buckland Road through the funeral home driveway and parking lot and asked about pedestrian safety when funerals are held. Mr. Wheeler noted the funeral home will be responsible for directing traffic during funerals and noted the main access for the bank is on Deming Street.

Commissioner Bernstein asked if the four 15' high light poles were sufficient lighting for the site. Mr. Wheeler noted lighting standards met in their plan and that pole height and power had been increased slightly per comments from the ADRC.

Commissioner Flagg discussed the rod iron fencing and retaining wall, and drive-thru operations with Mr. Wheeler who noted the retaining wall will not be visible from Buckland Road because of grading and how the building sits lower on the site. The dual access points allow for plenty of circulation for the drive-thru.

Chairman Pacekonis spoke with Windsor Federal Savings CEO/President George Hermann who stated the lobby of their temporary location is open and the new building is being designed with the most up to date protocols for Covid-19. Hours of operation will be 8 a.m. to 5 p.m. Monday through Thursday, 8 a.m. to 6 p.m. on Friday, and 8 a.m. to noon on Saturday. Site lighting was discussed.

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

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.
3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$10,000 for construction of stormwater controls including the detention basin and \$10,000 for erosion and sedimentation control.
4. A landscape bond in the amount of \$4,000 is required and must be submitted prior to filing of mylars.
5. All bonds must be in one of the forms described in the enclosed Bond Policy.

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6. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 8.1.11 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. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. Engineering comments dated 8/11/20 must be incorporated into the final plans.

Commissioner Flagg seconded the motion

The motion carried and the vote was unanimous.

PUBLIC HEARING / Webex Conference ONLINE MEETING

CALL TO ORDER: 7:33 p.m.

Secretary Commissioner Bonzani read the legal notice as published in the Journal Inquirer on Saturday, August 8, 2020 and Thursday, August 13, 2020.

Chairman Pacekonis stated the meeting is being live-streamed through a Webex conference call on our website, local channels, and is being audio and video recorded.

1. **Appl. 20-02P, Kilkenny Heights II Subdivision-** request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots, on property located at R024 and 420 Abbe Road and 248 Maskel Road, A-30 and RR zones

Mr. Jay Ussery and Project Engineer Dana Steele from J.R. Russo & Associates, LLC presented the request on behalf of the applicant, Mr. Robert Mannarino of Mannarino Builders, Inc.

Mr. Ussery gave an overview of the application for a special exception for a 13-lot (12 new lots) open space subdivision as an extension of Maskel Road that will connect to Abbe Road, and will incorporate 12.3 acres of open space to be conveyed to the Town. Exhibits were shown of aerial views and the site plans submitted.

The applicant previously came before the Commission last fall where it was determined an open space subdivision was preferable over a conventional subdivision that could be developed by right. The 12.3 acres of subdivision open space will be contiguous to open space already owned by the Town. The applicant will be providing an access point to the open space at the northern end of the parcel. Photographs were shown of the land described as northern hard wood forest void of invasive species with large deciduous trees and wildlife. Photos of the walking trail were referenced on a map. A larger overview was shown of the combined open space measuring just under 40 acres plus the Eversource transmission line corridor.

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Mr. Ussery narrated each page of the plan set. Existing conditions showed the temporary cul-de-sac on Maskel Road originally planned with a 50' strip to be extended into a future development. The small area of wetlands on site were reviewed and received IWA/CC approval in January of 2020. Plans were shown of the conservation area, wetland basin, topography map, water quality basin and road profile.

The landscaping plan was shown with arborvitae trees added to the rear of the lots along Abbe Road for screening in addition to the water quality basin. The back of Lot 5 will be screened from Lot 6 with Norway spruce trees. Street trees will include red maples, ornamental cherry trees, red oak, and autumn blaze maples. The open space access will have a paved apron with a grass walkway leading to the open space and arborvitae trees planted along the north side of Lot 7 for screening. An easement is proposed along the rear westerly edge of Lots 7 through 13 along the Eversource transmission line to provide access to the existing path/roadway.

A waiver is requested for sidewalks to be on one side of the road. Maskel Road is currently developed with sidewalks on the east side. The applicant proposes to continue the sidewalk on the east side of the new road up until the road turns westerly where the sidewalk would then be located on the south side of the road to Abbe Road.

A waiver is also requested for the north access point to the open space for a 20 foot wide access where 50 feet is required by regulations. Mr. Ussery described two other existing access points to the 38 acres of open space. Access to open space on the northerly side of this development, north of Lot 7, is proposed to measure 150 feet by 20 feet wide. The 12 feet of cleared area would have a 10 foot wide walking trail to open space.

Mr. Ussery referenced the letter submitted from Project Engineer Dana Steele detailing how the 14 criteria for the open space subdivision special exception have been met, and noted comments from Town staff have been addressed except for one regarding the intersection at Abbe Road that will be addressed as the public hearing continues. Their traffic engineer, Tess Schwartz of Tessera Engineering, did the speed study and it was determined the sight line at Abbe Road is short 30 feet. Traffic calming measures are recommended from the traffic authority and the applicant is in process of providing what will be required to the Town Engineer for review.

Director of Planning Michele Lipe gave staff comments:

1. This is a request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots and the reconfiguration of an existing , on property located at R024 and 420 Abbe Road and 248 Maskel Road, A-30 and RR zones
2. This subdivision has been designed in accordance with the open space subdivision requirement. In October of 2019, the applicant had concept plan discussions with the Commission regarding the layout of the subdivision and at that time the PZC directed the applicant to design the project as an open subdivision. Subsequent to that meeting, in November 2019 the PZC denied the applicant's formal request for a waiver to the length of the cul de sac in favor of having the road network be completed and outlet onto Abbe Road.
3. There are several design guidelines in Section 7.14.6 of objectives for the proposed open space. They include:
 - Promote the preservation guidelines in the various plans we have – OSTF, POCD, Recreation Plan;

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- Preserve and maintain all or part of any existing forest, fields pastures and other land in agricultural use;
 - Consideration for the preservation, creation and connection of areas used for wildlife habitat recreational corridors and trails;
 - Provision provided for pedestrian access between properties;
 - Locate in areas where the land is contiguous to other open space properties;
 - Preserve scenic views and vistas;
 - Protect and preserve historic or prehistoric sites; and
 - Maintain the visual integrity of hilltops and/or heavily wooded areas.
4. Open Space subdivision, allowed by special exception, are also subject to the general special exception criteria of Section 8.7 including:
- The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
 - The application has met the requirements of the zoning regulations.
 - The land is physically suited to the proposed use.
 - Minimal, if any, adverse environmental impacts are created.
 - No traffic or other hazards will be created.
 - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
 - There will be minimal or no adverse effects on existing uses in the area.
 - Surrounding property values will be conserved.
 - The character of the neighborhood will be maintained or minimally disrupted.
 - The general welfare of the community will be served.
 - There is a balance between neighborhood acceptance and community needs.
 - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
 - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission's goals for the neighborhood/corridor.
 - The architectural design is aesthetically pleasing and blends well into the surrounding area.
- The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above and/or within a particular use category are satisfied.
5. Minimum lot size allowed in the RR zone is 20,000 sf. The minimum lot size proposed is 20,000 sq ft. Under our open space formula the maximum number of new lots allowed is 12 lots.

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6. The road configuration consists of the extension of Maskel Road to Abbe Road to the east, leaving a road stub to the property to the north. With the extension of the road, the cul de sac wings will be conveyed to the abutting property owners.
 7. The open space requirement for this subdivision is 12.3 acres. The applicant proposes 48 acres that will connect to existing open space acquired from the Kilkenny Heights subdivision and Dzen Tree Farm open space subdivision. This open space is proposed to be combined by deed with the existing open space as required in the regulations.
 8. The applicant is proposing to leave a 20 foot access strip to the open space at the northerly end of Maskel Road with a small paved area for maintenance vehicles use. The intent for public access is to clear a 12 foot wide area to add a 10 foot wide mowable path. This path would connect to the existing Eversource easement. The plans call for a public access easement over approximately 45 feet of the rear portion of eastern lots (lots 7 -13) to accommodate the use of the existing Eversource path.
 9. Section C.1.c.(3)b of the Subdivision regulations requires public access strips to be 50 feet wide; Section C.1.g Exception to Standards allows the applicant to request minor deviations to this requirement. The applicant is requesting to be allowed to have a 20 foot pedestrian access strip.
 10. The Open Space Task Force had reviewed this property concluding that the top of the hill with an existing trail under the power easements connects to our existing and very desirable areas for open space. The hilltop will provide access to the second highest point in South Windsor (the Town already owns the highest point at the Wildlife Sanctuary), with views of the Hartford skyline.
 11. The subdivision regulations also require that any future Town-owned open space be referred to the Town Council for their recommendation regarding future acceptance. The Town Council discussed the open space at its February 3rd meeting and forwarded a favorable recommendation for the property to become Town owned open space. The resolution is being submitted for the record.
 12. Under the open space subdivision regulations the Commission has three options for open space ownership:
 - ◆ Town ownership, subject to Town Council approval;
 - ◆ Quasi-public land preservation organizations, subject to their acceptance; or
 - ◆ Homeowners Association.
- The subdivision regulations also provide for Commission approval of the location of open space. If the Commission is not satisfied with the proposed location, you have the option of requesting it in a different location or requiring a fee in lieu of open space.
13. The subdivision regulations also require that any future Town-owned open space be referred to the Town Council for their recommendation regarding future acceptance. The Town Council discussed the open space at its February 3, 2020 meeting and forwarded a favorable recommendation for the property to become Town owned open space. The resolution is being submitted for the record.
 14. There is a small area of regulated wetlands on the property. The applicant received IWA/CC approval on January 15, 2020, with a bond in the amount of \$20,000 for compliance with erosion and sediment control measures; a bond in the amount of \$25,000 for the installation of the storm water structures; and a bond in the amount of \$5,000 for plantings within the basin to be held for three years. Other approval conditions included a conservation easement required over the wetland area, as well as, that notice be

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placed on the deeds of Lots 1,2,3,4 and 6 that indicates any additional clearing from that is shown on the plans and would require additional approvals.

15. Sidewalks are shown on the easterly side of Maskel Road extension, and then connecting to Abbe Road connecting of the existing sidewalks on Maskel Road along the southerly side of the new street.
16. Street trees are shown on both sides of all streets, within a street tree easement that is shared with Eversource. The landscape plan, prepared by a landscape architect (as required), shows a combination of large canopy trees, columnar maples and flowering trees along the street frontage. In addition, some landscaping screening trees have been added to the northwesterly lot along the open space access easement, as well as, along the westerly property boundary adjacent to the existing houses along Abbe Road.
17. The site will be serviced by public water and sewers. WPCA approval is required.
18. The Traffic Report indicates that the existing roadway network has the capacity to accept the proposed traffic with no level of service reductions. The sight lines looking north do not meet the current sight line distance needed for the 85th percentile traffic speed, and the developer has proposed to make road improvements in Abbe Road to correct this sight line.
19. The Street Warden has requested that the easement be limited to a 10 foot easement.
20. If the open space is accepted as proposed, staff requests that Open Space permanent metal markers for delineating boundaries of Town-owned open space be installed.

Director Lipe added a comment from the Director of Parks and Recreation Ray Favreau who indicated the open space is ideal because it directly abuts Town open space with potential benefit to the public. It takes advantage of the existing trail by Eversource power lines and recommends that the two pathways connect from this open space to the other existing open space.

If this application is approved, the Planning Department has no additional modifications to request. Staff requests that this hearing remain open so that additional public comments can be received.

Town Engineer Jeff Doolittle elaborated specifically about the following engineering comments dated 8/10/20: #'s 1, 2, 5, 9, 10, 3, 11, 13, and 14:

The Town Engineer requested a note added to the plans that the property lines of the new subdivision, particularly on the northwest and south sides where it abuts existing lots, be staked out prior to the start of any work to clarify where everyone's property lines are.

1. The property lines on the North, West and South sides of this subdivision need to be staked out prior to the start of work.

The applicant is working on a grading plan for the intersection at Abbe Road to allow the sight lines to meet the requirement for the 85 percentile speed and is requested to widen the radius where the proposed road comes out to Abbe Road.

2. The grading plan for the intersection of Abbe Road and Maskel Road shows narrow pavement on Abbe Road. The radius of Maskel Road extension need to be larger (about 35 feet) on both sides where it meets Abbe Road and the tangent points of these radii need to be 12 to 13 feet from the center of the existing pavement on Abbe Road with tapers to match existing pavement by the nearest driveway north and south on Abbe Road.
3. Include a dimensioned coordinated plan for the proposed road with the profile.

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4. Show the existing ground on the profile.

The drainage is being tied into an existing drainage system that is old so the applicant is requested to do an inspection of the drainage system so that the Town can work with the applicant to make any repairs that are needed to that drainage system at this time.

5. The existing 15" ACCMP and RCP from the proposed Maskel Road to the outlet on the west side of Abbe Road will need to be inspected to determine their condition and replaced or repaired as needed.
6. The YD from lot 8/9 needs to be tied into the drainage system at a CB or other YD, so there is not a blind tap in the middle of an underground pipe.
7. Lot 6 driveway is just under 10% and should remain at a slope of 10% or less.
8. The vertical curves between stations 17+64 and 20+94 do not meet Town standards. I suggest the curves be adjusted so this section of road can be graded at a constant slope between about stations 18+50 and 19+50. I understand the idea is to capture as much stormwater flow in the catch basins and direct it to the stormwater basin. Additional catch basins may be needed between CB 5 and CB 6/7. Provide a gutter flow analysis to show how much water will be captured in the catch basins and how much will bypass them.
9. Show a plan to regrade Abbe Road and shoulder area to meet required sight line for 85% speed measured on Abbe Road.
10. Street light type, number and locations will have to be determined based on discussions with Planning, Police and Eversource Electric.
11. The Drainage Report does not appear to address the capacity and condition of the existing system on Abbe Road where the new storm drainage will be connected, or the new drainage downstream of the detention basin. Show a complete drainage analysis of these areas downstream of the detention basin and along Abbe Road to at least the outfall. The review of stormwater report is still in progress and we may have additional drainage comments
12. The foundation drain for Lot 4 should outlet toward the wetlands by the SW corner. Show the sump pump discharge location more clearly for Lot 6.
13. WPCA review and approval is needed for this subdivision.
14. All details need to conform to the Town of South Windsor standard details as applicable.

Chairman Pacekonis asked if anyone from public was online to speak. Mr. Lehmann, IT Technician, stated there was not.

Secretary Commissioner Bonzani read two letters written in opposition from Mr. and Mrs. Benjamin and Solange Appleton of 404 Abbe Road, Mr. and Mrs. Edward and Shirley Michalski of 416 Abbe Road. (Exhibit A)

Commissioner Dexter read two letters written in opposition from Ms. Kelly Maio of 165 Garnet Lane, and Ms. Jennifer Musson of 394 Abbe Road. (Exhibit B)

Mr. Lehmann stated there were now people online who would like to speak.

Mr. Adam Rich of 426 Abbe Road spoke in opposition to the application citing special exception criteria, requesting access to the plans, and that the Commission not to accept the special exception request as a given and not approve the application until alternative uses for the land are explored. He referenced the letter from

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Jennifer Musson about sighting of the bald eagle residing in the woods (Exhibit B). The 11 acres proposed as open space is of the same quality forest as the 11 acres to be developed. The special exception criteria is not being met by clear cutting 11 acres of prime forest. The 1000 feet of new road will be creating a hazard at their home as 400 feet will run parallel to their driveway where their children play. Trees along their driveway are 50 to 75 years old and they will not permit them to be removed or damaged. Mr. Rich stated he does not agree with the results of the traffic study and requested an additional study be done, paid for by the residents. The connection was lost and the call ended.

Mrs. Tracy Liner of 187 Maskel Road spoke in support of the application, their neighborhood and beautiful home built by Mannarino Builders. They are not concerned with an additional 12 houses being built and knew when they moved to Maskel Road that their cul-de-sac was temporary, and are looking forward to the additional open space.

Mr. Stephen Straight of 427 Abbe Road spoke against the proposed development protesting that the public hearing was held virtually. The impact of the development on dozens of families calls for an in-person hearing and the developer should have withdrawn his application until the pandemic is past. Mr. Straight referenced the Town Plan of Conservation and Development and encouraged preservation of the woodlands, the town's rural character and neighborhoods. Mr. Straight suggested improvements at the new intersection at Abbe Road could increase speeds on the road, and suggested the Town or residents on Maskel and Abbe Roads purchase the properties at fair market price to create the Anita J. Roy Park.

Mr. Adam Rich of 426 Abbe Road continued his call in opposition to the application agreeing with all the comments Mr. Straight made and citing additional special exception criteria. Property values in general are flat and not keeping up with inflation because of the increasing supply and this development of new homes will bring down values of the existing homes in the area. The general welfare of the community will be better served by increasing demand for existing homes and keeping the forest. Mr. Rich noted the criteria of neighborhood acceptance stating he and his wife own the land to the north of the proposed development that will turn their property into a corner lot that he does not accept. Mr. Rich noted he was unable to see all the documents presented regarding the street trees planned for the street tree easement, but there are already 1000 feet of very old trees on their property that may be removed or damaged for this development, and they will not permit that to happen. Mr. Rich urged the Commission not to approve the special exception.

Ms. Marian Maccarone of 427 Abbe Road, directly across the street from the proposed development, spoke in opposition to the destruction of the woodlands and its ecosystem that will force animals into residential yards and the destruction of their neighborhood known as The Hamlet. She voiced concerns that if the plan is approved the new road extension to Abbe Road will have headlights from cars shining directly into their windows. The connection was lost and the call ended.

Mrs. Monica Rich of 426 Abbe Road echoed her husband and neighbors' concerns speaking in opposition to the application noting special exception criteria of neighborhood acceptance was not being met and asked that concerns of the immediate abutters are addressed. Mrs. Rich described how her neighbor's property would be affected and noted the proposed new road will be parallel and very close to their 350' long driveway where their elementary school aged children wait for the school bus and their teen aged drivers will have to negotiate. There is no shortage of homes for sale in South Windsor with 118 presently listed, but there is a shortage of undeveloped land. She described how excessive the plan is to build 12 more homes noting the new elementary school is already at capacity and the new homes will be adding to the burden.

Ms. Maccarone of 427 Abbe Road called back continuing her call in opposition to the application noting contamination of the existing underground aquifers is possible and problematic to homes that have wells. Abbe Road is already a speedway and leveling the road for improved sight lines will only encourage faster

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speeds. The posted limit is 25 mph and the recent speed study confirms speeds far in excess. Ms. Maccarone noted the tragic death on Abbe Road caused by excessive speed, and stated greed over need is what is being valued with this plan that may be in bounds with what is allowed by the regulations but is not in the best interest of dozens of families. From the POCD 'Our town aspires to protect public health, well being and our natural environment' but this proposed development does the exact opposite. The commission is duty bound to follow their own stated strategies for development.

Mr. Kit Bonin of 200 Maskel Road agreed with his neighbors' concerns and voiced opposition to the application. The addition of open space for the town is wonderful but the destruction of old forest with the addition of new homes is not acceptable. Mr. Bonin indicated he was under the impression the Maskel Road cul-de-sac was permanent and encouraged the proposal to be rejected.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Dexter discussed the special exception with Director Lipe who explained the property could be developed by right as a conventional subdivision, or as an open space subdivision by special exception requiring 60% of the land to go into open space use while developing smaller lot sizes.

Commissioner Flagg noted the preliminary discussion regarding how the road was planned at Abbe Road because of the prohibitive length of the cul-de-sac.

Commissioner McGuire discussed with Director Lipe lot size and open space allowed by a special exception open space subdivision.

Commissioner Wagner asked for information to provided at the next public hearing to verify whether or not a bald eagle's nest is on the property; and to consider the possibility of a three-way stop sign at the new intersection at Abbe Road. The Commissioner also noted that the change to the power line easement for accessibility for recreational use goes into the Rich's property at 426 Abbe Road, and requested the applicant to find a way to protect the Rich's right not to have that section of the easement turned into recreational use.

Chairman Pacekonis discussed the detention basin with the Town Engineer, and asked that the request for trees in the letter from Solange Appleton of 404 Abbe Road is addressed. Mr. Ussery described the additional plantings in that area proposed in addition to the existing wood line under the direction of Staff Environmental Planner Jeff Folger. Chairman Pacekonis discussed construction hours designated in the construction ordinance of 7:00 a.m. to 5 p.m. Monday through Saturday, and asked if the applicant would agree not to work on Saturdays.

Commissioner Bonzani made a motion to extend the public hearing to September. Motion seconded by Commissioner Bernstein. The motion carried and the vote was unanimous.

REGULAR MEETING (continued)

BONDS: Callings/Reductions/Settings

Subdivision Bonds

1. Appl. 17-04P, South Windsor Estates Phase I Subdivision Bond in the amount of \$393,800 to be reduced by \$195,800 to leave a balance of \$198,000.
2. Appl. 17-04P, South Windsor Estates Phase II Subdivision Bond in the amount of \$274,625 to be reduced by \$164,625 to leave a balance of \$110,000.

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Commissioner Wagner made a motion to reduce the above mentioned bonds; Seconded by Commissioner Flagg. The motion carried and the vote was unanimous.

Bond Calling

Initiate the calling of the Letter of Credit for Appl. 15-11P, West River Farm LLC in that amount of \$20,000 for Invasive Plant Removal and \$12,500 Erosion and Sedimentation Control.

Commissioner Flagg made a motion to initiate the calling of the above mentioned bonds; Seconded by Commissioner Dexter. The motion carried and the vote was unanimous.

MINUTES: 7/28/20 No action taken.

OLD BUSINESS: *see page 3*

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 20-44P, Costco Wholesale** – request for Special Exception to Section 4.4.5.E for extended trucking hours and Site Plan of Development approval for an 163,404 sf retail facility including a fueling station, within Evergreen Walk Development, Units 4, 5, 9, 12, 13, on property located at 151 Buckland Road, Buckland Road Gateway Development zone
2. **Appl. 20-45P, Olivieri Vending** – request for a minor site plan modification for a 360 sf addition for storage, at 233 Sullivan Avenue, I zone (Applicant requests staff approval in accordance with Section 8.6)

OTHER BUSINESS:

CORRESPONDENCE / REPORTS:

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 9:30 p.m. was made by Commissioner Flagg; Seconded by Commissioner Bernstein. The motion and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo,
Recording Secretary

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SEPTEMBER 8, 2020

MEMBERS PRESENT: Bart Pacekonis, Kevin Foley, Stephanie Dexter, Stephen Wagner, Bill Flagg, Kevin Greer, Frank Bonzani (arrived at 7:25)

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Elizabeth McGuire

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Michael Lehmann, IT Support; Lauren Zarambo, Recording Secretary

REGULAR MEETING / Webex Conference ONLINE MEETING

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

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

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

PLEDGE OF ALLEGIANCE

Chairman Pacekonis appointed Alternate Commissioner LeBlanc to be seated for Commissioner Bonzani.

PUBLIC PARTICIPATION: Mr. Lehmann reported there were no callers on the line.

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

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- 1. Appl. 20-40P, Progressive Sheet Metal LLC** - request for a site plan modification to add approximately 3,230 sf to the existing facility, on property located at 49 Mascolo Road, I zone

Project Engineer Daniel Jameson of Design Professionals, Inc. presented the request with Mr. Keith Beaulieu, owner of Progressive Sheet Metal, and Mr. Mark Parenchuck of West Reach Construction Company, Inc.

Mr. Jameson showed an aerial of the existing site. A 3,030 sf addition will be added to the existing building. Impervious coverage will be reduced below the 65% allowed. Details were described for a new septic system and tank to be installed with a catch basin on the east side.

Mr. Parenchuck gave a summary of the pre-engineered building addition planned for future storage, with two overhead doors, slab on grade, cobalt blue metal roof and trim, and granite gray color siding.

Director of Planning Michele Lipe gave staff comments:

1. Request for site plan modification approval to construct a 3,230 sf addition to the westerly side of the exiting building, 49 Mascolo Road, I zone.
2. The addition will be used as manufacturing space. There will be two overhead doors that will service the building and it will be set back 30 feet from the front face of the building.
3. The parking requirements for the identified uses is 16 spaces; 13 spaces are provided as striped spaces with 3 spaces shown in reserve. The applicant proposes to restripe the parking lot on the easterly side of the building to accommodate 13 spaces and 2 reserve spaces; and on the westerly side one reserve space is shown.
4. This site was originally developed pre- impervious coverage regulations and is existing at 75% coverage. With this proposal, the applicant is reducing the coverage to 64.5% bringing it into conformance.
5. There is no new lighting shown on the plan except a building light on the new addition. The applicant has provided light level readings from the existing parking area and feels they have adequate lighting.
6. There are no regulated wetlands on this site or disturbance so IWA/CC permit was not required. Jeff Folger has reviewed the Erosion Plans and suggests requiring bonds to be collected in the amount of \$3,000 to ensure proper placement and maintenance of erosion and sediment controls.
7. This project was not reviewed by the ADRC due to summer scheduling. The proposed building will be set back 30 feet and will be a metal paneled building with a metal roof.
8. The property is currently served by public water and septic system. Environmental Health Officer Heather Oatis has reviewed the plans.
9. The Fire Marshal has reviewed the plan and has no concerns.
10. If this application is approved, the Planning Department requests no approval modifications.

Town Engineer Jeff Doolittle had no staff comments.

Chairman Pacekonis asked for comments from commissioners.

Commissioner Flagg asked if the business would be shutting down with the septic replacement. Mr. Beaulieu stated he also owns the building across the street at 36 Mascolo Road where employees can use the facilities.

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Chairman Pacekonis noted he visited the site and commented about parking issues in the cul-de-sac unrelated to this site that need to be addressed in the near future by Town staff.

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

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.
3. Bonds in the amount of \$3,000 for establishment and maintenance of erosion and sedimentation control.
4. A landscape bond in the amount of \$1,000 is required and must be submitted prior to the certificate of occupancy.
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 8.1.11 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. Septic system and/or private well final design(s) must be submitted to and approved by the Environmental Health Officer prior to filing of mylars and issuance of building permits.
9. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. A street cut permit through the Engineering Department shall be required for work within Mascolo Road.

Commissioner Flagg seconded the motion

The motion carried and the vote was unanimous.

2. **Appl. 20-04P, Chestnut Ridge Open Space Subdivision** - request for two consecutive 90-day extensions for filing subdivision plans

Chairman Pacekonis discussed the extension request with Director Lipe.

Commissioner Wagner made a motion to approve the request for two consecutive 90-day extensions for filing subdivision plans.

Commissioner LeBlanc seconded the motion

The motion carried and the vote was unanimous.

MINUTES: 7/28/20 and 8/18/20 accepted by consensus.

BONDS: None

APPLICATIONS OFFICIALLY RECEIVED:

1. **Appl. 20-48P, Barry Equipment Company, Inc.** – request for Special Exception to Table 4.1.1A for equipment sales, service and rentals and Site Plan approval to construct a 5,000 sf building addition, a 34,739

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sf storage yard, and a 2,463 sf display area in front of existing facility, on property located at 1608 John Fitch Boulevard, I zone

2. **Appl. 20-49P, Valvoline Instant Oil Change** - request for site plan modification to construct a 3,837 sf oil change facility, on property located at 818 Sullivan Avenue, GC zone

PUBLIC PARTICIPATION: Mr. Lehmann connected a caller for the Kilkenny Heights II application who was directed to call back during the public hearing.

PUBLIC HEARING / Webex Conference ONLINE MEETING

CALL TO ORDER: 7:30 PM

The Chairman confirmed with Director Lipe that the legal notice for the continuation of the public hearing was posted on the Town website.

1. **Appl. 20-02P, Kilkenny Heights II Subdivision-** request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots, on property located at R024 and 420 Abbe Road and 248 Maskel Road, A-30 and RR zones (**Continued from 8/18/20**)

Mr. Jay Ussery of J.R. Russo & Associates, LLC continued the presentation on behalf of the applicant, Robert Mannarino of Mannarino Builders, Inc. with Traffic Operations Engineer Theresa Schwartz of Tessera Engineering.

Mr. Ussery showed an aerial view for the open space subdivision where 12 acres will be added to existing Town owned open space to total 40 acres. A conventional subdivision layout, an allowable use as of right, was shown for comparison. The open space subdivision plan with less roadway and houses and large open space parcel was determined by the applicant, Town Staff and Commission to be the preferable option.

Mr. Ussery noted the concerns of the Rich family of 426 Abbe Road that their trees bordering the northern property line will be protected, and stated there is no plan to remove any trees on their property, or along or near the property line. The access to the open space will be screened with trees and signage is proposed at the access along the Eversource right of way to indicate their property is not part of the Town owned open space.

Mr. Ussery noted the concerns of Mr. Straight of 427 Abbe Road regarding car headlights that may impact their home, and proposed planting evergreens within the Town right of way to help screen their house from the impacts of cars.

Mr. Ussery noted the letter submitted from George Logan of REMA Ecological Services dated 8/31/20 reporting no evidence of the presence of eagles or eagle nesting on the property.

Mr. Ussery reviewed the new intersection grading plan on Sheet 7 that incorporated comments from the Town Engineer. The elevation showed the pavement slightly modified and raised within the intersection with grading meeting sight line requirements.

Traffic Engineer Theresa Schwartz reviewed her traffic report for the 12 new homes in addition to the existing houses on Maskel Road and other land uses in the area. Ten trips in the a.m. and 11 trips in the p.m. to and from the northern Maskel Road intersection were estimated to be generated, and determined capacity analysis for traffic was not necessary.

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Commissioner Wagner discussed his suggestion for a 3-way stop sign with Traffic Engineer Schwartz who noted, according to annual uniform traffic control devices and the State DOT, the volume of traffic would not warrant a 3-way stop sign. Director of Planning Michele Lipe noted Police Chief Custer did not think the volume of traffic would warrant a 3-way stop at the new intersection.

Noting neighbors' concern about lot sizes and property values, Mr. Ussery confirmed that all lots meet minimum lot size zoning requirements of 20,000 sf with an average lot size of 23,000 sf. Mannarino Builders have been building in the area for a long time with a very good reputation and will not be decreasing property values in the area. Mr. Ussery also stated there would be no working on Saturdays during the Covid crisis. Chairman Pacekonis requested no work on Saturdays for the duration of the project.

Director of Planning Michele Lipe reported no planning comments other than Chief Custer's comment that a 3-way stop was not warranted at the new intersection.

Town Engineer Jeff Doolittle gave additional engineering comments:

1. The intersection grading plan for Abbe Road is improved but needs minor adjustments and to finalize details.
2. The suggestion for trees to be planted in the Town right of way to screen the property at 427 Abbe Road would require Town maintenance and offer the neighbor no control over the trees that could be removed by the Town or utility companies. It is suggested that trees are planted on the neighbor's property rather than the right of way.

Chairman Pacekonis asked the Town Engineer if the grading of the new intersection will be re-creating a condition for cars to have the opportunity to be airborne on Abbe Road. Mr. Doolittle explained the road will be raised slightly to fill in a depression by smoothing out the curve in the road and is not the same situation.

Chairman Pacekonis asked if anyone from public was waiting to speak.

Mrs. Tejaswi Parker of 224 Maskel Road voiced concern about the habitat loss of flora and fauna, the addition of traffic, and capacity issues.

Mr. Kumararajan Rajan of 239 Maskel Road asked what protections will be in place from construction debris and dust, and creating more crumbing foundations. Mr. Ussery stated watering will be done on a regular basis to reduce dust, and noted all builders in Connecticut are very careful about any foundation poured.

Mr. Ajay Sharda of 240 Maskel Road, direct abutter to Lot 13, discussed how their tree line will be affected with Mr. Ussery and then asked how their privacy will be protected.

Mrs. Anu Rajan of 239 Maskel Road asked how to assure no construction vehicles use Maskel Road for the safety of the children. Mr. Ussery stated contractors will be encouraged to come from Abbe Road.

Mr. Kumararajan Rajan of 239 Maskel Road asked if there was a way to not open up Maskel Road. Mr. Ussery explained it was always part of the proposal to extend Maskel Road.

Mrs. Tejaswi Parker of 224 Maskel Road suggested creating a second cul-de-sac. Mr. Ussery explained the regulations for the length of cul-de-sacs.

Mrs. Donna Hardesty of 177 Maskel Road described the difficulties of living through the original construction of Maskel Road and Frazer Fir, and how vehicles currently speed on Maskel Road, and asked what the necessity is for 13 more large houses on tiny lots.

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Mrs. Tejaswi Parker of 224 Maskel Road asked about future capacity issues of schools accommodating more students and if less homes could be developed. Director Lipe explained this is an as of right development. When land is zoned residential there is the assumption that the town can support it. South Windsor has a very active open space program and does purchase a lot of land but the owner did not offer this property to the Town for purchase.

Mr. Ken Verzella of 249 Maskel Road, direct abutter to Lot #1, stated he is a severe asthmatic with two children with asthma, and asked how the cul-de-sac is transferred to a road and will trees on his property remain for privacy. Mr. Ussery stated trees on the property line or on a resident's property will not be removed, and when staking property lines, trees will be flagged to be saved.

Chairman Pacekonis discussed with Mr. Ussery the stonewall on the north of their property which will remain as will the trees adjacent. Mr. Ussery described portions of the wall to be removed where the road will go. The Chairman requested an approval condition that as much of the existing stonewall remain as possible. Mr. Ussery confirmed the wall running adjacent to 249 Maskel Road, running to the west, and on Lot 1 will remain in place.

Mr. Verzella asked if the schools can accommodate 15 additional school children. Director Lipe stated the school has a responsibility to accommodate any students in the district, whether additional classrooms are added or by redistricting. School children are not a reason that can be used to deny a subdivision application on land that is currently zoned residential. Mr. Verzella also noted he has not seen eagles on the land but there is a tremendous amount of wildlife in the woods.

Mrs. Tracy Liner of 187 Maskel Road spoke in support of the application. She and her husband, Jack, have one of the first homes built on Maskel Road and always knew the cul-de-sac would be extended. They are grateful the open space will be preserved officially for the town and spoke highly of Mannarino Builders.

Mr. Steve Straight of 427 Abbe Road spoke in opposition to the application stating 12 acres of woods with old growth trees will be clear cut, and instead of gaining 12 acres the town will be losing 12 acres of open space. The increased density of new houses on Maskel Road does not match the area and the well established neighborhood will not be protected. Neither are in line with POCD. Mr. Straight suggested the Town should purchase the entire acreage to be developed as trails, but if the land is developed for homes requested the following: No work performed on Saturday; protection of old growth trees on Riches property and the blue spruces on the Michalski property, and that they should be able to walk area to help designate trees to be saved; and arborvitae trees to be planted along 22 feet of 427 Abbe Road so headlights are blocked from shining into their house.

Mr. Edward Michalski of 416 Abbe Road spoke in opposition with concerns about the lack of information about sidewalks. If the proposal is approved their house will be at the corner and if sidewalks go through to Abbe Road they will be penalized with a liability. Mr. Michalski noted sidewalks on Maskel Road and Frazer Fir presently end on the developer's land. Chairman Pacekonis stated the Commission will be asking questions about the sidewalks after public comment.

Mrs. Marian Maccarone of 427 Abbe Road spoke in opposition agreeing with all those speaking with concerns, and noting the developer emphasized preserving old growth native forest but 12 acres will be clear cut for 13 unneeded new houses on small lots. Leveling of Abbe Road to improve sight lines will be too disruptive for professionals and students now working from home in the pandemic. Mrs. Maccarone commented that the developer is developing the land as a matter of right, but what about the neighbors' rights?

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Mr. Ajay Sharda of 240 Maskel Road called back agreeing with neighbors' comments, and not convinced there is a need for the homes. Chairman Pacekonis stated the applicant has a right to build on their property.

Mrs. Barbara Daniels called in but the connection was lost.

Commissioner Bonzani stated he joined the meeting at 7:25 p.m. and read two letters written in opposition with concerns into the record from Ms. Julie Moynihan of the Williams family of 129 Maskel Road and Mrs. Tejaswi Ponnada Parker of 224 Maskel Road. (Exhibit A)

Commissioner Dexter read a letter written in opposition and with concerns from Ms. Deborah McTigue of 449 Abbe Road. (Exhibit B)

Commissioner Bonzani read a letter written in opposition with concerns and requests from Mr. and Mrs. Adam and Monica Rich of 426 Abbe Road. (Exhibit C)

Mrs. Barbara Daniels of 96 Maskel Road called back and spoke in opposition and with concerns having lived through the first development of Maskel Road and Frazer Fir. Mrs. Daniels stated this development will impact the wildlife and asked if was really necessary to remove the habitat. The speed of traffic is an issue but the wild life is the biggest concern.

Director of Planning Lipe stated there are six more letters to be read into the record.

Commissioner Wagner stated that at the last public hearing there was limited opportunity for commissioners to ask questions and requested that commissioners have opportunity to submit questions for the applicant to have answers at the next hearing.

Director of Planning Lipe read letters written in opposition with concerns from Mr. Kit Bonin of 200 Maskel Road, Mr. and Mrs. Bob and Donna Hardesty, Mr. Patrick Hamilton of 184 Maskel Road, The Bastone/Ricci family at 216 Maskel Road, and a letter from Ms. Lynda Roy thanking the Commission for broadcasting the meeting. (Exhibit D)

Town Engineer Doolittle read letters written in opposition with concerns from Mr. and Mrs. Bryan and Laurie Mathaisel of 450 Abbe Road, and Mr. and Mrs. Joseph and Erica Botti of 462 Abbe Road. (Exhibit E)

Director Lipe stated a number of people who just spoke on phone also submitted letters that were not read but will be included as part of the record and provided to commissioners. (Exhibit F)

Commissioner Wagner asked Director Lipe how the special exception criteria is applied to an open space subdivision. Is it applied in respect to how it is met or how it is not met? Is it looked at for the change between a conventional and open space subdivision or applied from ground zero?

Commissioner Wagner asked the applicant if the traffic report took into consideration the short cut from Frazer Fir to Maskel Road and impact of traffic on the northerly section of Maskel Road by opening up a new access onto Abbe Road.

Commissioner Wagner noted grass access points to trails and open space tend to become part of the abutting properties, and requested the grass access point to open space at the northerly end of the property be defined by a stone dust or small gravel pathway.

Commissioner Wagner noted the Eversource access road behind the existing houses on Maskel Road veers onto Lots 7-12, and asked if the language of the easement allow the Town to maintain the road.

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Vice Chairman Foley asked Director Lipe about Lot 13 that was from the original development and will be reconfigured into this project with the 12 new lots.

Vice Chairman Foley asked about the length of cul-de-sacs in the private developments of Lakewood and Victoria Woods. Director Lipe stated she will research the length of the Ellington Road cul-de-sacs.

Commissioner Flagg noted all the comments about schools and asked if the Superintendent can give an update on enrollment capacity with the new developments. Director Lipe will provide a study done one year ago by the school's consultant that factored in these projects into their analysis.

Commissioner Dexter asked Mr. Ussery for detail about the sidewalk plan relating to Abbe Road.

Commissioner Dexter noted the deep forestation of the acreage and asked if the developer will attempt to preserve some of the trees on the lots to be developed. The commissioner suggested 3 or 4 trees per lot and requested the applicant sharpen their pencils to determine whether 13 new homes are really needed, to help this project move forward.

Commissioner Bonzani requested a plan for a water truck or plan to limit the dust that will be created right next to the residential neighborhood.

Chairman Pacekonis noted the Abbe Road resident who will have 200 feet of new frontage on the extension of Maskel Road and asked about liability for sidewalks. Town Engineer Doolittle stated there is a Town program to repair damaged sidewalks but does not maintain them regarding clearing snow, but the Town always has liability for public sidewalks.

Chairman Pacekonis asked the applicant how much of the open space given to the Town is un-cleared and forested.

Chairman Pacekonis stated he is not in favor of the variance request to reduce the width of the open space entrance from 50 feet to 20 feet, agreeing with Commissioner Wagner that abutting properties tend to take over the areas and noted a need for parking.

The Chairman asked the applicant to consider a vegetative buffer between the original Maskel Road neighborhood to help reduce dust transmission and gain support of the neighbors that will be directly affected.

The Chairman voiced support for sidewalks on both side of Maskel Road but not on the extension that would create hardships for the Abbe Road properties. He recommended the sidewalk stop at Parcel A, the stormwater on the south side of Maskel Road extension, and not be on the north side of the Maskel Road extension.

The Chairman requested the existing tree line to stay on Lots 7 to 13 and have some type of conservation easement to protect it. If the tree line is noted on the plans, it needs to be documented and preserved.

Chairman Pacekonis asked for the construction time line to be confirmed.

Commissioner Wagner stated extensive comments from the public have been heard, and asked, as the public hearing continues, that commissioners have enough time for questions and discussion with the applicant. Chairman Pacekonis requested that only new information or answering of questions already presented is allowed if the public hearing is to continue.

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Commissioner Wagner made a motion to extend the meeting to September 22 at 7 p.m., with the understanding that the Commission will be addressing new issues and answering questions that have been previously provided, and any questions from the Commission.

Commissioner Dexter seconded the motion.

The motion carried and the vote was unanimous.

Meeting adjourned at 10:04 p.m.

Respectfully Submitted,

Lauren L. Zarambo,
Recording Secretary

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SEPTEMBER 22, 2020

MEMBERS PRESENT: Bart Pacekonis, Stephanie Dexter, Stephen Wagner, Bill Flagg, Kevin Greer (left at approximately 8:15 pm), Frank Bonzani (arrived at approximately 8 pm)

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Elizabeth McGuire

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Michael Lehmann, IT Support; Lauren Zarambo, Recording Secretary

PLEDGE OF ALLEGIANCE

Acting Secretary Dexter read the legal notice as it was published in the Journal Inquirer on Thursday, September 10, and Thursday, September 17, 2020.

Chairman Pacekonis appointed Alternate Commissioner McGuire to be seated for Commissioner Foley, and Alternate Commissioner Bernstein to be seated for Commissioner Bonzani.

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

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

PUBLIC HEARING / Webex Conference ONLINE MEETING 7:00 PM

1. **Appl. 20-02P, Kilkenny Heights II Subdivision-** request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots, on property located at R024 and 420 Abbe Road and 248 Maskel Road, A-30 and RR (Continued from 9/8/20)

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Mr. Jay Ussery of J.R. Russo & Associates, LLC with partner Mr. Dana Steele continued the presentation on behalf of applicant Robert Mannarino of Mannarino Builders, Inc. with updated information including a red line revision eliminating Lot 6, redesigning the detention basin, increasing the size of Lots 2 and 3, preserving more trees and wooded areas, adding screening and conservation easements.

Director Michele Lipe gave staff comments in answer to commission questions regarding cul-de-sac lengths, special exceptions and the school district study. The Director read a memo from Director of Parks & Recreation Ray Favreau with recommendations for a reinforced turf open space parking lot, arborvitae screening planted on private property rather than Town property, and for the Town to maintain the proposed sidewalk along 416 Abbe Road until the current owner sells the property.

Town Engineer Jeff Doolittle requested the improvement plan for Abbe Road and noted the suggested arborvitae screening needs to be on private property.

Chairman Pacekonis asked if anyone from the public was waiting to speak.

Commissioner Dexter read letters written with concerns from Mr. and Mrs. Rajan and Anu Kumararajan of 239 Maskel Road, Mr. Edward Michalski of 416 Abbe Road, Mr. and Mrs. Ajayu Sharda and Zahra Mansouri of 240 Maskel Road, Mr. and Mrs. Mark and Laurie Smith of 324 Abbe Road, Surinder Singh Kainth of 215 Maskel Road, and Shai Tenzer-Urtz of 190 Abbe Road. (Exhibit A)

Chairman Pacekonis asked if anyone from public was waiting to speak.

Mr. Steven Straight of 427 Abbe Road spoke in support of preserving the woodlands that cannot be replaced once developed asking if the Town could purchase the land for preservation since the entire neighborhood, except for one property, is against the plan, and asked the Commission to reject the proposal.

Mr. Lehmann stated the website went down and could not take calls. Director Lipe confirmed that callers could leave a message that will be transcribed and be included as part of the record. (Exhibit B)

Commissioner Wagner suggested a gate or bollards at the open space access point, and discussed a vegetative easement for arborvitae screening on private properties with the Chairman. Commissioner Wagner discussed the letter from the Smith's at 324 Abbe Road with Town Engineer Doolittle who described work on upgrades for Abbe Road and the drainage channel due to be scheduled.

Commissioner Greer concurred with comments from Commissioner Wagner that property owners have the right to develop their properties.

Commissioner Flagg spoke with Mr. Ussery about the drainage basin, stop signs, and requested a barrier or vegetative screening to supplement the smaller pines along 416 Abbe Road. Commissioner Flagg noted the difference in grade between the two roads and requested an upgrade to the driveway across from where the new road will enter Abbe Road in addition to the plan that provides for a lip and new driveway apron.

Commissioner Dexter thanked the applicant for coming back with less lots and gaining ½ acre of woods to remain stating Mannarino Builders is a good neighbor and will identify and save all the significant trees they can.

Commissioner Bernstein discussed the elimination of Lot 6 and increase in size of Lot 2 by 10,000 sf and Lot 3 by 14,000 sf with Mr. Ussery who noted buffers behind the Michalski and Appleton's lots created as a result of the change.

Commissioner Bernstein was no longer seated for Commissioner Bonzani who joined the meeting.

Commissioner Bonzani discussed lot sizes and price ranges with Mr. Mannarino.

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Commissioner McGuire discussed with Mr. Ussery the amount of acreage of open space that is wooded, and how land of Maskel Road was originally developed.

Commissioner LeBlanc had no additional comments.

Chairman Pacekonis discussed the conservation easement with Mr. Ussery in detail, and the width of the open space access the applicant increased from 20 to 25 feet, and noted arborvitaes planted on private properties need easements. A conservation easement over the wetlands is in place as part of the approval from IWACC. The open space access and path were discussed in detail.

Commissioner Wagner asked how the property at 426 Abbe Road could be marked with signage along the Eversource easement to designate the Rich's private property, and discussed the reinforced turf surface of the access with Town Engineer Doolittle, and the conservation easement with Mr. Ussery.

A call was connected from Mr. Ajay Sharda of 240 Maskel Road who asked if there will be more traffic with the new road when the pandemic is over, for more recent information from the schools, and will the new houses have enough room for cars to park. Chairman Pacekonis confirmed with Mr. Ussery about the number of cars able to queue in driveways. The data included in traffic study and school report was done in 2019 before the pandemic.

Chairman Pacekonis closed the public hearing at 8:28 p.m. stating any transcriptions of calls received as public comment will be sent to commissioners.

2. **Appl. 20-41P, One Buckland Center LLC** - request for a site plan modification to allow the addition of a left-turn lane through the existing median on Buckland Road to access property at 1 Buckland Road, RC zone

Attorney Brian Smith of Robinson + Cole LLP representing the applicant with Mr. Benjamin Wheeler of Design Professionals, Inc. and Mr. Jim Bubaris of Bubaris Traffic Associates presented the request.

Attorney Smith stated there is currently no access going north to their site, and described access showing a list of clients who declined to enter into leases without full access to the site, and showed a video taken from the entrance of One Buckland Center.

Mr. Wheeler showed and described the site plan prepared in conjunction with Bubaris Traffic Associates.

Mr. Bubaris gave an update of background traffic volumes from Evergreen Walk including the proposed Costco, and described in detail solutions to resolve the site's lack of access. The ultimate plan includes roadway modifications, an opening in the median, a provision for a northbound left turn lane into the site, and signalization. However, for signalization to meet one of the volume warrants required by OSTA, a U-turn would have to be allowed, something Town staff has indicated is not acceptable at this location. The applicant proposes all roadway work as shown on plans be done with the exception of the traffic signal.

Attorney Smith stated all the work within roadway and the site will be covered by One Buckland Center to benefit the development and the town.

Director Michele Lipe gave staff comments:

1. Request for site plan modification to make minor site modifications and to add a signalized left-turn lane heading north on Buckland Road and modify the existing entrance/exit currently serving the two commercial buildings located at 1 and 25 Buckland Road, at the Manchester town line, Restricted Commercial zone.

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2. In accordance with access management principles and our regulations, the original site plan approved in 2015 allows for one access point, a right in, right out entrance along Buckland Road. With that application, the applicant constructed an extension of the right turn lane to provide a taper into this site.
3. The buildings on site total approximately 17,800 sf, and can accommodate a variety of retail and offices uses permitted in the restricted commercial zone. Prior to site plan approval, the applicant rezoned the property from Rural Residential to Restricted Commercial zoning and received variances to reduce these setbacks to 25 and 10 respectively allowing for additional square footage to be built on site. A condition placed on the variance by the ZBA was that there shall be no permanent or construction vehicle access, nor any pedestrian access from Smith Street directly to the site.
4. In addition of the turn lane into the site, other changes include: relocation of right turn out of the site further south; modification to the parking area to accommodate the exit drive; relocation of monument signage and modification to the fieldstone wall on both sides of the entrance drive. These changes result in minor changes to the impervious coverage and the interior landscaping; but appears to meet the zoning requirements
5. There is an existing sidewalk along Buckland Road in front for this property that will be rebuilt through the driveways.
6. A traffic study was submitted by Jim Bubaris, the applicant's Traffic Engineer. Staff had requested the original report be updated to consider potential traffic from the Costco and Gateway Development projects. Some of the staff's concerns include: safety of pedestrians crossing the site; number of vehicles that may use this new turn as short cut during busy intersection times; concern that southbound traffic using this as an u-turn; the potential disruption of the traffic flow along Buckland Road. We requested the Town's on-call traffic engineer, VHB, review the report and provide comments as well as the Police Department. A copy of that report was sent to the Commission. (Exhibit C)
7. Fire Marshal has reviewed the revised plans and does not have any comments.
8. This request has been reviewed by the Town of Manchester Engineering Department and a correspondence from their engineer is attached. (Exhibit D)

If this application is approved, the Planning Department has no additional comments to request.

Town Engineer Jeff Doolittle clarified with Mr. Bubaris whether a traffic signal is being proposed or proposing the same geometrics to work without a signal. Attorney Smith stated if the Town concludes a traffic signal is appropriate the applicant is willing to install one.

Town Engineer Doolittle requested analysis to determine how the traffic will work without a signal and without creating safety conflicts. Mr. Bubaris indicated he evaluated the site with and without a traffic signal, and the levels of service would not change either way and remain good. Mr. Bubaris stated he will provide his evaluations updated for the volumes used in the most recent analysis using numbers from Evergreen Walk with the addition of Costco.

Engineer Doolittle asked if the applicant spoke to OSTA preliminarily to allow the signal. Mr. Bubaris stated OSTA indicated a volume warrant had to be satisfied. In discussion, Director Lipe stated the turn lanes along Buckland Road were required by Evergreen Walk's master plan in 2003 and part of their OSTA approval, and asked what impact changes would have on Evergreen Walk's approval. Mr. Bubaris stated they would return to OSTA for their reaction to the changes. Mr. Wheeler continued the discussion.

Chairman Pacekonis asked if anyone from the public was waiting to speak.

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Mr. Lehmann connected a call from the new Chief of Police Kris Lindstrom who stated he has been following this process as Deputy Chief over the last few years. The proposal for using the same geometrics without a traffic signal is a new plan. Their recent reviews of the previously presented plan with the traffic light appeared permissible if timing of signalization is confirmed as correct and queuing capacities are permissible. The Chief indicated the proposal for U-turns at a new median cut would require additional review.

Commissioner Wagner asked Chief Lindstrom if a signal is preferred. The Chief stated they have not yet evaluated the plan using the same geometrics but without the signal and voiced concern about making a U-turn un-signalized with several lanes of southbound travel. Although a signal would allow for a safer U-turn the Chief stated they reserve opinion on a U-turn itself until this is reviewed. Commissioner Wagner noted the gaps in traffic that will be used could create more opportunity for collisions without the signal.

Attorney Smith stated the applicant is willing to install a traffic signal if required by the commission.

Town Manager Michael Maniscalco complimented the commission and staff stating he reviewed the proposals, and noted economic development adds to the grand list and keeps taxes tolerable. One Buckland Center, a front door to South Windsor on Buckland Road, without a left turn lane has empty storefronts and a potential impact on the rest of the town.

Chairman Pacekonis asked for comments from commissioners.

Commissioner McGuire had connection problems but no comments.

Commissioner LeBlanc stated he will leave the decision to the traffic experts.

Commissioner Bernstein discussed with Attorney Smith whether the applicant's plan for access has been shared with their potential tenants, and stated he leaves the decision up to the traffic experts.

Commissioner Bonzani discussed U-turns with Town Engineer Doolittle who described the history of accidents with U-turns and Chairman Pacekonis who referenced the portion of the POCD to not create unsafe conditions.

Commissioner Dexter stated she would like to see a traffic signal at the access.

Commissioner Flagg described what he observed while visiting the site and voiced opposition to the access without a traffic light and discussed the length of queues and signage with Mr. Bubaris.

Commissioner Greer was no longer connected to the meeting.

Commissioner Wagner voiced his support for a traffic signal, but will support it either way because the need is great. The Commissioner suggested crafting a condition of approval calling for the signal version but allowing the applicant options if the signal is not approved by the traffic authorities.

Chairman Pacekonis noted the number one concern of the Commission is safety and stated if the signal is not part of this access, he is a definite no vote. The installation of a light at the access will be based on getting OSTA approval. If approved, this will be a lengthy construction and tie up traffic. The Chairman referenced Mr. Wheeler's comment regarding their impeccable landscape but saw 15 dead trees and some that are gone. The guard rail behind the lot has been removed and the curb has been substituted with an apron. Mr. Wheeler stated the apron was installed for snow removal, and will check original approval conditions. The applicant is aware of the landscaping and is in process of addressing it but it has been a tough year with drought. The guard rail was removed without a change order but will submit one.

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After discussion, Town Engineer Doolittle recommended leaving the public hearing open for more information to address questions raised.

Commissioner Wagner made a motion to extend the public hearing to October 13. Motion seconded by Commissioner Flagg. The motion passed unanimously.

ADJOURNMENT:

Motion to adjourn the meeting at 10:06 p.m. was made by Commissioner Flagg;
Seconded by Commissioner Dexter. The motion passed and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo,
Recording Secretary

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OCTOBER 13, 2020

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

ALTERNATES PRESENT: Michael LeBlanc, Paul Bernstein, Elizabeth McGuire

STAFF PRESENT: Michele Lipe, Director of Planning; Jeff Doolittle, Town Engineer; Kristian Lindstrom, Chief of Police; Michael Lehmann, IT Support; Lauren Zarambo, Recording Secretary

PLEDGE OF ALLEGIANCE

Acting Secretary Commissioner Dexter read the legal notice as published in the Journal Inquirer on Friday, October 2, and Thursday, October 8, 2020.

Chairman Pacekonis appointed Alternate Commissioner LeBlanc to be seated for Commissioner Foley and Alternate Commissioner Bernstein to be seated for Commissioner Bonzani.

PUBLIC HEARING / Webex Conference ONLINE MEETING 7:00 PM

- 1. Appl. 20-41P, One Buckland Center LLC** - request for a site plan modification to allow the addition of a left-turn lane through the existing median on Buckland Road to access property at 1 Buckland Road, RC zone **(Continued from 9/22/20)**

Attorney Brian Smith of Robinson + Cole LLP with Mr. Benjamin Wheeler of Design Professionals, Inc. continued the presentation on behalf of the applicant, Mr. Scott Leonard, with revised plans and updated traffic information from Mr. Jim Bubaris of Bubaris Traffic Associates.

Mr. Wheeler noted the revised site plan is geometrically the same with revisions to the landscaping within the median that will include perennial plantings, ornamental grasses and treatments at the end of the islands with block pavers as was discussed with the Superintendent of Parks and Grounds John Caldwell.

Mr. Bubaris described the revisions that eliminate the U-turn at the median. The median has been reduced in size and will have two 'No U-Turn' signs installed. By eliminating the U-turn, traffic signal phases will be reduced from 3 to 2 phases. By keeping the right-turn-only out of the site, north-bound traffic will never be stopped; only south-bound traffic will change the light if a car is waiting to turn out of One Buckland Plaza, resulting in minimal disruption to the Buckland Road.

Chairman Pacekonis asked for additional comments from Director of Planning Michele Lipe and Town Engineer Jeff Doolittle, who had no further comments.

Chief of Police Kris Lindstrom discussed the effect of the traffic signal on Buckland Road with Mr. Bubaris. Chief Lindstrom stated from the Police Department's standpoint of Buckland Road being a crowded street with crowded intersections, cutting the median and installing the signal to allow north bound traffic to take a left into the site as presented can be done safely and the plan as presented is safe.

Acting Secretary Commissioner Dexter read a letter written in support from Economic Development Commission Chairman Paul Burnham. (Exhibit A)

Chairman Pacekonis asked if anyone from the public was waiting to speak. Mr. Lehmann connected a call but no one spoke.

Commissioners voiced support for the revised plan and discussed the changes with Mr. Bubaris and Chief Lindstrom.

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Mr. Lehmann connected a call from former Town Manager and Economic Consultant Matt Galligan who spoke in support of applicant Scott Leonard who helped facilitate making Evergreen Walk what it is today, and in support of the plan that will work for One Buckland Center, an important gateway to South Windsor.

The Chairman closed the public hearing at 7:41 p.m.

- 2. Appl. 20-48P, Barry Equipment Company, Inc.** – request for Special Exception to Table 4.1.1A for equipment sales, service and rentals and Site Plan approval to construct a 5,000 sf building addition, a 34,739 sf storage yard, and a 2,463 sf display area in front of existing facility, on property located at 1608 John Fitch Boulevard, I zone

Attorney Peter Alter of Alter & Pearson LLP of Glastonbury representing the applicants, Mr. Joe and Tom Barry, presented the application with Project Engineer Daniel Jameson and Project Landscape Designer Rachel Meier of Design Professionals, Inc., and Mr. David Holmes of Capital Studio Architects LLC.

Attorney Alter showed an aerial view and described the site. Barry Equipment is a family owned company specializing in heavy equipment. The building formally housed a gas supply company but has been vacant for the last four years. There is a railroad spur going into the site but will be removed as part of the site plan. All requirements for zoning and the special exception are met and approval from IWA/CC was granted.

Mr. Jameson described the site plan showing the building expansion and outdoor storage area, display area, and expansion of the detention basin. The stormwater management plan was described. Equipment height limits were discussed. All staff engineering comments have been met.

Attorney Alter described the building elevations. The existing building has been well maintained and has 'good bones' suiting the needs of the applicant. The addition will be added with a few changes to the window configurations. Garage door entrances will be located at the rear of the building. Most of the addition will not be visible from John Fitch Boulevard. Barry Equipment will be doubling the size of the building without changing the look using materials similar to the original and maintaining the roofline.

Ms. Meier discussed the landscaping designed for the site. All proposed lighting is compliant with zoning. There will be 25' high pole lights for security. Building mounted lights will be 18' high to accompany the existing lighting on the building.

The water quality basin will be seeded with a perennial seed mix using 25% leaf compost per a condition of IWA/CC. Three deciduous flowering trees will be planted with small groupings of evergreen shrubs. Low shrubs will be used to screen the parking lot and plantings were described around the office entrance.

Attorney Alter described the ground mounted and building mounted signage, and reviewed the special exception criteria noting the application meets the goals of the Plan of Conservation and Development for the goals stated for Route 5. The site is well suited for the use and will not be a traffic generator.

Director of Planning Michele Lipe gave staff comments:

1. Request for Special Exception to Table 4.1.1A for equipment sales, service and rentals and Site Plan approval to construct a 5,000 sf building addition, a 34,739 sf storage yard, and a 2,463 sf display area in front of existing facility, at 1608 John Fitch Boulevard, I zone
2. The proposed 5,000 sf addition would extend the extending the building to the east. Resulting in approx. 2,704 sf of office and approx. 7,080 sf of manufacturing space. The new storage yard for equipment will be easterly of the existing parking area.

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3. The applicant has provided a site plan and a narrative of proposed operations indicating – the business includes sales and service of new and used construction equipment contractors. The hours of operation Monday Friday 7:00 am – 5:00 pm and Saturdays by appointment. However, the hours may change based on demands.
4. The proposed equipment display will accommodate up to 5 pieces of equipment and will be placed on millings. The remainder of the equipment will be stored in the yard.
5. Special Exception criteria for approval include:
 - The proposal is consistent with the goals and objectives of the Plan of Conservation and Development.
 - The application has met the requirements of the zoning regulations.
 - The land is physically suited to the proposed use.
 - Minimal, if any, adverse environmental impacts are created.
 - No traffic or other hazards will be created.
 - The impacts on the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other elements of the infrastructure will be minimal.
 - There will be minimal or no adverse effects on existing uses in the area.
 - Surrounding property values will be conserved.
 - The character of the neighborhood will be maintained or minimally disrupted.
 - The general welfare of the community will be served.
 - There is a balance between neighborhood acceptance and community needs.
 - Historic factors are adequately protected; or due consideration to preservation of historic factors has been demonstrated.
 - The overall physical appearance of the proposed development is compatible with surrounding development and the Commission’s goals for the neighborhood/corridor.
 - The architectural design is aesthetically pleasing and blends well into the surrounding area.
 - The Commission may impose additional conditions in accordance with these regulations in order to ensure that all applicable criteria enumerated above and/or within a particular use category are satisfied.
6. The site size is 3 acres. Maximum impervious coverage allowed is 65%; 60% proposed. Parking requirement for this use is 24 spaces; 24 spaces have been provided.
7. The site modifications proposed include: adding a display area in the front of the building along Route 5, the 5,000 sf addition, redefining of parking spaces and relocating the fence, creation of the storage yard out of millings, and modification to the detention basin. There are also some areas of encroachment by the abutters that will be addressed.
8. The applicant has indicated that the maximum height of the proposed equipment to be on site is 12 feet and that there will be no cranes or aerial lifts stored on site.

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9. Due to the timing of the application, the applicant did not go in front of the ADRC with the addition. As presented tonight, the intent to keep the same design and materials for the addition. The plan reflects new lighting on the building as well as pole lighting in the storage area. All lighting will be full cut-off lighting.
10. There will be new signage proposed. The applicant is entitled to both a free standing sign and a building sign.
11. There are regulated wetlands on the property. The applicant received IWA/CC approval on September 16, 2020. The recommended bonds in the amount of \$5,000 to ensure proper placement and maintenance of erosion and sedimentation; \$10,000 for installation of the proposed stormwater system; and \$5,000 to ensure proper establishment of the proposed wetland vegetation.
12. There is a dumpster proposed in the rear of the building shown on a concrete pad and screened. That will be within the fenced in area.
13. The site is serviced by public water and sewer. Water Pollution Control Authority approval is required for the expansion.
14. If this application is approved, the Planning Department has no additional modifications to request.

Chairman Pacekonis asked for comments from Town Engineer Jeff Doolittle who stated all comments had been addressed.

Chairman Pacekonis asked if anyone from the public was waiting to speak.

Mr. Lehmann connected Architect David Holmes who briefly described the addition as a design solution ideal for the use.

The Chairman asked for comments from commissioners.

Commissioners voiced support for a great use of an existing vacant building.

Commissioner Flagg asked if there would be live demos of the equipment. Mr. Joe Barry stated there would be no live demos on site at any time. Noise levels would be no louder than equipment idling when moved. The commissioner confirmed with Mr. Jameson oil separator equipment will be used in the servicing of equipment and will be reviewed by WPCA.

Chairman Pacekonis asked how lighting would be handled. Ms. Meier stated the applicant does want lighting at night for security purposes but will work with Town staff and Commission for what is best. Attorney Alter noted timers and motion detectors can be used to dim lights after hours and go on with any motion detected. Mr. Barry confirmed all servicing of equipment will be done inside the building and described the type of construction equipment they carry. No cranes, aerial lifts, or rock crushing equipment will be carried.

Chairman Pacekonis closed the public hearing at 8:25 p.m.

REGULAR MEETING / Webex Conference ONLINE MEETING

CALL TO ORDER: Chairman Pacekonis called the Regular Meeting to order at 8:26 p.m.

PUBLIC PARTICIPATION: none

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

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1. **Appl. 20-02P, Kilkenny Heights II Subdivision-** request from Mannarino Builders Inc. for a Special Exception to Section 7.14 and Site Plan approval for an Open Space Subdivision of 21.5+ acres, to create a total of 12 new lots, on property located at R024 and 420 Abbe Road and 248 Maskel Road, A-30 and RR zones (**Public Hearing closed 9/22/20**)

Director Lipe noted the revised plan and memo received from J.R. Russo highlighting changes made to the plans since the public hearing was closed. Changes made include access into the open space and reconfiguring the detention basin to save more open space; conservation easements have been placed at the rear of Lots 2 and 3 at the westerly line; arborvitae plantings with easements are shown on private property; one residential lot has been eliminated; and the work on Abbe Road has been provided. Draft approval conditions have been provided to commissioners.

Town Engineer Jeff Doolittle noted the change of grades on Abbe Road on the plan as presented needs to be finalized. The right of way has shifted to the east and is very wide to the west side. If the arborvitae are pushed back within the right of way, there is no objection to the arborvitae being in the right of way. There are two large pine trees on the west side of the road directly across from the proposed road that may be impacted by grading. Because the trees are not in great shape and are large it is suggested that they be removed to allow the grading to proceed uninterrupted. Arborvitae will then be planted in that area. The grading on that side will include a berm requested by the residents. A gradual berm up to two feet high in the right of way along with the arborvitae planted on the private property will help screen any head lights and prevent any drainage problem from occurring on the north side of Abbe Road.

Commissioner Wagner acknowledged public comment from neighbors adversely affected, as well as the property owner's right to build, and voiced his support for the open space subdivision as a positive thing for the town and a better alternative for the neighbors than the conventional subdivision that can be built by right.

Chairman Pacekonis spoke with Town Engineer Doolittle about the large evergreen trees where the sidewalk is proposed on Maskel Road perpendicular to Abbe Road. The Chairman questioned whether the trees would survive pruning and noted the request from the abutting property owner for a row of arborvitae to be planted on his side of the sidewalk. The Chairman then discussed the open space access that is normally 50' wide and proposed at 25' wide. Arborvitae are proposed 5' off the property line of Lot 6 for screening. The Chairman voiced a preference for a 30' wide access.

Commissioner Flagg asked about the water basin behind Lots 3 and 4. Town Engineer Doolittle described the basin as wet with an underdrain. If there is standing water it will be treated on an annual basis for mosquitoes.

Commissioner Bernstein agreed with Commissioner Wagner that public testimony was sincere and compelling but acknowledged other applications could come in to develop the land with less benefits to the surrounding neighbors, and voiced his support for this application.

Director Lipe noted the letter from the neighbor where the sidewalk is proposed who was not in favor of the sidewalk writing it posed a liability, and asked "for the developer to provide some sort of privacy barrier: trees, or shrubs, or fence of my choosing." Director Lipe noted the request was made about the first proposal regarding the rear of his property when the detention basin was to go. The basin has now been moved 10' away and shows 10 to 12 trees to be planted on the Town part of the property. The Chairman asked for details to be clarified to accommodate the homeowner. The Director suggested an approval condition to work with the homeowner to maximize his privacy in that area.

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Commissioner Wagner discussed the access to the open space and where the trees lines are located.

Chairman Pacekonis requested acknowledgement that the homeowner have a hedgerow or fence of his choice for the side of his property stating there always was a plan to have trees planted in the back of the property. Engineer Doolittle noted the existing trees along the proposed sidewalk are on the homeowner's property. The Chairman requested an approval condition to work with the homeowner to satisfy any concerns he has, noting the application is for a special exception giving the commission latitude. Commissioner Greer disagreed that the developer had that responsibility.

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

1. This approval is for 11 new lots, numbered 1-11.
2. Concrete sidewalks, built to Town specifications, shall be installed on both sides of Maskel Road parallel to Abbe Road and along the southerly side of Maskel Road perpendicular to Abbe Road terminating at Abbe Road. The Town Parks and Recreation Division agrees to maintain the new sidewalk along the property at 416 Abbe Road during the winter until such time as the owner sells the property and files an agreement to that affect.
3. Drainage and construction for this subdivision is subject to the approval of the Town Engineer.
4. 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.
5. Water shall be supplied to this subdivision by CT Water.
6. This application is subject to the condition of approval of the Inland Wetlands Agency/Conservation Commission including bonds in the amounts of \$20,000 for compliance with erosion and sediment control measures; a bond in the amount of \$25,000 for the installation of the storm water structures; and a bond in the amount of \$5,000 for plantings within the basin to be held for three years
7. A landscaping bond in the amount of \$10,000 shall be posted prior to the issuance of the last Certificate of occupancy.
8. 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).
9. 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.
10. 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.
11. Trees within the street trees easement and any other trees on land that is currently or will in the future become Town-owned land are to be planted in accordance with the enclosed Tree Planting Specifications.
12. Prior to commencement of any site work, a preconstruction meeting must be held with Town Staff.
13. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.

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14. 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.
15. Footing drains are required for each house. Prior to the building of any structure on a lot, a topographic map, drawn to a scale of 1" = 40', shall be submitted for each lot in the subdivision, showing proposed contours, elevations and the location of the footing drains. No building permits will be issued until the proposed contours, floor elevations and location of footing drains have been approved by the Town Engineer.
16. If, for any reason, finished grading and other individual lot site work is not completed, the Town Engineer shall determine the amount of a cash bond to ensure final grading and site work. This cash bond must be submitted prior to issuance of a Certificate of Occupancy.
17. 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.
18. A drainage assessment fee in the amount of \$ 550 shall be submitted to this Commission.
19. No building permits will be issued until all modifications have been complied with, and the final plans have been filed in the Town Clerk's office.
20. The Town Engineer's review comments dated 9/22/20 must be incorporated in the final plans.
21. The applicant agrees to no work on Saturdays during the time period that the COVID Executive Order is in effect.
22. Additional arborvitae plantings are to be planted in front of the property at 427 Abbe Road, at a location agreed upon between the property owner and developer, to minimize automobile light trespass.
23. All conservation easements and open space properties shall be marked in the field with open space and conservation easement metal property markers provided by the Town, to the satisfaction of the Environmental Planner.
24. In accordance with Section C.1.g of the subdivision regulations, a waiver of 25 feet has been granted to allow an open space access of 25 feet.
25. Dust control measures shall be implemented on the site and watering of the site shall be done on a regular basis.
26. The existing stone wall adjacent to 249 Maskel Road shall remain and protected as a part of the conservation easement on Lot 1.

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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OCTOBER 13, 2020

27. The existing tree line along the northern property boundary shall be protected in the field. Efforts shall be made to preserve as many trees as possible. Any trees to be removed in that area shall be flagged by the developer and subject to the review and approval of Town Staff.
28. Once the access from Abbe Road is established, to the extent feasible, all construction traffic shall use that as the primary entrance to the development.
29. The developer shall post wayfinding signage directing the public to the Town owned open space and posting private property, where appropriate, to indicate the end of the public access for recreational use.

Chairman Pacekonis added an additional condition:

30. The developer shall work with the property owner at 416 Abbe Road to come to mutual agreement for any hedge or fencing needed for privacy.

Commissioner Wagner agreed to the friendly motion.

Commissioner Flagg seconded the motion.

Commissioner Greer made a motion for sidewalks on both sides of Maskel Road parallel to Abbe Road.

Commissioner Flagg seconded the motion.

Commissioner Wagner accepted the friendly amendment.

Commissioner Flagg seconded the motion.

Chairman Pacekonis clarified sidewalks shall be installed on both sides of Maskel Road parallel to Abbe Road and along the southerly side of Maskel Road perpendicular to Abbe Road terminating at Abbe Road.

The motion carried and the vote was unanimous.

2. **Appl. 20-41P, One Buckland Center LLC** - request for a site plan modification to allow the addition of a left-turn lane through the existing median on Buckland Road to access property at 1 Buckland Road, RC zone

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

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.
3. A landscape bond in the amount of \$1000 is required and must be submitted prior to the issuance of a certificate of occupancy if work is not completed.
4. All bonds must be in one of the forms described in the enclosed Bond Policy.
5. An as-built plan is required prior to issuance of a Certificate of Occupancy per Section 9.1.3 of the Zoning Regulations.
6. All plans used in the field by the developer must bear the stamp and authorized signature of the Town of South Windsor.
7. No building permits will be issued until the Office of State Traffic Administration certificate has been issued (per CGS §14-311).

TOWN OF SOUTH WINDSOR
PLANNING & ZONING COMMISSION

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OCTOBER 13, 2020

8. The building street number must be included on the final plan.
9. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
10. All free standing signs and/or building signs require the issuance of a sign permit before they are erected. No advertising signs are allowed in the islands
11. The final landscape plan for the relocated island shall be coordinated with town staff and subject to PZC approval.

Commissioner Bernstein seconded the motion

Motion passed, 6 in favor and 1 against. Roll Call Vote taken: Commissioners LeBlanc, Dexter, Bernstein, Flagg, Wagner, and Pacekonis voting for and Commissioner Greer voting against.

3. **Appl. 20-48P, Barry Equipment Company, Inc.** – request for Special Exception to Table 4.1.1A for equipment sales, service and rentals and Site Plan approval to construct a 5,000 sf building addition, a 34,739 sf storage yard, and a 2,463 sf display area in front of existing facility, on property located at 1608 John Fitch Boulevard, I zone

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

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.
3. This application is subject to the conditions of approval of the Inland Wetlands Agency/Conservation Commission, including bonds in the amount of \$5,000 for installation and maintenance of erosion and sediment controls on the site; and a bond in the amount of \$10,000 for installation of the stormwater system and \$5,000 to ensure proper establishment of the proposed wetland vegetation.
4. A landscape bond in the amount of \$3,000 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. The building street number must be included on the final plan.
10. Pavement markings must be maintained in good condition throughout the site drives and parking areas.
11. All free standing signs and/or building signs require the issuance of a sign permit before they are erected.
12. No aerial lifts or cranes are permitted to be stored on site. Maximum height of outdoor storage equipment is 12 feet.

TOWN OF SOUTH WINDSOR
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Commissioner Wagner seconded the motion.

The motion carried and the vote was unanimous.

CORRESPONDENCE / REPORTS:

Commissioner Bernstein read a letter from Town Councilor and Public Lands Naming Sub-Committee Chair Erica Evans regarding naming the Barton property at Rye Street Park as the "John Mitchell Fairgrounds at Rye Street Park".

Commissioners voiced support for renaming the Barton property (known as the Fairgrounds at Rye Street Park) to honor John Mitchell who over his life gave a great deal to the town. Commissioner Greer suggested that the Barton family name also is recognized. Director Lipe noted the Planning & Zoning Commission Fee in Lieu of Open Space fund that grew over 25 years funded the purchase of the original improvements to the property.

In addition to honoring John Mitchell by renaming the fairgrounds, the Commission made a recommendation to document the history of the property including the Barton family and the funding for the improvements of the property for the town accomplished through the Planning & Zoning Commission Fee in Lieu of Open Space fund, on a plaque to commemorate all. Director Lipe noted the Fee in Lieu of Open Space account had funds for the signage.

BONDS: Callings/Reductions/Settings

Landscaping Bond

1. Appl. 18-48P, CT Soils Landscaping Bond in the amount of \$10,000 to be reduced by \$10,000 to leave a balance of -0-.

Commissioner Bernstein made a motion to reduce the above mentioned bond; Seconded by Commissioner Dexter. The motion carried and the vote was unanimous.

IWA/CC Bonds

2. Appl. 18-48P, CT Soils E&S Bond in the amount of \$15,000 to be reduced by \$15,000 to leave a balance of -0-.
3. Appl. 18-48P, CT Soils Stormwater Bond in the amount of \$25,000 to be reduced by \$25,000 to leave a balance of -0-.
4. Appl. 18-48P, CT Soils Wetland Plantings Bond in the amount of \$5,000 to be reduced by \$5,000 to leave a balance of -0-.

Commissioner Bernstein made a motion to reduce the above mentioned bonds; Seconded by Commissioner Wagner. The motion carried and the vote was unanimous.

MINUTES: 9/8/20, 9/22/20, 9/29/20 adopted by consensus.

OLD BUSINESS: *see page 3*

APPLICATIONS OFFICIALLY RECEIVED:

1. Appl. 20-53P, Christine Cassettari, request for renewal of a 5-year major home occupation, 'Chrissy's Hair Studio', on property located at 1483 Ellington Road, RR zone

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PLANNING & ZONING COMMISSION

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OCTOBER 13, 2020

2. Appl. 20-54P, Robert Maffucci dba Vito's Restaurant "Weddings on the Farm" – request for renewal of a two year temporary and conditional permit to hold up to four (4) wedding and/or corporate events between June and October, on property located at 653 and 677 Rye Street and 5 Saxton Lane East Windsor, RR zone

OTHER BUSINESS:

Director Lipe noted the public hearing for the Costco Wholesale application for Special Exception Site Plan of Development approval will begin on October 27.

ADJOURNMENT:

Motion to adjourn the Regular Meeting at 9:20 p.m. was made by Commissioner Flagg;
Seconded by Commissioner Bernstein. The motion carried and the vote was unanimous.

Respectfully Submitted,

Lauren L. Zarambo,
Recording Secretary



Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074-2786

AREA CODE 860/644-2511

FAX 860/644-3781

EXHIBIT B

OFFICE
OF THE
TOWN COUNCIL

February 5, 2020

Mr. Michael Maniscalco, Town Manager
Town of South Windsor
1540 Sullivan Avenue
South Windsor, CT 06074

Dear Mr. Maniscalco:

At its Regular Meeting of February 3, 2020, the South Windsor Town Council approved the following Resolution:

WHEREAS, Mannarino Builders, Inc. submitted to the Planning & Zoning Commission an open space subdivision containing 13 single-family house lots including approximately 12 acres of open space; and

WHEREAS, the Open Space Task Force at their December 23, 2019 meeting unanimously agreed that the property is desirable as Town-owned open space

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby supports the Open Space Task Force recommendation that the property be Town-owned open space and forwards this recommendation to the Planning & Zoning Commission for consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deborah W. Reid".

Deborah W. Reid
Clerk of the Council

cc: Michele Lipe, Director of Planning
Jeff Folger, Senior Environmental Planner
Pat Botteron, Chairperson, Open Space Task Force



Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074
TELEPHONE (860) 644-2511

CERTIFIED MAIL 7011 1570 0000 6337 4465

March 13, 2014

South Windsor Stone & Landscaping Supply, LLC
Arthur Silvestri
287 Strong Road
South Windsor, CT 06074

Dear Mr. Silvestri:

Re: Appl # 14-07P, South Windsor Stone & Landscaping Supply

We regret to advise you that on March 11, 2014, the Planning and Zoning Commission voted to deny the above-referenced application to expand the prior special exception granted to allow for a landscape material sales and storage business to be located at 287 Strong Road. Specifically, the applicant seeks to add topsoil screening to include the property at 275 Strong Road, and site plan modification for the combined properties as shown on plans submitted by Design Professionals, Inc. Job no. 2646, dated 1/27/14 as revised, I zone.

The Commission is denying the application as they have determined that the proposal does not meet the requirements of the zoning regulations and the criteria for approval of a special exception as outlined in Section 8.4 of the Zoning Regulations in the following ways:

1. The applicant has failed to establish that the site can safely accommodate the proposed truck and retail traffic as required by Section 4.1.5 and 8.4. The proposed plan evidences the potential for adverse traffic impacts resulting from the conflict of trucks entering and exiting the proposed 12 foot wide drive. Also, adding a third driveway along the property frontage creates the potential for conflicts with vehicles entering and exiting the site at multiple points. There also is the concern for safe on site vehicle maneuvering given the site size constraints and the location of the proposed truck driveway in relation to the residential home. The location of the new access drive (approximately 18-20 feet from the side of the residential house) is not safe.
2. The land is not physically suited for the proposed use. The Commission is concerned that the use of the existing site already exceeds the bulk requirements for the zone. The site is a very tight site and does not have adequate room for top soil processing and screening in addition to the retail sales and storage of landscaping materials.
3. The existing and proposed conditions on site do not and will not meet the zoning regulations. For example, the site currently exceeds the bulk requirements for the zone. The applicant's truck circulation, activities and equipment storage currently is taking place on the adjacent property (owned by another of the applicant's LLC) without the benefit of any zoning approvals.
4. In addition, *Sec. 2.11 Commercial and industrial Storage and Display* allows for the storage of any material outside a building provided that it is not visible from the public way. Existing piles are already visible from the public way. The applicant represented that dirt piles could be as high as 14 feet and would

be visible from Strong Road; however only a six foot fence is proposed to visually screen the top soil screening activities.

5. Other existing violations include: the addition of a several landscape bins not originally shown on the site plan; removal of landscaped areas, (in one location resulting the removal of a 60 inch tree to add more bins), and expansion of graveled areas.
6. The proposed use creates adverse environmental impacts on the neighbors in that significant dust and tracking of mud have been documented while the screening operations were ongoing on site.
7. The Commission has considered the balance between neighborhood acceptance and community needs and finds that, although screened top soil certainly is a worthwhile commodity, the applicant already owns another more appropriate location within town where screening and processing is already permitted and is conducted without negatively impacting residential neighbors.
8. Neighbors also have provided evidence of violations of the original site plan; pictures and documentation of truck traffic; complaints about truck noise related to the screening operation. The Commission noted that no complaints had been filed until this screening operation started up in the spring of 2013. The screening activities went on all summer despite the applicant being under zoning enforcement.
9. On balance, the lack of neighborhood acceptance of the proposed use weighs heavily in favor of denying the modifications to the special exception.
10. Present and proposed utilities, streets, drainage system, and other improvements have adequate capacity to accommodate the proposed use. The drainage swale leading to the stormwater pond that was to be established has been eliminated and the area is now gravel to accommodate traffic circulation. No provision to correct this drainage issue was presented.
11. The overall physical appearance of the proposed development will not be compatible with surrounding development and the Commission's goals for the neighborhood/corridor. As already noted, there is an inadequate ability to hide the huge stockpiles of material from visibility by a public way, much less the neighbors.
12. The applicant has failed to establish that the proposed modifications will not have a negative impact on neighboring property values. Neighbors stated that the new activities on the site have had a negative impact on their quality of life and, therefore, their properties' resale values.

Very truly yours,



Bart Pacekonis, Chairman
Planning and Zoning Commission

→ Buck Company site:

? only top soil

BP/llz

big operation

cc: Town Engineer
Chief Building Official
Assessor
Superintendent of Pollution Control
Fire Marshal
Design Professionals, Inc.



Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074
TELEPHONE (860) 644-2511

CERTIFIED MAIL 7011 1570 0000 6337 1815

February 1, 2016

South Windsor Stone & Landscaping Supply, LLC
Arthur Silvestri
287 Strong Road
South Windsor, CT 06074

Dear Mr. Silvestri:

Re: Appl # 14-07P, South Windsor Stone & Landscaping Supply Settlement Agreement

We are pleased to advise you that the Planning and Zoning Commission voted on January 26, 2016 to approve the Settlement Agreement, Docket No.: HHD-CV-14-6050103-S, dated December 11, 2015, regarding the above-referenced.

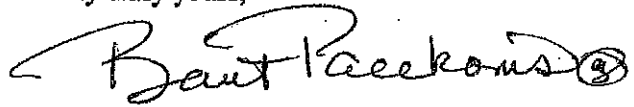
This approval is subject to the following modifications as agreed in the settlement:

1. The defendant stipulates that plaintiffs are each aggrieved.
2. The parties hereto will ask the court to enter judgment in accordance with this agreement as follows:
 - a) The operation of EHSB at 287 Strong Road is in substantial compliance with the approvals of the Town of South Windsor.
 - b) EHSB will not process or screen topsoil or loam on the premises without further approval of this commission, but may continue to sell that product and have it delivered and ready for sale as part of its landscaping business.
 - c) The sole entrance and exit drive will be directly from Strong Road at the location of the presently existing drive.
 - d) The Applicant may apply at any time in the future to process material on the site, and any such application will be considered on its merits.
3. The hours of operation shall be as follows:
 - a) Monday through Friday, 7:00 a.m. to 5:30 p.m.
 - b) Saturday, 7:00 a.m. to 5:30 p.m., April 1st through Labor Day, and 7:00 a.m. to 3:00 p.m. the day after Labor Day through March 31st of each year.
 - c) Sunday, 10:00 a.m. to 3:30 p.m.
 - d) Incoming deliveries on the weekend will be limited to the hours of 10:00 a.m. to 2:00 p.m. on Saturdays only.

SCANNED

4. Each party is responsible for their own attorney's fees and costs.
5. The parties shall present their agreement to the Court as a Stipulation for Judgment.

Very truly yours,

A handwritten signature in cursive script that reads "Bart Pacekonis" followed by a circled number "3".

Bart Pacekonis, Acting Chairman
Planning and Zoning Commission

BP/ilz

cc: Town Engineer
Chief Building Official
Assessor
Superintendent of Pollution Control
Fire Marshal
Attorney Wayne Gerlt
Design Professionals, Inc.

DOCKET NO.: HHD-CV-14-6050103-S : SUPERIOR COURT

EAST HARTFORD SAND & GRAVEL, INC.
D/B/A SOUTH WINDSOR STONE &
LANDSCAPING SUPPLY, LLC
275 STRONG ROAD, LLC AND
287 STRONG ROAD, LLC : J. D. OF HARTFORD

V. : AT HARTFORD

SOUTH WINDSOR PLANNING &
ZONING COMMISSION : DECEMBER 11, 2015

STIPULATION FOR JUDGMENT

The parties in the captioned matter having reached an agreement, they hereby stipulate that judgment may enter in accordance with the following terms:

1. The plaintiffs as the Applicant and the owners of the premises upon which the Applicant proposed to operate are classically aggrieved.
2. The operation of East Hartford Sand & Gravel, Inc. d/b/a South Windsor Stone & Landscaping Supply, LLC (hereinafter "EHSB"), is in substantial compliance with the approvals and regulations of the Town of South Windsor.
3. EHSB will not process loam or topsoil upon the premises without further order of the Planning & Zoning Commission but may continue to sell it from the premises and accept deliveries for sale as part of its business.
4. The Applicant may apply at any time in the future to process material on the site, and any such application will be considered on its merits.
5. The hours of operation shall be as follows:
 - a) Monday through Friday, 7:00 am to 5:30 pm.

- b) Saturday, 7:00 am to 5:30 pm, April 1st through Labor Day, and 7:00 am to 3:00 pm the day after Labor Day through March 31st of each year.
- c) Sunday, 10:00 am to 3:30 pm.
- d) Incoming deliveries on the weekends will be limited to the hours of 10:00 am to 2:00 pm on Saturdays only.

6. Each party is responsible for their own attorney's fees and costs.

FOR THE PLAINTIFF
EAST HARTFORD SAND & GRAVEL, INC.
D/B/A SOUTH WINDSOR STONE &
LANDSCAPING SUPPLY, LLC

By: _____

Wayne C. Gerlt
Its Attorney
P. O. Box 1132 (112 Deming Street)
South Windsor, CT 06074
Juris # 22192
Tel.: 860-644-2565

FOR THE DEFENDANT
TOWN OF SOUTH WINDSOR

By: _____

Keith Yagaloff
Its Attorney
1343 Sullivan Avenue
South Windsor, CT 06074
Juris #: 433088
Tel.: 860-432-5400

CERTIFICATION

I hereby certify that one copy of the foregoing Stipulation for Judgment was mailed, by first class mail, postage prepaid, or electronically delivered this ____ day of December, 2015 to the following:

Keith Yagaloff PC
1343 Sullivan Avenue
South Windsor, CT 06074

022192

Wayne Christopher Gerlt
Commissioner of the Superior Court



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-1

92 - #381

349,200

9/24/2021

Account

87000280

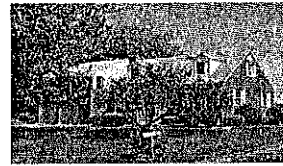
Property Information

Property Location	280 STRONG ROAD
Owner	LEONARD MICHAEL G
Co-Owner	
Mailing Address	280 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

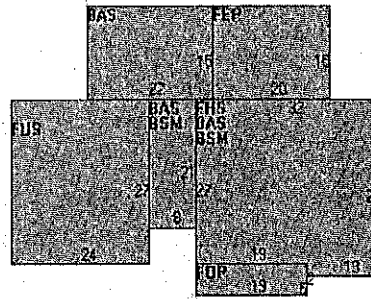
Neighborhood	
Acreage	0.63
Utilities	
Lot Setting/Desc	
Water Information	CONNECTICUT WATER 860.623.3355
Trash Day	MONDAY

Photo

EXHIBIT D



Sketch



Primary Construction Details

Year Built	1943
Stories	1.4
Building Style	Cape
Building Use	Residential
Building Condition	B-
Floors	Carpet
Total Rooms	9

Bedrooms	4 Bedrooms
Full Bathrooms	2
Half Bathrooms	0
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Brick
Interior Walls	Plaster
Heating Type	Forced Hot Air
Heating Fuel	Gas
AC Type	
Gross Bldg Area	5027
Total Living Area	2481



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-3

Account

87000290

2017 - \$200,000
\$378,000

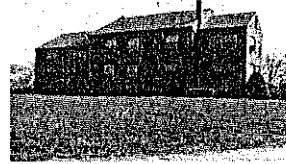
\$340K - 420K

Property Information

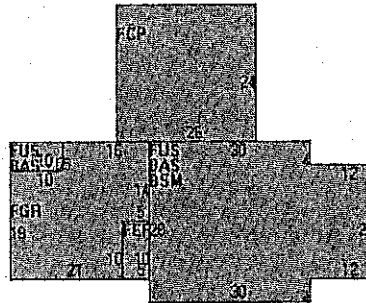
Property Location	290 STRONG ROAD
Owner	MCARTHUR ETHAN D
Co-Owner	
Mailing Address	290 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	1.5
Utilities	
Lot Setting/Desc	
Water Information	WELL WATER
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1937
Stories	2.0
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Floors	Hardwood
Total Rooms	12

Bedrooms	3 Bedrooms
Full Bathrooms	2
Half Bathrooms	2
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Brick
Interior Walls	Plaster
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	
Gross Bldg Area	5786
Total Living Area	3458

\$208K



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-4

Account

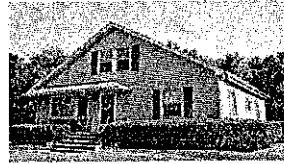
87000306

Property Information

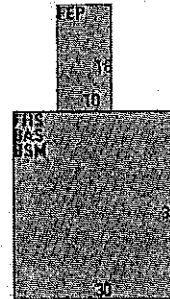
Property Location	306 STRONG ROAD
Owner	JACKSON TONY R & NANCY ANN
Co-Owner	
Mailing Address	306 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.2
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN CT WATER AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1934
Stories	1.4
Building Style	Conventional
Building Use	Residential
Building Condition	C+
Floors	Hardwood
Total Rooms	6

Bedrooms	4 Bedrooms
Full Bathrooms	1
Half Bathrooms	0
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Vinyl Siding
Interior Walls	Plaster
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	
Gross Bldg Area	3060
Total Living Area	1440

\$ 222,500

\$ 191, - \$ 257



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-5

Account

87000310

Property Information

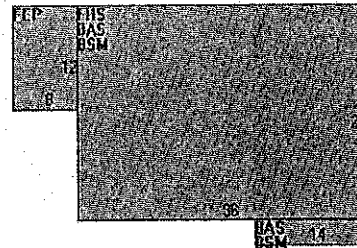
Property Location	310 STRONG ROAD
Owner	ROY DONALD L
Co-Owner	
Mailing Address	310 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.23
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN CT WATER AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1946
Stories	1.5
Building Style	Cape
Building Use	Residential
Building Condition	C+
Floors	Hardwood
Total Rooms	6

Bedrooms	2 Bedrooms
Full Bathrooms	2
Half Bathrooms	0
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Brick
Interior Walls	Plaster
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	
Gross Bldg Area	2880
Total Living Area	1392



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-6

4203 - 205
*236,400

9/24/21

Account

87000318

Property Information

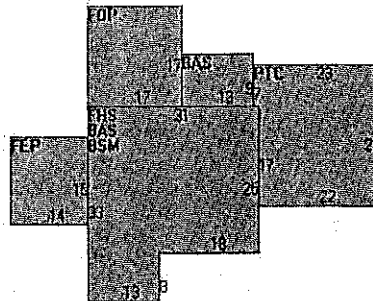
Property Location	318 STRONG ROAD
Owner	HARRIS CRYSTAL L & LIONEL
Co-Owner	
Mailing Address	318 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.63
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN CT WATER AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1947
Stories	1.5
Building Style	Cape
Building Use	Residential
Building Condition	C+
Floors	Hardwood
Total Rooms	8

Bedrooms	3 Bedrooms
Full Bathrooms	1
Half Bathrooms	1
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Brick
Interior Walls	Plaster
Heating Type	Steam
Heating Fuel	Oil
AC Type	
Gross Bldg Area	3788
Total Living Area	1436



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-7

Account

87000334

\$321K - \$354K
Zillow - \$337,600 9/24/21

Property Information

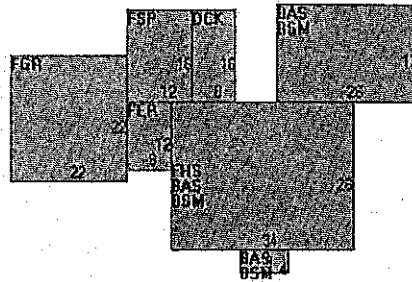
Property Location	334 STRONG ROAD
Owner	JACKSON JAMES H & GAIL J
Co-Owner	
Mailing Address	334 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.53
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN CT WATER AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1955
Stories	1.5
Building Style	Cape
Building Use	Residential
Building Condition	B-
Floors	Hardwood
Total Rooms	7

Bedrooms	3 Bedrooms
Full Bathrooms	2
Half Bathrooms	1
Bath Style	Average
Kitchen Style	Modern
Roof Style	Gable
Roof Cover	Arch Shingles

Exterior Walls	Brick
Interior Walls	Drywall
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	
Gross Bldg Area	5084
Total Living Area	2092



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-33

Account

87000307

* 25K-309K

\$273,300

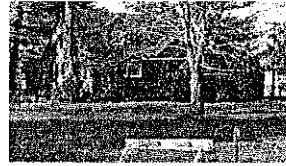
9/24/21

Property Information

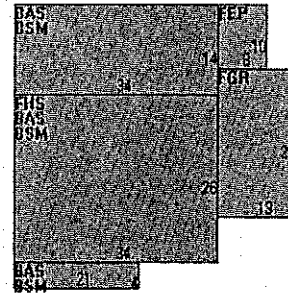
Property Location	307 STRONG ROAD
Owner	DURFEE FAY A
Co-Owner	
Mailing Address	307 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.77
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN MDC AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1945
Stories	1.5
Building Style	Cape
Building Use	Residential
Building Condition	C+
Floors	Hardwood
Total Rooms	10

Bedrooms	4 Bedrooms
Full Bathrooms	2
Half Bathrooms	1
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

Exterior Walls	Brick
Interior Walls	Panel
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	
Gross Bldg Area	4303
Total Living Area	1886



Town of South Windsor, CT

Property Listing Report

Map Block Lot

85-32

\$187K - \$259

\$224,800 - 9/24/21

Account

87000315

Property Information

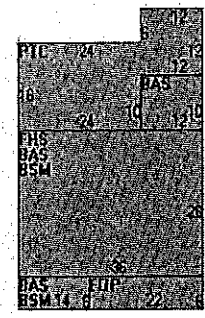
Property Location	315 STRONG ROAD
Owner	BAMBER RICHARD J & VIRGINIA
Co-Owner	
Mailing Address	315 STRONG ROAD SOUTH WINDSOR CT 06074
Land Use	101 Res Dwelling
Land Class	R
Zoning Code	I
Census Tract	4874

Neighborhood	
Acreage	0.79
Utilities	
Lot Setting/Desc	
Water Information	UNKNOWN MDC AREA
Trash Day	MONDAY

Photo



Sketch



Primary Construction Details

Year Built	1945
Stories	1.4
Building Style	Cape
Building Use	Residential
Building Condition	C
Floors	Hardwood
Total Rooms	6

Bedrooms	4 Bedrooms
Full Bathrooms	1
Half Bathrooms	0
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

Exterior Walls	Vinyl Siding
Interior Walls	Plaster
Heating Type	Steam
Heating Fuel	Oil
AC Type	
Gross Bldg Area	3876
Total Living Area	1608

