

**DRAFT MINUTES
TOWN PLANNING AND ZONING COMMISSION
APRIL 10, 2007 7:00 PM
COUNCIL CHAMBERS, TOWN HALL
275 BROAD STREET, WINDSOR, CONNECTICUT**

RECEIVED
WINDSOR, CT.



2007 APR 13 P 2:38

PRESENT: Commissioners Mips, Profe, O'Brien, Smith and Alternate
Commissioner Brookman
Alternate Commissioner Towers was present but not seated

ALSO PRESENT: Town Planner Barz, Assistant Planner Bertotti and Planning
Secretary Madison

I. NEW BUSINESS

Commissioner Mips opened the meeting at 7:00 p.m.

- A. Public Communications and Petitions (five-minute limit per person) - None**
- B. Communications and Petitions from the Town Planning and Zoning Commission**

Commissioners Profe and O'Brien said that they attended the CBA land use seminar on March 17, 2007. They said that it was very informative and they highly recommended it to the other Commissioners.

Commissioner Profe said that when he was in Minnesota recently he watched a Planning and Zoning Commission meeting broadcast on a local channel. He said that it was all electronic and each Commissioner had a video monitor at their station to look at plans.

- C. Zoning Enforcement Officer's Report – None**

- D. CGS 8-24 Referral Requests**

- 1. Town of Windsor and Windsor Board of Education proposed Capital Improvement Programs – Fiscal Years 2008-2013**

Town Engineer Lenehan distributed a draft of the schedule that is used during the process of creating the Capital Improvement Program (CIP) to ensure that all aspects of the plan are considered and he reviewed it for the Commission. He noted the list of projects that did not make it into the currently proposed CIP, but are still under consideration.

There was a general discussion.

Motion: Commissioner Profe moved that the Town Planning & Zoning Commission recommend to the Windsor Town Council, pursuant to CGS § 8-24, approval of the Town of Windsor and Windsor Board of Education proposed Capital Improvement Program for

fiscal years 2008-2013. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

2. Town Green Improvements Project

Town Engineer Lenehan said the project would be completed in two phases over the next several years. He said that he was seeking a recommendation for approval for the first phase and he reviewed the proposed improvements.

There was a general discussion.

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 improvement to the Town Green as described. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

E. Pre-Application Scrutiny - None

F. Re-approvals/Revisions

1. Subdivision Extension – Jubrey Drive, 401 & 405 Dudley Town Road, 90-day extension to file mylars, Jubrey Enterprises, LLC

Diane Jubrey of Jubrey Enterprises, LLC, said that she was seeking an extension to file the mylars for the subdivision because they had a problem securing the required sightline easement.

There was a general discussion.

Motion: Commissioner Profe moved to approve the application for Extension to file mylars for the Jubrey Drive Subdivision at 401 & 405 Dudley Town Road for sixty days. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

2. Subdivision Extension – Ainsley's Meadow, 57 Portman Street and 50T Valley View Drive, 90-day extension to file mylars, Sasportas Company/Lally

Jonathan Sasportas of 148 Deerfield Road, said that he was requesting an extension to file mylars for the subdivision because he needed more time to get prepared

There was a general discussion.

Motion: Commissioner Profe moved to approve the application for Extension to file mylars for the Ainsley's Meadow Subdivision at 57 Portman Street and 50T Valley View Drive, for ninety days. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

- G. Bonds - None
- H. Site Plans - None
- I. Minutes

1. March 13, 2007

Motion: Commissioner Profe moved to approve the minutes for March 13, 2007 as presented. Commissioner O'Brien seconded the motion and it passed 4-0-1, with Alternate Commissioner Brookman abstaining due to non-presence.

2. April 3, 2007

Motion: Commissioner O'Brien moved to approve the minutes for April 3, 2007 as presented. Commissioner Smith seconded the motion and it passed 3-0-2, with Commissioner Profe and Alternate Commissioner Brookman abstaining due to non-presence.

II. PUBLIC HEARINGS

Commissioner Mips opened the public hearings at 7:30 p.m. and Commissioner Profe read the legal notice into the record.

1. **Special Use – 660 West Wolcott Avenue, Cemetery Monument Business, Zoning Regulations Section 4.5.16, R-13 Zone, Alexander**

Bob Alexander of 432 Fairfield Avenue in Hartford said that he currently has a monument business in Hartford and he would like to open another office at his home in Windsor, which is across the street from Mount Saint Benedict cemetery at the Windsor/Bloomfield border.

Commissioner Mips requested public comments. No one from the public came forward to speak regarding the application.

Town Planner Barz said that staff had signed off on the application and he recommended approval subject to staff approval of signage and a one-year time limit.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved to approve the application for Special Use for a cemetery monument business at 660 West Wolcott Avenue under Zoning Regulations Section 4.5.16 subject to the following conditions: 1) one-year time limit; and 2) final approval of all signage by the Planning Department. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

2. **Special Use – 119 Windbrook Drive, Home Occupation Real Estate Office, Zoning Regulations Section 4.5.19, A Zone, McCarthy**

Charles McCarthy of 119 Windbrook Drive said that he was seeking approval to conduct his real estate business from his home. He said that he would not have any employees at this time.

Commissioner Mips requested public comments. No one came forward to speak regarding the application.

Town Planner Barz said that staff has requested a sketch to show the driveway and parking and the details for the proposed sign for the business.

There was a general discussion.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved to approve the application for Special Use at 119 Windbrook Drive for a real estate office under Zoning Regulations Section 4.5.19 subject to the following conditions: 1) one-year time limit; 2) any signage shall be non-illuminated; 3) final staff approval of circulation; and 4) final approval of signage by the Planning Department. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

3. Special Use – 40 Mechanic Street, Art Sale, Zoning Regulations Section 12.4.1, NZ Zone, Town of Windsor

Town Planner Barz spoke for the Town Building Maintenance Superintendent, who was unable to attend the meeting due to illness. He said that a group of residents was requesting to use the freight house for an art sale and he reviewed the history of uses at the building. He explained that it would be a one-time event and if the group decided that they wanted to do something permanent they would have to come back to the Commission.

Commissioner Mips requested public comments. Speaking neither for nor against the application:

Norm Boucher owner of 55 Mechanic Street, asked if it would be a one-time use only.

Town Planner Barz responded that the applicant was seeking approval for a one-time event only.

Motion: Commissioner Profe moved to approve the application for Special Use at 40 Mechanic Street for a one-time art sale under Zoning Regulations Section 12.4.1. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

4. Special Use – 80 Bloomfield Avenue, Home Occupation Video Production, Zoning Regulations Section 4.5.19, R-8 Zone, Washer

The applicant was not present. Town Planner Barz said that the applicant had not contacted staff to let them know that he would be unable to attend and he suggested that the Commission recess the public hearing until the special meeting on April 17, 2007.

Motion: Commissioner Profe moved to recess the application for Special Use at 80 Bloomfield Avenue for a video production business under Zoning Regulations Section 4.5.19 until the special meeting on April 17, 2007. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

5. **Special Use Re-Approval – 753 Day Hill Road and 139 Old Poquonock Road, Fill Removal, Zoning Regulations Section 2.4.15L, I-1 Zone, 139 Old Poquonock Realty, LLC/Alford**
6. **Special Use Re-Approval – 753 Day Hill Road and 139 Old Poquonock Road, Filling, Zoning Regulations Section 2.4.15M, I-1 Zone, 139 Old Poquonock Realty, LLC/Alford**

- **Petition signed by following residents:**

George Yeramian, Jr. – 739 Prospect Hill Road
Bruce Tazelaar – 765 Prospect Hill Road
Renee Phillips – 18 Silver Birch Lane
Hedy and Rita Savelli – 19 Silver Birch Lane
Jean and Marie Rioual – 64 Silver Birch Lane
Kathy Alemany – 19 Scarlet Lane , (for Country Walk and Windsor/Garden Homes
Mary P. Luscomb, Michael and Marlene Frechette – 675 Prospect Hill Road
Barbara and Chris Peyton – 60 Silver Birch Lane
Matt Pascarelli – 55 Silver Birch Lane
Barry and Marcia Bianco – 63 Silver Birch Lane
Robert Beaulieu – 49 Silver Birch Lane

The Commission directed that the above two items would be heard together and voted on separately.

Christian Alford of Alford Associates, Inc. presented a drawing and described the location of the site of approximately 30 acres behind the Mototown building on Day Hill Road. He said that the site has been an excavation site for several years and will eventually be filled in again.

Town Planner Barz said that the applicant had not provided staff with a survey of current conditions at the site. Mr. Alford said that one would be provided.

Commissioner Mips requested public comments. Speaking against the application:

Barry Bianco of 63 Silver Birch Lane said that he was at the first hearing and requested that the owner keep motocross bikes and A.T.V.s from riding on the property because it was a problem in the past when the previous owner was doing excavation and filling at the site.

Scott Bosco of Riverbend Associates, Inc. stated that his company owns Old Iron Ore Road, which is being used for access to the site. He said that a license agreement was in place to allow use of the road for 753 Day Hill Road only and he was concerned because the application includes the parcel at 139 Old Poquonock Road, which does not have a right to use the road for access.

Commissioner Profe read the petition requesting that the applicant be instructed to do everything possible to prevent and discourage dirt bike and A.T.V. riding at the site.

Town Planner Barz said that a complaint had been received from the complex of medical buildings across from the site because of the trucks raising a lot of dust, which is coating the windows and getting into the building resulting in increased maintenance costs. He said that the applicant has said that he has a water tank that can be used for controlling the dust, but the applicant will need to make better efforts.

Town Planner Barz said that there was a public hearing scheduled next week on April 17 for the same property to hold a limited annual event. He recommended that these two applications be recessed until that meeting to provide a better idea of how the proposed uses on the site will coexist.

There was a general discussion.

Motion: Commissioner Profe moved to recess the application for Special Use re-approval at 753 Day Hill Road and 139 Old Poquonock Road for fill removal, under Zoning Regulations Section 2.4.15L until the special meeting on April 17, 2007. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved to recess the application for Special Use re-approval at 753 Day Hill Road and 139 Old Poquonock Road for filling, under Zoning Regulations Section 2.4.15M until the special meeting on April 17, 2007. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

III. BUSINESS MEETING

A. Continuation of New Business

B. Application Acceptance

1. **Special Use – 990T Archer Road, Outside Storage, Zoning Regulations Section 8.1.6B, I-1 Zone, Rolocut**
2. **Special Use – 136 Addison Road, Building addition to kennel, Zoning Regulations Section 8.1.6G, I-1 Zone, Day Hill Kennels/Lally**
3. **Zone Boundary Change – 72 Mack Street, P Zone to AA Zone, Devito/Kleinman**
4. **Zoning Regulations Text Amendment – Sections 4.4.5, 16.2.3C and 16.2.7G, Parking Commercial Vehicles in Residential Driveways, T.O.W**

5. **Zoning Regulations Text Amendment – Section 4.4.4**, Recreation Vehicle Storage on Corner Lots, T.O.W.
6. **Zoning Regulations Text Amendment – Sections 5.1.2E, 5.2.2, 5.2.6R and 18.1.9**, Limited Outdoor Sales, T.O.W.
7. **Special Use Re-approval – 800 Scotland Road**, Fill Removal, Zoning Regulations Section 2.4.15L, I-2 Zone, Tilcon Roncari, Inc.

The Commission directed that the above seven applications be scheduled for public hearing at the next meeting of the Town Planning & Zoning Commission in May and that item 7 be heard before the Town's amendment applications.

C. Old Business - None

D. Public Communications and Petitions (if not completed)

IV. MISCELLANEOUS

- A. Schedule a special meeting in May in place of the regular meeting on May 8, 2007 to accommodate the budget referendum**

Motion: Commissioner Profe moved to cancel the regular TP&ZC on May 9, 2007 and schedule a special meeting on Monday, May 14, 2007 at 7:00 p.m. in the Town Hall, 275 Broad Street in Council Chambers. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.

- B. FYI: STC Notice - of approved Traffic Investigation Report for The Hartford at Griffin Center, 1 and 11 Griffin Road North**
- C. FYI: STC Notice – of Certificate issued for 200 and 300 Corporate Drive Expansion (PRA – Summerfield Suites and Office Building)**

Town Planner Barz briefly reviewed the above two STC notices.

- D. FYI: Planning Magazine – March and April 2007**

V. PLANNER'S REPORT

- 1. Earth Day Clean-Up and Celebration – Friday, April 20th and Saturday, April 21st**

Town Planner Barz reported that the 2007 Earth Day activities will be held next week. On Friday, April 20th a town-wide cleanup is scheduled and all participants will receive a tee-shirt to commemorate the event. On Saturday, April 21st at Northwest Park, various Earth Day activities will be held from 10:00 a.m. and 3:00 p.m. He also encouraged all residents to sign up for the clean energy promotion, which entitles the Town to receive a \$10,000 solar energy system for each 100 households that sign up.

VI. ADJOURNMENT

Motion: Commissioner Profe moved to adjourn the meeting at 8:25 p.m. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.