

**MINUTES**  
**TOWN PLANNING AND ZONING COMMISSION**  
**FEBRUARY 13, 2007 7:00 PM**  
**COUNCIL CHAMBERS, TOWN HALL**  
**275 BROAD STREET, WINDSOR, CONNECTICUT**

**PRESENT:** Commissioners Mips, Kelsey, Profe, Smith and Alternate  
Commissioner Brookman

**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.

Commissioner Mips said that she regretted to announce that Commissioner Elizabeth Parker has resigned from the Commission for medical reasons. She introduced Commissioner Ken Smith who will be taking Commissioner Parker's place and she welcomed him to the Commission.

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

1. **Letter from Alford Associates, Inc.** – requesting that the commencement of the public hearing for a Special Use at 123 Great Pond Drive be postponed until the next regular meeting on March 13, 2007 (See **Public Hearing Item II.4**)

Commissioner Profe read the above letter into the record.

**B. Communications and Petitions from the Town Planning and Zoning Commission –**  
None

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

**D. CGS 8-24 Referral Requests**

1. **Batchelder Road Causeway Repairs**
2. **Batchelder Road Causeway Construction of Sidewalks**
  - **Staff Comments** – dated February 13, 2007

Town Engineer Lenehan presented a drawing and described the expansive repairs that were needed to repair the road and causeway which were damaged by flooding in 2005. He said that the Commission had previously approved a site plan for the Loomis Chaffee School to build a boardwalk, but the Town and the school agreed that it would be more practical to construct sidewalks in conjunction with the repairs and reconstruction .

There was a general discussion regarding detours and road closures during construction.

**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 the Batchelder Road causeway and roadway, including the construction of a sidewalk, retaining wall, new lighting, curbing, storm drainage, guide railing, and other associated features, as shown on the plan "Reconstruction of Batchelder Road, Construction Plan, HWY-2, Sheet 6 of 17, prepared by H.W, Lochner, Inc. 2110 Silas Deane Highway, Rocky Hill, CT 06067, plotted 1/30/2007". Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.**

**E. Pre-Application Scrutiny - None**

**F. Re-approvals/Revisions**

**1. Subdivision Revision – 919 Palisado Avenue, modify building line, AA Zone, Blanchard**

Carl Blanchard said that he and his wife purchased the parcel at 919 Palisado Avenue and they plan to build a home there. He said that because of the size and shape of the house, they were requesting to move the building closer to the road, still respecting the ridgeline and wetlands.

Town Planner Barz explained that former Town Planner Zavarella required deep front yard setbacks for this subdivision because he wanted them to be designed with full basements and there is a high water table to contend with. Mr. Barz said that the home could still accommodate a basement at the 65-foot setback requested by the applicant and he recommended approval.

**Motion: Commissioner Profe moved to approve the Subdivision Revision at 919 Palisado to modify the building line as presented. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.**

**G. Bonds – None**

**H. Site Plans - None**

**I. Minutes**

**1. January 9, 2007**

**Motion: Commissioner Profe moved to approve the minutes for January 9, 2007 as presented. Alternate Commissioner Brookman seconded the motion and it passed 3-0-2, with Commissioners Kelsey and Smith abstaining due to non-presence.**

**2. January 23, 2007**

Page 1 - Add the introduction of Commissioner Smith at commencement of the meeting.

**Motion: Commissioner Profe moved to approve the minutes for January 23, 2007 as amended. Commissioner Smith seconded the motion and it passed 4-0-1, with Commissioner Kelsey 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.

Commissioner Mips announced that the Commission has accepted the applicant's request to postpone the commencement of the public hearing for Item 4 for a Special Use at 123 Great Pond Drive.

### **1. Special Use Re-approval – 162 Broad Street, Car Rental, Zoning Regulations Section 5.2.6E, B-2 Zone, Enterprise Rent-A-Car/Kolstad**

Kevin Kolstad, Operations Manager for Enterprise Rent-A-Car said that he was seeking re-approval for the car rental operation at 162 Broad Street. He said that there were no changes to the business and he requested a four year approval time, to coincide with the expiration of his lease at this location.

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

Town Planner Barz said that there have been no complaints about the operation at this site and he felt that there is a demand for this use. He recommended approval subject to the same conditions regarding the number of cars and maintenance and cleaning of the cars, and an extended time limit at the discretion of the Commission.

There was a general discussion regarding the time limit to be placed on the re-approval and there was a general consensus of the Commission that a four-year time limit would be practical.

Commissioner Mips closed the public hearing for this item.

**Motion: Commissioner Profe moved to re-approve the Special Use at 162 Broad Street for the car rental operation under Zoning Regulations Section 5.2.6E subject to a 4-year time limit and all previous conditions of the prior approval. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.**

### **2. Zone Boundary Change – 209 Kennedy Road, I-1 Zone to NZ Zone, Praise Power and Prayer Temple, Inc./Lally**

- Email from the Hartford Audubon Society**

Bob Mocarsky, architect for the applicant presented a drawing and described the location of the site and the zones of the surrounding area. He said that there is a church at this site. He explained that due to a recent change in the Zoning Regulations that use is no longer allowed in the I-1 zone and therefore the applicant is requesting a change to the NZ zone, which will bring the use into conformance with the zone.

Pastor McMahon, pastor of the Praise Power and Prayer Temple, said that the church has been at this site since 1988 and a school has been established there as well with grades K through 12, serving 90 students. He said that it was a very nice site and he would like the church to remain there.

Thomas Barresi, engineer with Ed Lally & Associates, Inc. further described the site and stated that the zone change would bring the use of the church on this site into conformance with current Zoning Regulations.

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

Town Planner Barz said that the zone change would bring the site into conformance with the current Zoning Regulations, but he noted that although it would allow the church to remain, it did not authorize any changes to the site. He stated that the zone change would also be in keeping with the Future Land Use Map in the Plan of Conservation and Development, which shows this site as institutional. He further stated that the property was no longer suited for industrial use at this place and time. He said that staff had signed off on the application and he recommended approval, but he added that the applicant must keep in mind that they may need to get some variances in order to expand the use at this site.

Commissioner Profe read the email from the Hartford Audubon Society in support of the zone change into the record.

Commissioner Mips closed the public hearing for this item.

**Motion: Commissioner Profe moved to approve the Zone Boundary Change at 209 Kennedy Road from the I-1 Zone to the NZ Zone for the reason that it conforms to the POCD use of this site and the site is no longer suited for industrial use. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.**

### **3. Re-Subdivision – 401 & 405 Dudley Town Road, Add 2 Lots, AA Zone, Jubrey**

Wilson Alford, Jr., Alford Associates, Inc. presented a drawing and described the location of the 9-lot subdivision that was recently approved by the Commission. He said that because of the need for a change in the zone, there were two lots that were not included in that overall subdivision approval. He said that the applicant received the zone change approval and is now seeking to add the two lots at 409 Dudley Town, for a total of 11 lots. He said that an oversight on the previous approval regarding maintenance of the landscaping on the cul-de-sac would be corrected on the final Re-subdivision plans as requested by Project Engineer Penney.

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

Town Planner Barz noted that Environmental Planner Groff has requested that the applicant plant white oaks rather than pin oaks. Mr. Alford agreed to the modification.

Commissioner Mips closed the public hearing for this item.

**Motion: Commissioner Profe moved to approve the Re-Subdivision at 401 and 405 Dudley Town Road for two additional lots subject to the following modifications: 1) correction of the note regarding maintenance of the landscaping of the cul-de-sac island by the property owners; 2) change the species of trees from pin oaks to white oaks; 3) Environmental Planner review and approval of a detailed planting plan for the cul-de-sac island; and 4) a fee in lieu of open space. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.**

### **3. Special Use – 123 Great Pond Drive, 100-Foot Chimney Stack, Zoning Regulations Section 2.2.5, I-1 Zone, Emhart/Alford (Postponed until March 13, 2007)**

The Commission directed that commencement of the public hearing for the above item would be postponed until the next regular TP&ZC meeting on March 13, 2007.

## **III. BUSINESS MEETING**

### **A. Continuation of New Business**

### **B. Application Acceptance**

- 1. Re-subdivision - 100 and 102 Skitchewaug Street, 2 lots, I-1 Zone, Aerospace Investments Co./Fahey**
- 2. Building on Unpaved and Unaccepted Street – 100 and 102 Skitchewaug Street, create separate lots for existing buildings, I-1 Zone, Aerospace Investments Co./Fahey**
- 3. Special Use – 599-703 Poquonock Ave, Restaurant, Zoning Regulations Section 5.2.6D, B-2 Zone and AA Zone, North Central Square, LLC/Alford**

The Commission directed that the above three items be scheduled for public hearing at the next regular TP&ZC meeting on March 13, 2007 in addition to the item that was postponed at tonight's meeting.

**C. Old Business – None**

**D. Public Communications and Petitions (if not completed) - None**

#### **IV. MISCELLANEOUS**

**A. FYI: CFPZA Quarterly News Letter – Winter 2007**

**B. FYI: CFPZA Annual Meeting & Length of Service Awards Presentation – Thursday, March 22, 2007**

Commissioner Mips announced that Commissioner Kelsey was eligible for the 12-year service award and asked that any Commissioners who would like to attend the awards presentation and meeting should contact Planning Secretary Madison as soon as possible, so that reservations and transportation arrangements can be made.

**C. FYI: CBA Seminar – CT Land Use Law for Municipal Land Use Agencies, Boards, and Commissions at Wesleyan University on Saturday, March 17, 2007**

Town Planner Barz recommended that any Commissioners that are able to attend this seminar should contact Planning Secretary Madison to make arrangements for registration.

#### **V. PLANNER'S REPORT**

Town Planner Barz reminded that there would be a workshop on February 27, 2007 for the Commissioners to work on the comprehensive update of the Zoning Regulations.

#### **VI. ADJOURNMENT**

**Motion: Commissioner Kelsey moved to adjourn the meeting at 7:55 p.m. Commissioner Profe seconded the motion and it passed unanimously, 5-0-0.**

Respectfully submitted, \_\_\_\_\_, Marian Madison, Recording Secretary

I certify these minutes were adopted on March 13, 2007.

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Karl Robert Profe, Secretary