MINUTES
TOWN PLANNING AND ZONING COMMISSION
APRIL 11, 2006 7:00 PM
COUNCIL CHAMBERS, TOWN HALL
275 BROAD STREET, WINDSOR, CONNECTICUT

PRESENT: Commissioners Mips, Kelsey, Parker, Profe and Commissioners O'Brien
Alternate Commissioner Clark was present but not seated

ALSO PRESENT: Town Planner Barz and Planning Secretary Madison

Commissioner Profe was acting secretary.

I. NEW BUSINESS

A. Public Communications and Petitions (five-minute limit per person)

1. **Letter from Frederick Geisel, PE** – regarding road improvements to Pigeon Hill Road
2. **Letter from Michael Markesich** – regarding the widening of Pigeon Hill Road
3. **Letter from The Estate of Carolyn Caesar** – regarding the widening of Pigeon Hill Road
4. **Letter from Anthony and Emma Gilli** – regarding the Griffin Land development at 911 Rainbow Road
5. **Letter from Alford Associates, Inc.** – requesting that the public hearing for Zoning Regulations Text Amendment Section 8.1.6R be recessed until the next TP&ZC meeting in May **(See Public Hearing Item II.7)**

Commissioner Profe read the above letters into the record.

B. Communications and Petitions from the Town Planning and Zoning Commission
C. Zoning Enforcement Officer's Report

D. CGS 8-24 Referral Requests

1. **Pleasant Street Reconstruction**

Town Engineer Lenehan presented a drawing and described the proposed reconstruction.

Motion: Commissioner Profe moved that the Town Planning & Zoning Commission recommend to the Windsor Town Council, pursuant to CGS § 8-24, approval of the project for the reconstruction of Pleasant Street, including pavement reconstruction, drainage, and constructing new sidewalks and curbs, lighting, traffic calming and other associated features. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

E. Pre-Application Scrutiny
F. Re-approvals/Revisions

1. **Site Plan - 148 Broad Street,** Bank with Drive-in Facility, B-2 Zone, CBT/Alford **(See Public Hearing Items II. 3 & 4)**

The Commission directed that the above item would be heard with the associated special use applications and voted on separately.

G. Bonds

H. Site Plans

1. **Site Plan – 200 Northfield Drive,** 119,000 s.f. Office Building, I-1 Zone, ING/Hesketh **(See Public Hearing Item II.8)**

The Commission directed that the above item would be heard with the associated special use application and voted on separately.

I. Minutes

1. **February 2, 2006 Special Meeting**

Motion: Commissioner Profe moved to approve the minutes of the special meeting on February 2, 2006 as presented. Commissioner Parker seconded the motion and it passed 3-0-2, with Commissioners Kelsey and Profe abstaining for non-presence.

2. **February 14, 2006**

Motion: Commissioner Profe moved to approve the minutes of February 14, 2006 as amended. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-1 with Commissioner Profe abstaining for non-presence.

3. **February 17, 2006 Special Meeting**

Motion: Commissioner Profe moved to approve the minutes of the special meeting on February 17, 2006 as presented. Commissioner Parker seconded the motion and it passed 3-0-2, with Commissioners Kelsey and Profe abstaining for non-presence.

4. **March 14, 2006**

Motion: Commissioner Profe moved to approve the minutes of March 14, 2006 as amended. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.
Commissioner Profe nominated Commissioner Mips for Chairperson for 2006. Commissioner Kelsey seconded the nomination and it passed unanimously, 5-0-0.

II. PUBLIC HEARINGS

1. **Special Use – 200 Addison Road,** Day Care, Zoning Regulations Section 2.4.15H, I-1 Zone, Madina Academy

2. **Special Use – 200 Addison Road,** Private School, Zoning Regulations Section 2.4.15J, I-1 Zone, Madina Academy

The above two items were postponed until the special meeting on May 16, 2006 upon request of the applicant.

3. ***Special Use – 148 Broad Street,** Drive-in facility for proposed bank, Zoning Regulations Section 5.2.6C, B-2 Zone, CBT/Alford **(See Site Plan Item I.F. 1)**

Attorney Dominic Ferraina represented the applicant. He presented a drawing and reviewed the site and the proposed use.

Motion: Commissioner Profe moved to approve the application for Special Use at 148 Broad Street for a drive-in facility for a proposed bank under Zoning Regulations Section 5.2.6C subject to the following conditions: 1) the fence surrounding the back of the property shall be either replaced or repaired in such a way that the good side of the fence is toward the abutters and the fence is lying completely within the property of the applicant and the gates are in working order; 2) an outdoor lighting plan shall be submitted to and approved by the Planning Department; 3) the ATM shall not be placed in the outdoor canopy area; 4) final review and approval of the overall design of the canopy area by the Planning Department; 5) final review and approval of the overall landscaping plans by the Planning Department; 6) any additional rooftop mechanical equipment shall be installed with noise abatement measures and screening to the satisfaction of the Town Planner; 7) final review and approval of a site drainage plan by the Town Engineer; 8) the turning radius for the drive-through lane shall be proved to be adequate to the satisfaction of Town Staff; 9) final staff review and approval of the Dumpster location and operations for dumpster pick-up; 10) a five-year time limit; and 11) overall staff review and approval. Commissioner Kelsey seconded the motion and it passed 4-1-0 with Commissioner O'Brien opposed.

4. ***Special Use – 148 Broad Street,** reduced parking, Zoning Regulations Section 5.2.6N, B-2 Zone, CBT/Alford **(See Site Plan Item I.F. 1)**

Motion: Commissioner Profe moved to approve the application for Special Use at 148 Broad Street for reduced parking under Zoning Regulations Section 5.2.6N subject to the following conditions: 1) the fence surrounding the back of the property shall be either replaced or repaired in such a way that the good side of the fence is toward the abutters and the fence is lying completely within the property of the applicant and the gates are in working order; 2) an outdoor lighting plan shall be submitted to and approved by the Planning Department; 3) the ATM shall not be placed in the outdoor canopy area; 4) final review and approval of the overall design of the canopy area by the Planning Department; 5) final review and approval of the overall landscaping plans by the Planning Department; 6) any additional rooftop mechanical equipment shall be installed with noise abatement measures and screening to the satisfaction of the Town Planner; 7) final review and approval of a site drainage plan by the Town Engineer; 8) the turning radius for the drive-through lane shall be proved to be adequate to the satisfaction of Town Staff; 9) final staff review and approval of the Dumpster location and operations for dumpster pick-up; 10) a five-year time limit; and 11) overall staff review and approval. The reason for approval is that there is adequate parking available in the adjacent area for the needs of the bank because all uses are not using this parking area at the same time. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Site Plan - 148 Broad Street, Bank with Drive-in Facility, B-2 Zone, CBT/Alford **(See Public Hearing Items II. 3 & 4)**

Motion: Commissioner Profe moved to approve the application for Site Plan at 148 Broad Street for a bank with a drive-in facility subject to the following conditions: 1) the fence surrounding the back of the property shall be either replaced or repaired in such a way the good side of the fence is toward the abutters and that the fence is lying completely within the property of the applicant and the gates are in working order; 2) an outdoor lighting plan shall be submitted to and approved by the Planning Department; 3) the ATM shall not be placed in the outdoor canopy area; 4) final review and approval of the overall design of the canopy area by the Planning Department; 5) final review and approval of the overall landscaping plans by the Planning Department; 6) any additional rooftop mechanical equipment shall be installed with noise abatement measures and screening to the satisfaction of the Town Planner; 7) final review and approval of a site drainage plan by the Town Engineer; 8) the turning radius for the drive-through lane shall be proved to be adequate to the satisfaction of Town Staff; 9) final staff review and approval of the Dumpster location and operations for dumpster pick-up; 10) a five-year time limit; and 11) overall staff review and approval. The reason for approval is that there is adequate parking available in the adjacent area for the needs of the bank because all uses are not using this parking area at the same time. Commissioner Kelsey seconded the motion and it passed, 4-0-1 with Commissioner O'Brien opposed.

5. **Subdivision – 79 Lamberton Road,** Amolia Farms, 16 single – family homes, AA Zone, The Broad Brook Group, LLC
   - **Letters from First Highland (3)** – dated March 13, March 14, and March 24, 2006

Ed Lally, Ed Lally and Associates, Inc. represented the applicant. He presented a drawing and reviewed the site location and the proposed single-family development.

Motion: Commissioner Profe moved to approve the application for Subdivision at 79 Lamberton Road, Amolia Farms, for 16 single – family homes, subject to final staff review and approval. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

6. **Zone Boundary Change – 401 & 405 Dudley Town Road,** AG Zone to AA Zone, Jubrey

Howard Jubrey, 18 Country Club drive presented a drawing and described the location and the surrounding zones of the property.

Motion: Commissioner Profe moved to approve the application for Zone Boundary Change at 401 & 405 Dudley Town Road from the AG Zone to the AA Zone for the reason that the AG zone is not being used for active farming at the present time and the AA Zone is low intensity residential and it should not set a precedent for the adjacent AG land that it being farmed. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

7. **Zoning Regulations Text Amendment – Section 8.1.6R,** Building Height over 7 Stories, Alford

Motion: Commissioner Profe moved to recess the application for Zoning Regulations Text Amendment to Section 8.1.6R for building height over seven stories until the Special Meeting on May 16, 2006. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

8. **Special Use – 200 Northfield Drive,** Building Height 71 Feet, Zoning Regulations Section 8.1.6R, I-1 Zone, ING/Hesketh **(See Site Plan Item I.H.1)**

Mark Asmar, Brown Rudnick; Dave Ziaks and Steve Mitchell, F.A. Hesketh Associates spoke for the applicant. They presented a drawing and reviewed the site and the proposed development.

Motion: Commissioner Profe moved to approve the application for Special Use at 200 Northfield Drive, for building height seventy-one feet under Zoning Regulations Section 8.1.6Q subject to the following conditions: 1) banning of construction vehicles traveling north from the site on Marshall Phelps Road; 2) final STC approval; 3) receipt and approval of a lighting map by staff; 4) final technical review and approval of all traffic related issues of the fire apparatus access adjacent to the building; 5) plans for improvements to the Marshall Phelps Road and Day Hill Road intersection if there are to be any changes made; 6) final landscaping plans approved by staff; 7) final staff approval of the street name; 8) final staff review and approval of all remaining issues; and 9) a sign specifically asking construction traffic to turn left on Marshall Phelps Road and travel toward Day Hill Road. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

Site Plan – 200 Northfield Drive, 119,000 s.f. Office Building, I-1 Zone, ING/Hesketh **(See Public Hearing Item II.8)**

Motion: Commissioner Profe moved to approve the application for Site Plan at 200 Northfield Drive, for an office building subject to the following conditions: 1) banning of construction vehicles traveling north from the site on Marshall Phelps Road; 2) final STC approval; 3) receipt and approval of a lighting map by staff; 4) final technical review and approval of all traffic related issues of the fire apparatus access adjacent to the building; 5) plans for improvements to the Marshall Phelps Road and Day Hill Road intersection if there are to be any changes made; 6) final landscaping plans approved by staff; 7) final staff approval of the street name; 8) final staff review and approval of all remaining issues; and 9) a sign specifically asking construction traffic to turn left on Marshall Phelps Road and travel toward Day Hill Road. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

9. **Special Use – 1001 Day Hill Road,** Restaurants and Retail Establishments, Zoning Regulations Section 8.1.6E, I-1 Zone, Mototown Properties LLC/Alford

Wilson Alford, Jr., Alford Associates, Inc. spoke for the applicant. He reviewed the proposed text.

Motion: Commissioner Profe moved to approve the application for Special Use at 1001 Day Hill Road for, a maximum area of 25,000 square feet of space for restaurant use and 50,000 square feet of space for retail use under Zoning Regulations Section 8.1.6E subject to the conditions of approval for the original special use for this site except the condition regarding the hours of operation and staff review and approval. In the absence of the primary use the ancillary uses are deemed legal non-conforming where appropriate. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

* Item recessed from the meeting of March 14, 2006

III. BUSINESS MEETING

A. **Continuation of New Business**
B. **Application Acceptance**

The Commission directed that the regular meeting on May 9, 2006 be rescheduled to May 16, 2006 due to the likelihood that the Town Budget Referendum Meeting will be held on the evening of May 9, 2006.

1. **Special Use – 1001 Day Hill Road,** Health Club, Zoning Regulations Section 8.1.6E, I-1 Zone, Gold's Gym/Mototown
2. **Special Use Re-Approval - 20 Union Street,** Full Service Restaurant, Zoning Regulations Section 12.4.1, NZ Zone, The Firehouse Pub, LLC/Fitzgerald
3. **Special Use – 909 Stone Road,** Kennel, Zoning Regulations Section 10.5.5, AG Zone, Casinghino
4. **Special Use Re-Approval – 753 Day Hill Road and 139 Old Poquonock Avenue,** Fill Removal, Zoning Regulations Section 2.4.15L, I-1 Zone, Ferraina/Alford
5. **Special Use Re-Approval – 753 Day Hill Road and 139 Old Poquonock Avenue,** Filling, Zoning Regulations Section 2.4.15M, I-1 Zone, Ferraina/Alford
6. **Special Use – 598 Hayden Station Road,** Limited Retail Sales, Zoning Regulations Section 8.1.6M, I-1 Zone, Yosi Kosher Catering, LLC
7. **Zoning Regulations Text Amendment – Section 8.2.3,** Performance Standards, building exterior requirements, Town of Windsor

The Commission directed that the above 7 applications be scheduled for public hearing at the TP&ZC special meeting on May 16, 2006.

C. **Old Business**
D. **Public Communications and Petitions (if not completed)**

E. **Workshop – Zoning Regulation Drafts for Discussion**
   1. **Zoning Regulations Text Amendment – Section 4.5.3,** Open Space and Cluster Subdivisions
   2. **Zoning Regulations Text Amendment – Section 4.5.4,** One-Family Detached, One-Family Semi-Attached and Multi-Family Dwellings
   3. **Zoning Regulations Text Amendment – Section 11.2,** New Neighborhood Design Development
   4. **Zoning Regulations Text Amendment – Section 11.4,** Peripheral Neighborhood Design Development
   5. **Zoning Regulations Text Amendment – Section 11.5,** Neighborhood Design Development

IV. MISCELLANEOUS

A. **2004 Plan of Conservation and Development** - Clarification of multi-family use on the Future Land Use Map
B. **FYI: APA Planning Magazine** – April 2006
C. **Annual Election of Officers**

Commissioner Profe nominated Commissioner Mips for Chairperson for 2006. Commissioner Kelsey seconded the nomination and it passed unanimously, 5-0-0.

Commissioner Mips nominated Commissioner Profe for Secretary for 2006. Commissioner Kelsey seconded the nomination and it passed unanimously, 5-0-0.

V. PLANNER'S REPORT
VI. ADJOURNMENT