

MINUTES
TOWN PLANNING AND ZONING COMMISSION
DECEMBER 11, 2007 7:00 PM
COUNCIL CHAMBERS, TOWN HALL
275 BROAD STREET, WINDSOR, CONNECTICUT

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

ALSO PRESENT: Town Planner Barz, Assistant Town Planner Good 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

1. **December 11, 2007 Public Hearings Postponed** - All public hearings for the December 11, 2007 meeting have been postponed due to a defect in the publication of notice. A Special Meeting has been scheduled on Wednesday, December 19, 2007 at 7:00 p.m. in the Town Hall Council Chambers to hold public hearings for the items that were scheduled to be heard at tonight's meeting.

Commissioner Mips made special note that the Special Meeting public hearings would begin at 7:00 p.m. on Wednesday, December 19, 2007.

Commissioner O'Brien said that a resident mentioned to him that he was unable to hear much of the meeting that was broadcast on WGTV, and the resident particularly noted that there were portions of Mr. Lally's presentation that were inaudible. He requested that all persons presenting to the Commission at the meetings speak directly into the microphone so residents watching the meeting at home will be able to hear what is being said.

Commissioner O'Brien said that the meeting he attended for the Route 305 Study Group was very interesting and that he was looking forward to future meetings where representatives of other nearby towns will be in attendance.

C. Zoning Enforcement Officer's Report - None

D. CGS § 8-24 Referral Requests - None

E. Pre-Application Scrutiny

1. Subdivision Pre-Application Scrutiny – 309 Rood Avenue, AA Zone/A Zone, Bull/Lally

Ed Lally, professional engineer with Ed Lally and Associates, Inc. in Windsor, presented a drawing of a possible 5-lot subdivision in compliance with the Subdivision Regulations for development in the AA Zone. He said that access to two of the homes would be off of Pine Lane Extension with a hammerhead type of turnaround area rather than a cul-de-sac because of the economic feasibility. On Rood Avenue, he said that two of the three homes would share an apron that would split off into two private driveways to lessen the number of curb cuts onto the road.

Mr. Lally presented a second drawing depicting a possible 7-lot subdivision in compliance with the Subdivision Regulations for development in the A Zone. He said that there would be four homes that would be accessed from Pine Lane Extension, which would make it economically feasible to build a road with a cul-de-sac. He noted that the two homes sharing a driveway apron on Rood Avenue was common to both layouts.

Mr. Lally said that when he came before the Commission last month for a zone change at this site, the staff comments suggested a through road from Pine Lane Extension to Rood Avenue, but he stated that there is a note on the Pine Lane Extension subdivision plans prohibiting construction of a through road. He also noted that the applicant has submitted a new application for a zone change from AA to A for this parcel and that both the A and AA Zones are considered lower density zones and therefore, either zone would comply with the recommendation for this site in the Plan of Conservation and Development.

Commissioner Mips said that she did not like the hammerhead configuration shown on the first plan and she preferred the plan depicting a cul-de-sac.

Town Planner Barz noted that there was no open space shown on the plan and therefore, the developer would be required to pay a fee in lieu of open space.

Commissioner O'Brien said that he preferred a five-lot subdivision in the AA Zone rather than a 7-lot subdivision in the A Zone.

2. Subdivision Pre-Application Scrutiny –200 Clapp Road, AA Zone, Custom Home Specialists, Inc./Lally

Ed Lally, professional engineer with Ed Lally and Associates, Inc. in Windsor, presented a drawing and described the proposed subdivision plans for seven homes. He said that at a previous meeting he presented a subdivision with eight lots and a reconfiguration of Clapp Road, but in this proposal Clapp Road would not be reconfigured. He stated that there would still be public sewer and water and he noted that the open space area has grown with the reduction of lots.

There was a general discussion. Commissioner Mips said that less density and more open space was a positive change from the previous plan.

F. Re-approvals/Revisions

G. Bonds

H. Site Plans

1. Site Plan – 955 Kennedy Road, Veterinary Medical Office, 7,800± S.F., B-2 Zone, Sachdev/AIA Eng.

Jack Holland, engineering manager at AIA Engineering in Middletown, presented a drawing and reviewed the location of the site and the surrounding area. He said that the plans were for a two-story, 9,400 square foot building for a veterinary clinic. He reviewed the parking, drainage and infrastructure. He stated that the site would be served by public water and a private septic system. He added that it would take approximately 14 months to build.

Chris Hill, architect with Blue Moon Design presented elevations of the building. He said that the building would be 100x80 feet in dimension with a height of 29 feet at the highest point and 15.5 feet at the lower portion of the building along the front parapets. He presented a drawing and described the layout of the building. He said that the large tower portion was where the entrance area, waiting room and reception would be located and the second floor would be an open office area with a large workspace for Dr. Sachdev and his colleagues. He also described the location of the exam rooms, surgical areas and temporary wards to hold animals, an emergency entrance and a cancer treatment area on the ground floor.

Regarding the design of the building, Mr. Hill said that it would be elaborate and sophisticated with materials including masonry, various banding techniques and a canopy of green painted metal or copper. He added that the tower portion would include glazing and would be primarily wood with a copper or painted metal fascia and roofing.

Mr. Holland said that staff comments have been addressed and are reflected in the site design. He said that signage has not yet been determined. Regarding the request for a waiver of the buffer area, he said that there were two locations along the property line where the required buffer is 20 feet, but only 12 feet are provided. He said that the applicant would fill any gaps in screening if any of the trees along the buffer area are removed during construction.

Commissioner Profe noted that the drawing shows three locations where the 20-foot buffer was not provided. Mr. Holland agreed and said that he would amend his letter requesting the waiver to reflect that there are three locations requiring the waiver rather than two.

Town Planner Barz said that staff had several comments. He said that the Town Engineer was advocating for concrete sidewalks along the property frontage on Kennedy Road and he read a letter into the record from Anchor Engineering, consultant working for the Town Engineer, that contained comments regarding drainage that would need to be addressed.

Regarding the Fire Marshal's comments, Town Planner Barz said that the turning radii does not meet the template that the Fire Marshal uses to determine accessibility for emergency equipment

and the location of the fire hydrant has not yet been provided. He said that the Health Department commented that a revised septic plan for the increased septic size must be provided as well. In addition, he said that final landscaping plans were needed for review and approval by the Environmental Planner. He also recommended that, if the Commission were inclined to approve the site plan, conditions be placed on the approval regarding final architectural details including a note on the plans regarding screening all rooftop mechanicals and final review and approval of minor details such as dumpster enclosures.

In rebuttal, Mr. Holland said that he had not received the letter from Anchor Engineering, but he would work with the Town Engineer to resolve any outstanding engineering issues. Regarding sidewalks, he distributed an aerial photo of the site. He said that he believed that sidewalks were installed along the northern side of the road and the highway overpass, but there were no sidewalks on the south side. He said that he believed that they were purposely left off because they did not want people crossing over the bridge on the south side because of the entrance and exit ramps and he asked the Commission to carefully weigh this decision.

Mr. Holland said that he would work with the Fire Marshal to resolve the issue of the turning radii and he said that a note had been added to the plans stating that a fire hydrant would be located within 500 feet of the site in compliance with the regulations. He also noted that a revised lighting plan was submitted tonight and he would work with staff to resolve any outstanding lighting issues.

There was a general discussion regarding installation of sidewalks along the property line fronting on Kennedy Road. Commissioner O'Brien said that he envisioned residents from the nearby Ballymeade development walking up to the clinic and he felt that it would be beneficial to have sidewalks in front of the building, adding that it would also serve future development of the adjacent property. Commissioner Mips said that striping would have to be in place for safe crossing. Commissioners Profe and Kelsey agreed that installing the sidewalks would be beneficial.

Dr. Mohan Sachdev, applicant and owner of the site, said that the only person who has ever walked over to his existing veterinary office across the street from this site lives on Indian Hill Road. He said that he had no problem with putting in sidewalks if required, but he believed that it would cause a traffic flow and safety issue if people were to start using the sidewalk for jogging on this side of Kennedy Road.

Mr. Holland added that the clinic would serve as a hospital for very ill animals and it is not likely that their owners would be walking them to the clinic for treatment.

Town Planner Barz said that he understood that it was difficult to look at a large piece of agricultural property next door to the site and see a need for a sidewalk along the frontage of this site only. However, when the property adjacent to this site is developed, the need for sidewalks will be apparent, but the town will have no recourse at that time to get the developer of this site to install sidewalks at that time. He noted that similarly, there are other areas of town where sidewalks appear to go nowhere for the same reason.

Dr. Sachdev suggested putting money in escrow for future installation of sidewalks, rather than constructing them now. There was a consensus of the Commission that that would be an acceptable alternative if it could be legally arranged.

Motion: Commissioner Profe moved to approve the Site Plan for a 9,400± square foot, Veterinary Medical Office at 955 Kennedy Road subject to the following conditions: 1) final Fire Marshal review and approval of the turning radii on the site for emergency vehicles and location of the fire hydrant; 2) final review and approval of the architectural plans by the Planning Department staff; 3) replacement of any existing vegetation that is disturbed in areas adjacent to the pavement when pavement is installed, as approved by the Environmental Planner; 4) final review and approval of the septic system by the Health Department; 5) final review and approval of drainage by the Town Engineer; 6) either installation of sidewalks along Kennedy Road or deposit of a bond to be held in escrow to cover installation of sidewalks. This approval also includes a waiver of buffer requirements on the southerly border of the property per the letter presented to the Commission identifying three locations. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

2. **Site Plan – 175 Great Pond Drive, Warehouse Facility 348,000± s.f., I-2 Zone, William B. Meyer (See Public Hearing Item II.4 – Postponed until December 19, 2007)**

I. Minutes

1. **November 13, 2007**

Page 6, Paragraph 3 – verify which Commissioner was speaking

Motion: Commissioner Profe moved to approve the minutes of November 13, 2007 as amended at the meeting. Commissioner O'Brien seconded the motion and it passed 4-0-1, with Commissioner Kelsey abstaining due to non-presence.

II. PUBLIC HEARINGS

Commissioner Mips stated that the public hearings for the following six items have been postponed until the TP&ZC special meeting scheduled on Wednesday, December 19, 2007 in Town Hall Council Chambers at 7:00 p.m. due to a defect in the publication of notice.

1. ***Special Use – 11 Wilson Avenue, Auto Detail, Zoning Regulations Section 2.1.15, B-2 Zone, Francis (Postponed until December 19, 2007)**
2. ***Special Use Re-Approval – 2149 Poquonock Avenue, Outdoor Propane Storage, Zoning Regulations Section 2.1.15, B-2 Zone, Rice Hardware, Inc. (Postponed until December 19, 2007)**
3. **Special Use – 616 Poquonock Avenue, Home Occupation – Insurance Office, Zoning Regulations Section 4.5.19, AA Zone, Skaling (Postponed until December 19, 2007)**

4. **Special Use – 175 Great Pond Drive, Reduced Parking, Zoning Regulations Section 8.1.6L, I-2 Zone, William B. Meyer (Postponed until December 19, 2007 - See Site Plan Item I.H.2)**
5. **Amendment to the 2004 Plan of Conservation and Development Chapters 4 and 5 - 2007 Open Space and Agricultural Preservation Plan (Postponed until December 19, 2007)**
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. (Postponed until December 19, 2007)**

* 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 – 309 Rood Avenue, AA Zone to A Zone, Bull/Lally**
 - Letter requesting waiver of fee
2. **Special Use – 396 Windsor Avenue, Limited Service Restaurant, Zoning Regulations Section 5.2.6D(1), B-2 Zone, Mahmood**

The Commission directed that the above two applications be scheduled for public hearing at the next regular TP&ZC meeting on January 8, 2008.

C. Old Business

D. Public Communications and Petitions (if not completed)

IV. MISCELLANEOUS

A. 2008 Meeting Schedule

The Commission unanimously accepted the TP&ZC 2008 meeting schedule as presented.

B. FYI: APA Planning Magazine – December 2007

V. PLANNER'S REPORT

VI. ADJOURNMENT

Commissioner Profe moved to adjourn the meeting at 8:10 p.m. Commissioner Kelsey seconded the motion and it passed unanimously, 5-0-0.

Respectfully submitted, _____, Marian Madison, Recording Secretary

I certify these minutes were adopted on January 8, 2008.

Karl Robert Profe, Secretary