

MINUTES RECEIVED *Am P*
 TOWN PLANNING AND ZONING COMMISSION
 SEPTEMBER 11, 2007, 7:00 PM *24*
 COUNCIL CHAMBERS, TOWN HALL
 275 BROAD STREET, WINDSOR, CONNECTICUT

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

ALSO PRESENT: Town Planner Barz and Planning Secretary Madison

I. NEW BUSINESS

Commissioner Mips opened the meeting at 7:03 p.m.

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

1. **Letter from James Walsh** – requesting that the public hearing for the application for Amendment to the Plan of Conservation and Development be recessed until the next regular TP&ZC meeting on October 9, 2007 (See **Public Hearing Item II.2**)

Commissioner Profe read the above letter into the record.

2. **Letter from George Yeramian, 739 Prospect Hill Road** – regarding noise from Mototown, 1001 Day Hill Road
3. **Letter from Mike Frechette, 675 Prospect Hill Road** – regarding noise from Mototown, 1001 Day Hill Road

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

C. Zoning Enforcement Officer's Report

Wayne McKinney, Building Official/Zoning Enforcement Officer reported the findings and actions taken regarding the two complaint letters above.

D. CGS § 8-24 Referral Requests

1. Disposition of Town Property at Northfield Drive and Day Hill Road

James Burke, Economic Development Director reviewed the proposed dispositions of land to Northfield Windsor LLC and LIMRA International, Inc.

Motion: Commissioner Profe moved that the Town Planning & Zoning Commission recommend to the Windsor Town Council, pursuant to CGS § 8-24, conveyance of

26,913 S.F. of land to Northfield Windsor LLC, as shown on the attached map prepared by F.A. Hesketh and Associates, dated September 7, 2007. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved that the Town Planning & Zoning Commission recommend to the Windsor Town Council, pursuant to CGS § 8-24, conveyance of 4,271 S.F. of land to Northfield Windsor LLC, as shown on the attached map prepared by F.A. Hesketh and Associates, dated September 7, 2007. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved that the Town Planning & Zoning Commission recommend to the Windsor Town Council, pursuant to CGS § 8-24, conveyance of 24,790 S.F. of land to LIMRA International, Inc., as shown on the attached map prepared by F.A. Hesketh and Associates, dated September 7, 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 – Rivertown Village, 647 Park Avenue**, revise lot lines for lots 21/504 and 608, AA Zone, Rivertown Village Associates, LLC/Lally
2. **Subdivision Revision – Rivertown Village II, 593 Park Avenue**, property line revision, AG Zone, Rivertown Village Associates, LLC/Lally

The Commission directed that the above two applications would be presented concurrently and voted on separately.

Ed Lally, engineer with Ed Lally and Associates, Inc. in Windsor presented the modifications to lot lines in the adjoining subdivisions.

Town Planner Barz said that staff had reviewed the applications and had no outstanding concerns.

Motion: Commissioner Profe moved to approve the application for Subdivision Revision at Rivertown Village, 647 Park Avenue, to revise lot lines for lots 21/504 and 608 for the reasons presented by the applicant. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved to approve the application for Subdivision Revision at Rivertown Village II, 593 Park Avenue, for a property line revision related to the lot line revisions previously approved for Rivertown Village. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

G. Bonds - None

H. Site Plans - None

I. Minutes

1. July 10, 2007

Page 3 – specify name of Commissioner in minute corrections

Page 4 – Motion at bottom of page, remove change to “Deny without prejudice...”

Page 3 – Last paragraph begin with “Town Planner Barz “ in place of “He”

Page 8 – Second paragraph change name “Harold” Jopeck to “Henry” Jopeck.

Motion: Commissioner Profe moved to approve the minutes of July 10, 2007 as amended. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

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 noted that the second item on the agenda would be opened and recessed as requested by the applicant.

1. *Recreational Neighborhood Design Development Concept Plan – 147 Pigeon Hill Road and 72 Mack Street, 232 Dwelling Units, Golf Course, Club House, Pool and Tennis Court, Millbrook Greens LLC/Kleinman

- **Letter from the following:**
- **Windsor Housing Authority – 156 Windsor Avenue**
- **Petition from residents of Millbrook Village – 35 Mack Street (25 signatures)**
- **Letter from Diane McKim – 18 Amy Drive**
- **Letter from Billy Casper Golf Management – Vienna, VA**
- **Letters from the following:**
 1. **Robert Fromer – P.O.Box 71, Windsor**
 2. **Richard Graves – 20 Taylor Street**
 3. **James and Margaret Shea – 51 Taylor Street**
 4. **Deidre Reidy – 50 Warham Street**
 5. **Margaret and Richard Tustin – 50 Taylor Street**
 6. **Colleen Dowd – 125 Pilgrim Drive**
 7. **Michael and Jacki Walsh – 50 Fitzmaurice Circle**
 8. **William Walsh – 30 Elm Street**
 9. **Virginia Ernst – 9 Taylor Court**
 10. **First Town Downtown**
 11. **Windsor Chamber of Commerce**
 12. **Richard Price – 3 Taylor Court**

Daniel Kleinman, attorney with Levy and Droney, LLC in Farmington, spoke for the applicant. He said that they would like to complete the presentation, which started in July, and he asked that the Commission hold questions until after the presentation. He addressed the proximity of the development to the Bednarz farm.

Michael Cegan, landscape architect/planner with Richter and Cegan, Inc. in Avon, made a power-point presentation. He reviewed the revisions to the plan including more space between the units, side-loaded garages; elimination of all 5-plexes; and the improvements to Mack Street and the proposed access drive off of Mack Street.

Mike Galante, traffic engineer with Frederick Clark Associates, Inc. in Fairfield, said that his firm was brought in to look at the Hesketh traffic report that was presented last month. In summary he said it was determined that there would be adequate capacity for the traffic generated from the site on Mack Street and the adjoining intersections. He noted that STC approval would be needed.

David Ziaks, president of Hesketh Associates, Inc. in East Granby, reviewed the various alternatives that were considered for the second access including creating another access on Pigeon Hill Road; alongside the farm on Bloomfield Avenue; out to Poquonock Avenue near Mill Brook; through the Williamsburg Apartments or the Safety Complex on Bloomfield Avenue; or Mack Street. Of all the alternatives, he said that Mack Street was the only feasible connection and he noted that the Fire Marshall and the Traffic Authority for the town agreed that there were no safety concerns with the proposed plan.

Brian Miller; principle with Eastern Land Use Analysis, LLC, Cheshire, reviewed the fiscal impact analysis report. In conclusion, taking into account personal and real property taxes, town service and educational needs, he said that it would cost the town money for a standard single family home development whereas the proposed development would generate revenue for the town. He noted that an age-restricted development would generate less revenue and would cost the town more money for services than the proposed development.

Mark Steiner, managing member of Millbrook Greens Development, LLC, reviewed the operations proposed for the development. He presented a letter from Billy Casper Golf, the company that he is intending to use to operate the golf course.

Commissioner Mips requested public comments.

The following people spoke in favor of the application:

Margaret Dorin, 66 Taylor Street; Joe Viseck, representing the medical center; Ann Walsh, 33 Elm Street; Jim Walsh, 9 Taylor Court.

Speaking against the application:

Tom Arcari; 4 Jay Circle; Carlton Weiman, 122 Maple Avenue; Joseph Walker, 361 Poquonock Avenue.

Speaking neither for nor against the application:

Frederick Conan, manger of Williamsburg Apartments; Mary K. Drost, Vice Chair of the Windsor Housing Authority; Diane McKim, 18 Amy Drive.

Commissioner Profe read the above letters that were not addressed in person at the hearing.

Town Planner Barz said that staff had signed off on the application. He explained that the next step in the application would be a detailed plan presented to the IWWC for approval and then to the TP&ZC, both requiring public hearings. He recommended approval of the concept with some conditions to be incorporated into the detail plan.

There was a general discussion.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved to approve the application for a Recreational Neighborhood Design Development Concept Plan at 147 Pigeon Hill Road and 72 Mack Street, 232 Dwelling Units, Golf Course, Club House, Pool and Tennis Court subject to the following conditions: 1) phasing on the detail plan shall include completion of the club house and recreation areas; the main spine road connecting Pigeon Hill Road and Mack Street; all improvements to Mack Street including controlled gated access and crosswalks in the first phase of development; 2) phasing and bonding for each phase of development for landscaping and public improvements; 3) areas of open space shall be dedicated in perpetuity; 4) public pedestrian access along the main spine road; and 5) architectural details shall include durable decking materials. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Commissioner O'Brien stepped down and Alternate Commissioner Brookman was seated for the remainder of the meeting.

- 2. Amendment to the Town Plan of Conservation and Development – 6 Spring Street, Add to Windsor Center Fringe Area, Map 9-7, R-8 Zone, Walsh (Recess)**

Motion: Commissioner Profe moved to recess the hearing for the application for Amendment to the Town Plan of Conservation and Development, 6 Spring Street, until the next regular TP&ZC meeting on October 9, 2007. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

3. Special Use – 64 Walnut Drive, 840 s.f. accessory building, Zoning Regulations Section 4.5.17, A Zone, Wimble

Gregory Wimble, 64 Walnut Drive said that he was requesting special use permit for an accessory building that would be 818 square feet. He explained that he miscalculated the size when he submitted his application.

Town Planner Barz said that the request was in compliance with the regulation. He said that staff had signed off on the application. He recommended approval with the condition that the area of the septic field is marked with a shrub or other landmark so that no vehicles are driven over it.

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 64 Walnut Drive for an accessory building 818 square feet under Zoning Regulations Section 4.4.17 subject to the following condition: landscaping or other marker approved by the Town Planner shall be installed to delineate the location of the septic system. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

4. Special Use – 321 Windsor Avenue, freestanding sign – 15.1 square feet, Zoning Regulations Section 13.4.21A(1), B-2 Zone, Windsor Federal Savings/Artfx Signs

Lauren Rosen, owner of Artfx Signs in Bloomfield, said that he was representing his client Windsor Federal Bank for a special use approval for a sign that is 15.1 square feet. He presented a plan and indicated where the sign would be located and he presented a scaled drawing of the proposed sign.

Town Planner Barz said that all staff had signed off on the application and he recommended approval.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved to approve the application for Special Use at 321 Windsor Avenue for a freestanding sign 15.1 square feet under Zoning Regulations Section 13.4.21A(1) as presented. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

5. Zoning Regulations Text Amendment – Section 8.1.6L(2), reduced parking, LRC
• **CRCOG Referral Letter**

Pat Gorman, land resource consultants, said that his client was considering coming into town in the industrial zone and they were proposing that the regulations be amended to require 7,500 s.f. office space rather than 15% of the square footage of the building.

Commissioner Mips requested public comments.

Speaking against the application:

Jack Wall, attorney with Wall, McCormack, Robinson, LLC in Windsor and Wilson Alford, Jr., engineer with Alford Associates, Inc. in Windsor both spoke for their client Dan Ferraina.

Town Planner Barz recommended that the hearing for this application be recessed until next month for further review.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved to recess the hearing for the application for Zoning Regulations Text Amendment Section 8.1.6L(2) until the next regular TP&ZC meeting on October 9, 2007. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

6. *Zoning Regulations Text Amendment – Sections 4.4.5, 16.2.3C and 16.2.7G, Parking Commercial Vehicles in Residential Driveways, T.O.W

Motion: Commissioner Profe moved to recess the hearing for the application for Zoning Regulations Text Amendment Sections 4.4.5, 16.2.3C and 16.2.7G, until the next regular TP&ZC meeting on October 9, 2007. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

* Indicates an item that was recessed or postponed from a previous meeting

III. BUSINESS MEETING

A. Continuation of New Business

B. Application Acceptance

1. **Zone Boundary Change – 225 Kennedy Road**, AA Zone to NZ Zone, 9.3 Acres, Praise Power & Prayer Temple, Inc./Lally
2. **Special Use Re-Approval – 396 Windsor Avenue**, Limited Service Restaurant – Nick’s Pizza, Zoning Regulations Section 5.2.6D(1), B-2 Zone, Mahmood
3. **Special Use – 555 Day Hill Road**, Add 1,960 s.f. (44 spaces) to Child Day Care Facility, Zoning Regulations Section 2.4.15H, B-2 Zone, Education Playcare/Pastor
4. **Special Use – 25 Central Street**, Limited Service Restaurant - Beanery, Zoning Regulations Section 5.2.6D(1), B-2 Zone, Garibay/Engelmann
5. **Special Use – 25 Central Street**, Reduced Parking, Zoning Regulations Section 5.2.6N, B-2 Zone, Garibay/Engelmann
6. **Zone Boundary Change – 200 Clapp Road**, W Zone to AA Zone, 4.3 Acres, Custom Home Specialists, Inc./Lally

7. **Special Use Re-Approval – 18 Country Club Drive**, Home Occupation – Real Estate Appraiser, Zoning Regulations Section 4.5.19, A Zone, Jubrey
8. **Special Use – 139 Broad Street**, Limited Service Restaurant, Zoning Regulations Section 5.2.6D(1), B-2 Zone, 139 Broad Street Realty, LLC/Lally
9. **Special Use – 139 Broad Street**, Reduced Parking, Zoning Regulations Section 5.2.6N, B-2 Zone, 139 Broad Street Realty, LLC/Lally
10. **Zone Boundary Change – 1288 Palisado Avenue**, AG Zone to AA Zone, 5.8 Acres Hoffbert/Alford
11. **Special Use – 144B Broad Street**, Full Service Restaurant, Zoning Regulations Section 5.2.6D, B-2 Zone, Chan

The Commission directed that the above 11 applications be scheduled for public hearing at the next regular meeting on October 9, 2007.

C. Old Business

D. Public Communications and Petitions (if not completed)

IV. MISCELLANEOUS

- A. **Memorandum from Emily Moon, Assistant Town Manager** – request for the Commission’s input regarding Capital Improvements for Fiscal Year 2009-2014
- B. **STC Notice** - of approved Traffic Investigation Report for The Hartford at Griffin Center Expansion
- C. **APA Planning Magazine** – August/September 2007
- D. **Draft 2007 Open Space and Agricultural Preservation Plan**

Motion: Commissioner Profe moved that the Town Planning and Zoning Commission refer the draft of the Open Space and Agricultural Preservation chapters of the Plan of Conservation and Development to CRCOG and the Windsor Town Council for review in accordance with CGS § 8-23. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

V. PLANNER’S REPORT - None

VI. ADJOURNMENT

Motion: Commissioner Kelsey moved to adjourn the meeting at 11:00 p.m. Commissioner Profe seconded the motion and it passed unanimously, 5-0-0.