

**MINUTES
SPECIAL MEETING
TOWN PLANNING AND ZONING COMMISSION
DECEMBER 19, 2007 7:00 PM
COUNCIL CHAMBERS, TOWN HALL
275 BROAD STREET, WINDSOR, CONNECTICUT**

PRESENT: Commissioners Kelsey, Profe, O'Brien, and Alternate Commissioner Towers

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

Commissioner Profe was acting chairperson in the absence of Commissioner Mips and Commissioner O'Brien was acting secretary.

I. NEW BUSINESS

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

A. Site Plans

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

The Commission directed that the above site plan application would be heard together with the related special hearing application and voted on separately.

II. PUBLIC HEARINGS

Commissioner Profe opened the public hearings at 7:01 p.m. and Commissioner O'Brien read the legal notice into the record.

1. **Special Use – 11 Wilson Avenue, Auto Detail, Zoning Regulations Section 2.1.15, B-2 Zone, Francis**

Craig Francis, 82 Allen Street, said that he was seeking a special use permit to establish an auto detailing shop at 11 Wilson Avenue. He said that the operation would consist of washing and detailing or deep cleaning cars and the hours would be 9:00 a.m. until 5:00 p.m. He said that during the winter season he would have only two employees. He said that the shop is closed right now because of the weather and that there were still some repairs that he needed to do.

Commissioner Profe requested public comments. Speaking in favor of the application:

Charles Jackson, 26 Wilson Avenue, said that it was nice to have someone take over the building and he welcomed Mr. Francis to the neighborhood. He said that the only issue that he had was

not with Mr. Francis, but with the town regarding the “no parking signs” that were removed on the north side of the street when the town did work on Wilson Avenue. He said that the signs were removed and not replaced, and he was concerned that there could be a problem with parking on the street. He said that there was a problem with the recent snowfall regarding clearing the sidewalks, but after speaking with Mr. Francis he believed that he was making all efforts to take care of the problem with clearing the sidewalks.

No one else from the public came forward to speak regarding the application.

Town Planner Barz said that the Town Engineer and the Environmental Planner were concerned about where the floor drains were releasing the water. He said that the water should be releasing into the sewers, but it might be releasing into the storm drain, which was unacceptable. He recommended that if the Commission were inclined to approve the application, a condition should be that the floor drains be connected to the sanitary sewers and a grease separator be installed as required by MDC if not presently in place.

Regarding the no parking signs on Wilson Avenue, Town Planner Barz said that he spoke with Public Works who said that the signs would be re-installed.

There was a general discussion regarding parking. Mr. Francis said that he had four bays and that if there was an occasion that a car would need to remain overnight, it would be stored inside the building.

Motion: Commissioner O'Brien moved to approve the Special Use for an Auto Detailing establishment at 11 Wilson Avenue under Zoning Regulations Section 2.1.15 subject to the following conditions: 1) one-year time limit; and 2) testing shall be done to determine where the floor drains are connected and if they are not connected to the main sewer, they shall be so connected and if required by the MDC, a grease separator shall be installed. Commissioner Kelsey seconded the motion and it passed 4-0-0.

2. Special Use Re-Approval – 2149 Poquonock Avenue, Outdoor Propane Storage, Zoning Regulations Section 2.1.15, B-2 Zone, Rice Hardware, Inc.

David Rice, part owner of Rice Hardware at 2149 Poquonock Avenue, said that he was seeking re-approval for outdoor storage of a propane tank. He said that the tank has been installed for over five years and all zoning regulation requirements have been met and there have been no problems or complaints that he is aware of. He described the security measures that have been put in place.

Commissioner Profe 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 with the exception of the Environmental Planner, who has asked that the applicant provide a litter control plan. He recommended approval subject to all previous conditions of approval, which are a two-year time limit; the approval does not include approval for any storage on the abutting State owned

property; and seasonal storage in the parking spaces in the southeast corner of the parcel shall only be occupied for the two weeks before special events, such as floral sales for two prior weeks prior to Mother's Day and submission of the aforementioned litter control plan.

There was a general discussion. In response to questions from the Commission, Mr. Rice explained that he allows people, especially relatives, to use part of the site to sell flowers for Easter and Mothers Day and the condition was part of the approval because staff did not want any problems with emergency service access.

Mr. Rice asked what was required for the requested litter control plan. He said that they have a dumpster and any time something doesn't make it into the dumpster or if there is some trash left in the lot by a customer, the staff will pick it up.

Town Planner Barz said that all that was required was a simple memo or letter stating that employees will police the site regularly and the dumpster will remain closed.

Motion: Commissioner O'Brien moved to re-approve the Special Use for outdoor storage of a propane tank at 2149 Poquonock Avenue under Zoning Regulations Section 2.1.15 subject to the following conditions: 1) two-year time limit; 2) this approval does not include approval for any storage on the abutting State owned property; 3) seasonal storage in the parking spaces in the southeast corner of the parcel shall only be occupied for the two weeks before special events, such as floral sales for two weeks prior to Mother's Day; and 4) applicant shall submit a written litter control plan to the Environmental Planner. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

3. Special Use – 616 Poquonock Avenue, Home Occupation – Insurance Office, Zoning Regulations Section 4.5.19, AA Zone, Skaling

Paul Skaling and his wife Nancy of Coventry, Rhode Island presented the application. Mr. Skaling said that they currently own an insurance and financial services business with an office in New London, which is currently being managed and operated by their son, and they have just purchased a company here in Windsor. He said that the business has been established here for about 27 years and serves about 20 percent of the families in town. He stated that he and his wife plan to move to Windsor and would like to move their office into their new home, which is across the street from where the office is currently located. He said that there were two employees in addition to himself and that there is plenty of room in the house for the living area and the office. He said that it was a neighborhood-friendly business and he was currently only experiencing three to four people per day and he noted that there might be a few clients visiting the office in the early evenings for financial services.

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

David Gillette, 592 Poquonock Avenue, said that he owned the property immediately adjacent to this property and he was concerned that the residential character be maintained. He asked how

many employees were allowed under the regulations and he requested that the parking area be screened.

No one else from the public came forward to speak regarding the application.

Town Planner Barz said that staff had signed off on the application, with the exception of the Environmental Planner who asked that a landscaping plan be submitted for her approval if vegetation is added for screening of the parking area in order to insure that the selected species are native and non-invasive. In response to the question asked by Mr. Gillette, he said that the regulations allow a total of three employees.

Mr. Skaling said that he had not submitted plans for signage, but he said that it would comply with the regulations. He said that he would need to have a parking area for about four cars for clients and the two employees would park in the back. He explained that the grade is low in the back; therefore he did not feel that it would be convenient for clients to walk up and around the house. He stated that he had no problem with screening the parking area.

Town Planner Barz recommended an initial one-year time limit, noting that the Commission would have the opportunity to extend the time limit at the time of re-approval if they feel that it is appropriate. He said that if any changes were made to the parking area, the applicant would need to submit a site plan for staff review and approval. In response to a question from the Commission, Mr. Barz said that he anticipated that screening of the parking area from the abutting residents to the north or south might be required, but not to the rear where the abutting residences are over 100 yards away.

Motion: Commissioner O'Brien moved to approve the Special Use for a home occupation - insurance office at 616 Poquonock Avenue under Zoning Regulations Section 4.5.19 subject to the following conditions: 1) one-year time limit; 2) applicant shall submit a site plan for staff review and approval to show the driveway and screening; and 3) Environmental Planner approval of landscaping prior to installation. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

4. Special Use – 175 Great Pond Drive, Reduced Parking, Zoning Regulations Section 8.1.6L, I-2 Zone, William B. Meyer (See Site Plan Item I.H.2)

The Commission directed that the above special use and site plan applications would be heard together and voted on separately.

Henry Thomas, project manager with LRC Group in Cromwell, presented a drawing and described the location of the site, which consists of 17 acres in Windsor and 7 acres in Bloomfield. He said that the proposed use was for office and warehouse space for moving and storage services, which is a permitted use in the I-2 Zone. He explained that the applicant received approval from the Bloomfield IWWC and the site plan application is scheduled to go before the Bloomfield TP&ZC this month and the Windsor IWWC on January 2, 2008 for approval.

Tom Gillen, Sr., president of William B. Meyer, Inc., said that the company has locations in New York, Connecticut and Massachusetts. He said that the company was founded in 1914 in Bridgeport to provide services for commercial customers and today it is now a data storage facility and provides moving services. He said that the Windsor location would primarily be a storage facility. He explained that there were three operations in the area that would be consolidated and moved to this site. Regarding the length of commitment from the company, he stated that he has been with the company for 38 years and in that time the company has never sold any of its buildings.

Mr. Thomas presented a site layout plan and he described the site configuration and the proposed building. He said that the building would be rectangular, there would be a single access off of Great Pond Drive and there will be 360 degree access around the building, providing emergency vehicle access satisfactory to the Fire Marshal. He stated that there were docks with doors on two sides of the building, which are designed for different purposes. He said that the construction would take place in two phases, with construction of 128,500 square feet of office and storage space in the first phase and construction of 280,000 square feet of storage space in the second phase. He reviewed the parking area to be constructed and the reserve parking area to be provided and he said that the applicant is requesting special use approval for reduced parking.

Scott Thornton, traffic consultant, said that information was collected for the traffic study in October and he briefly reviewed the report dated November 30, 2007. He said that there is a light at the intersection of Great Pond Drive and Day Hill Road and there was plenty of capacity at the intersection. He stated that there were no issues with the sight lines and there were no problems anticipated with traffic in and out of the site driveway.

Adam Thompson, professional engineer with LRC Group in Cromwell, reviewed the utilities, stormwater layout and construction phasing plans. He stated that an advanced stormwater design will be constructed with special concentration on the parking areas and loading docks.

Mr. Thomas reviewed lighting, landscaping, irrigation and signage. He said that the lighting plans were submitted this evening and will be reviewed with staff. He said that the building was close to the front of the site, so the landscaping was fairly intense with a lot of added native species selected with a focus on durability and maintenance. He noted that only the front of the building would be irrigated and regarding signs, he said that beyond those needed for traffic control, there would be just one free-standing sign and it would be smaller than the size allowed by the regulations. He said that a lot of comments were collected from staff throughout the review process and most of them had been addressed.

In response to a question from the Commission, Mr. Gillen said that straight trucks and vans would be used for moving data storage materials and tractor trailers would be used for moving household goods. He added that there was no set rush hour for pickups and deliveries, although there is likely to be some traffic going out of the site at 6:30 a.m. and coming in sometimes at 5:00 p.m.

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

Town Planner Barz noted that the Commission recently approved an amendment to the regulations to allow less office space in larger warehouse facilities in order to qualify for the special use for reduced parking in the industrial zones. He said that the applicant has worked with staff and has provided additional aesthetics that bring it into compliance with the special use requirements as amended. He noted that the Windsor IWWC has not yet acted on the application; therefore the Commission will have to leave the public hearing open and recess this item until the next regular meeting in January. He noted that there were still some outstanding staff comments and the extra time would also give the applicant the opportunity to address some of those concerns before the Commission makes its decision on the applications.

There was a general discussion. Commissioner O'Brien said that it seemed that the use provided a large building with low traffic, which would fit in with what is needed in the area.

Motion: Commissioner O'Brien moved to recess the Special Use for reduced parking at 175 Great Pond Drive under Zoning Regulations Section 8.1.6L, until the next regular TP&ZC meeting on January 8, 2008. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

Motion: Commissioner O'Brien moved to recess the Site Plan for a warehouse facility at 175 Great Pond Drive until the next regular TP&ZC meeting on January 8, 2008. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

5. Amendment to the 2004 Plan of Conservation and Development Chapters 4 and 5 - 2007 Open Space and Agricultural Preservation Plan

Town Planner Barz said that the 2004 Plan of Conservation and Development (POCD) was developed to serve as a comprehensive plan for the town. In the 18-24 month process it was hard to give all areas the attention they deserve, so there was a recommendation in the Plan to periodically review and update the Plan. He said that the state requires that the POCD be reviewed and updated at least every ten years and each time the plan is revised, it begins the 10-year count over again. He noted that the proposed amendment has been reviewed by the Capitol Region Council of Governments (CRCOG) and the Windsor Town Council, and a public workshop was held in November. He said that the final draft that is being presented tonight for approval has been revised based on the input received from the public workshop.

Town Planner Barz said that the proposed amendment would help to better plan a trail system along the rivers, identify the most desirable open spaces and tools to acquire them, as well as to better preserve agricultural resources. He said that the amendment provides tools, like the transfer of non-residential density and will help to determine whose responsibility it is to maintain the open space.

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

Alternate Commissioner Towers said that he was concerned about Town Planner Barz's interpretation of the state requirement for a 10-year review of the Plan because if the clock were

to start over, then all of the chapters that weren't updated would not be reviewed for over ten years. Commissioner Kelsey said he believed that the intent of the periodic reviews and updates was that it would be better to look at the plan each year rather than to have to look at all sections of the plan after ten years.

Town Planner Barz said that he believed that if the Commission kept opening up different chapters, it would make it a continuous project with every chapter getting updated over time.

Commissioner O'Brien read the CRCOG referral letter into the record.

Motion: Commissioner O'Brien moved to approve the Amendment to the 2004 Plan of Conservation and Development, regarding Open Space and Agricultural Preservation, Chapters 4 and 5 for the reason that the amendment provides a more comprehensive discussion and set of tools for protecting open space and agricultural resources. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

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.

• Memorandum from Town Planner Barz

Town Planner Barz said that there have been no changes to the proposed amendment since the last revision, Draft 3, dated May 7, 2007. However, he said that a lot of research has been done on the commercial vehicles registered in Windsor. He reported that there are approximately 3,800 commercial trucks registered in town, 2,400 of which are registered to addresses in the residential zone and approximately 2,000 of those vehicles are regular pickup trucks and vans.

Town Planner Barz said that 96 percent of the vehicles fall within the maximum 11,000 pound gross vehicle weight classification that is proposed in the amended regulation. He stated that only 3 percent of the vehicles registered have a weight threshold of over 14,000 pounds and he did not believe that they were currently being brought home and parked in residents' driveways at night. He stated that only 1 percent of the trucks registered have a gross vehicle weight between 11,000 and 14,000 pounds and he did not feel that they would impose a real enforcement problem because the majority of them do not look much different from other pickup trucks. He added that he was hesitant to make an exception for those 29 trucks.

There was a general discussion. In response to questions from the Commission, Town Planner Barz said that if the exception was made that oversized vehicles would comply if they were garaged, people would start building larger garages with oversized doors. He said that because we do not have a full-time zoning enforcement officer, the noncompliant vehicles would not likely be cited unless a complaint is filed.

Commissioner Profe suggested that an effort be made to communicate to the public that there is a regulation restricting commercial vehicle parking at residences, so that they do not purchase a vehicle that is prohibited by our regulations. Town Planner Barz said that he would look into posting it on the town website, sending out a press release or notifying local dealers.

Motion: Commissioner O'Brien moved to approve the Amendment to Zoning Regulations Sections 4.4.5, 16.2.3C and 16.2.7G, Parking Commercial Vehicles in Residential Driveways, Draft 3 dated May 7, 2007, to clarify the regulations regarding commercial vehicle parking in residential zones. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

Commissioner Profe requested any documentation that might be available regarding the meeting that was held this evening at Poquonock School regarding truck traffic on Rainbow Road be provided at the next meeting.

Town Planner Barz said that he would like to open up one or two more chapters of the POCD in January because of all the recent activity in the Day Hill Road area. He said that development levels that were expected to be reached in a decade are being reached much more quickly and there have been a significant number of road improvements as well, that make it practical to look at the chapter regarding Day Hill Road development as well as the chapter on transportation. He suggested that a special meeting for a workshop be scheduled on January 22nd or 29th and he asked that the Commissioners contact Planning Secretary Madison so that a meeting can be arranged for the date that works best for everyone. He said that it would be more of a kick-off workshop to explore some ideas with the Commission and the public.

III. ADJOURNMENT

Motion: Commissioner O'Brien moved to adjourn the meeting at 9:00 p.m. Commissioner Kelsey seconded the motion and it passed unanimously, 4-0-0.

Respectfully submitted, _____, Marian Madison, Recording Secretary

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

Karl Robert Profe, Secretary