

**MINUTES  
TOWN PLANNING AND ZONING COMMISSION  
JUNE 14, 2016 7:00 PM  
COUNCIL CHAMBERS, TOWN HALL  
275 BROAD STREET, WINDSOR, CT**

**PRESENT: Commissioners Mips, Profe, O'Brien, Smith and Alternate Commissioner Jaggon  
Alternate Commissioner Levine was present but not seated**

**Also Present: Town Planner Barz, Assistant Town Planner Kenyon and Planning Secretary  
Madison**

**I. NEW BUSINESS**

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

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

Bill Medina, 170 Hawthorne Mead Drive, Glastonbury, said that he was here to talk about his property on White Rock Drive. He said that it was a subdivision for 68 & 70 White Rock Drive in 2005. He said that a house was built at 70 White Rock Drive, but never received a certificate of occupancy and it went into foreclosure in 2013. He said that he purchased 70 White Rock Drive on a short-sale from Niagara Bank. The subdivision plan calls for an 8" water main to serve the two properties, which would cost him \$70,000 to \$80,000, but he does not own the two properties and he wanted to run a 2" lateral from the street to serve only his property.

Town Planner Barz reviewed the history of the property which went from an approved five-lot subdivision to a two-lot subdivision. The town has a right to 25 feet from each lot to connect the drive to Dally Farm Road if they opt to build the connection in the future. He said that there are several issues that needed to be addressed including changing one shared driveway to two individual driveways; a contentious issue with storm water easements; and utilities. He noted that some of the residents on White Rock Drive came out to speak against the plan and he did not think it would be right to change it without a hearing. In response to a question from the Commission, he said the reason that the gentleman was here to speak to the Commission, rather than going through any process was because he came into the Planning Department today and said that his closing was tomorrow.

Commissioner O'Brien said that he understood that the gentleman wanted to close on the property, but he agreed with the Town Planner that he would need to go through the process. All members of the Commission concurred.

- **Letter from Mike and Marlene Frechette, 675 Prospect Hill Road –**  
Commending Aero Gear for taking steps to resolve LED light impact on the neighbors

Commissioner Profe read the above letter into the record.

**B. Communications and Petitions from the Town Planning and Zoning Commission**

**C. Zoning Enforcement Officer's Report – June 2016**

Town Planner Barz reviewed the report that included a resolved violation for commercial vehicle equipment at 96 Marshall Street. There were no new violations reported.

**D. CGS § 8-24 Referral Requests**

**E. Pre-Application Scrutiny**

**F. Re-Approvals/Revisions/Extensions**

1. **Site Plan Re-approval – 990T Archer Road/4 Lawnacre Road, Windsor Locks,**  
storage garage, I Zone, Rolocut

Steve Rolocut, owner of the property, said that he received site plan approval five years ago, but it has expired. He said that the revised plans are for a smaller building and nothing on the Windsor portion of the site has been changed. He noted that he has received re-approval of his wetlands permit.

In response to the Commission, Mr. Rolocut said that he has spoken to his engineer who said that he would address the Engineering comments.

Assistant Town Planner Kenyon said that staff has met with the applicant and there were no comments other than the Engineering Department comments and she recommended approval.

**Motion: Commissioner Profe moved to approve the re-approval for 990T Archer Road subject to the applicant addressing the staff review memo of June 9, 2016 which has engineering comments. Alternate Commissioner Jaggon seconded the motion and it passed unanimously, 5-0-0.**

**2. Site Plan Revision – 186 High Street, play area for proposed day care, B-2 Zone, Mirza**

The above application was withdrawn upon request of the applicant.

**G. Site Plans - None**

**H. Minutes**

**1. Minutes May 11, 2016**

Page 4, should note that when Commissioner O'Brien stepped down Alternate Commissioner Jaggon was seated

Page 5, 3<sup>rd</sup> paragraph - should read that Commissioners Profe and Mips read the above letters into the record.

Page 5, 9<sup>th</sup> paragraph, 3<sup>rd</sup> sentence – “agreed that the desired open space designation does not impact the ability of the owner to develop their land.”

Page 6, should note that when Commissioner O'Brien was reseated, Alternate Commissioner Jaggon stepped down.

Page 7, should note that when Commissioner O'Brien stepped down, Alternate Commissioner Jaggon was seated

Page 8, after the motion, should read that Commissioner O'Brien was reseated and Alternate Commissioner Jaggon stepped down.

**Motion: Commissioner Profe moved to approve the minutes of May 11, 2016 as amended. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.**

(Planning Secretary Madison noted that Alternate Commissioner Jaggon was seated for the entire meeting on May 11, 2016)

**2. Minutes May 27, 2016 Special Meeting**

**Motion: Commissioner Profe moved to approve the minutes for the May 27, 2016 special meeting as presented. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.**

## II. MICSCCELLANEOUS

1. **FYI: APA Zoning Practice** – May 2016
2. **FYI: 3.9 Site Plan Approval – 33 Tunxis Street**, add fence, landscape for screening, B-2 & A- Zone, Thulen
3. **FYI: 3.9 Site Plan Approval – 57 Clover Street**, install 160 s.f. shed, NZ Zone, Town of Windsor
4. **FYI: 3.9 Site Plan Approval – 770-808 Bloomfield Avenue**, add parking. reconfigure loading dock, install volley ball court, install dumpster pad, I Zone, TLD Ace

Assistant Town Planner Kenyon reviewed the above three minor site plan revisions approved by staff under Zoning Regulations Section 3.9.

## III. PLANNER'S REPORT

### 1. Update on recent development

- **Leipold** – the building addition is fifty percent complete.
- **Windsor Station** – have had rough inspection through the second floor of the Ellsworth Building and they are completing a mock-up apartment. The McClean building is framed, windows have been installed and the roof is on.
- **Plaza Building** – green room is framed up to the roof

Commissioner O'Brien asked what size the addition was approved for. Town Planner Barz replied that it was for 800 square feet. Commissioner O'Brien commented that it seems bigger than that.

- **Cutler Hall dormitory** – 90% complete.
- **Poquonock Commons** – are working on three houses and should be coming in for a permit for the first set of townhouses within a month. The clubhouse is one third complete.
- **Moe's** – moving into the space where IZOTE was and they are doing minor interior renovations, closing off the bar.
- **Windsor Asian Bistro** – restoration of fire-damaged kitchen has begun.

- **Dollar Tree** – installing over one million dollars conveyors.
- **Target** – putting solar panels on roof.
- **Educational Playcare** – expanding into the Bright Horizons Daycare building at 1045 Day Hill Road.

Town Planner Barz said that he was at a planner's meeting and there was a discussion about the Gilbert decision regarding signs. There was some dissent within the decision. The decision only applies to noncommercial signs. Also we cannot regulate when political signs can be put up or taken down. The commercial signs can immediately be used for noncommercial use if they are no longer being used by a commercial business. He said that he has been working on changing the zoning regulations to comply with the decision, which he will revisit with this new information.

#### IV. 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 –147A Poquonock Avenue**, limited service restaurant, Zoning Regulations 5.2.6D(1), B-2 Zone, Amenta

The above application was withdrawn upon request of the applicant.

2. **Special Use – 186 High Street Unit C**, Day Care Center, Zoning Regulations Section 15.2.16, B-2 Zone, Mirza

The above application was withdrawn upon request of the applicant.

3. **Special Use – 753 Day Hill Road & 139 Old Poquonock Road**, fill removal, Zoning Regulations Section 15.2.13, I Zone, 139 Old Poquonock Road, LLC

The above application was amended and the hearing was postponed until July 12, 2016 upon request of the applicant.

4. **Special Use – 753 Day Hill Road & 139 Old Poquonock**, filling, Zoning Regulations Section 15.2.14, I Zone, 139 Old Poquonock Road, LLC

The above application was amended and the hearing was postponed until July 12, 2016 upon request of the applicant.

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**5. Special Use – 121 Tunxis Street**, in-law apartment, Zoning Regulations Section 4.5.10, A Zone, Lincer

Magic Lincer, 119 Tunxis Street, said he is applying to use the first floor of his house for an in-law apartment. In response to a question from the Commission, he explained that there are three entrances to the house; the front entrance, a side entrance and through the garage.

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

Assistant Town Planner Kenyon, said that staff met with the applicant and there were no major issues raised. She noted that the affidavit will be required and a bond will also need to be submitted to cover the cost of removing the kitchen upon termination of the special use.

Commissioner Mips closed the public hearing for this item.

**Motion: Commissioner Profe moved to approve the special use at 121 Tunxis Street for an in-law apartment. Commissioner O'Brien seconded the motion and it passed unanimously, 5-0-0.**

**V. BUSINESS MEETING**

**A. Continuation of New Business**

**B. Application Acceptance**

- 1. Zone Boundary Change – 1530 Palisado Avenue**, B-2 to NZ, Sachdev
- 2. Text Amendment – Zoning Regulations Section 5.2.6E**, car rental and taxi service, Enterprise/Kolstad
- 3. Special Use – 147A Poquonock Avenue**, car rental agency, Zoning Regulations Section 5.2.6E, B-2 Zone, Enterprise/Kolstad

Town Planner Barz briefly reviewed the above three applications and the Commission directed that they be scheduled for public hearing at the next regular TP&ZC meeting on July 12, 2016.

**C. Old Business**

**D. Public Communications and Petitions (if not completed)**

Town Planner Barz said that last month he talked to the Commission about eliminating the special use for in-law apartments and delegating that function to staff. He asked that the Commission continue to think about it and let him know if they are prepared to allow in-law apartments to go through staff, he would then begin to work on the regulation amendment.

Commissioner O'Brien asked if it would be posted and the neighbors would be able to speak if they are against it. Town Planner Barz said that they would not. He noted that there is a driveway regulation that driveways cannot be closer than six feet from the abutting property line. He said that if someone wants it to be somewhere between three and six feet it can be approved by staff under Zoning Regulations Section 3.9. Proof of notice to the neighbors is required, but they have no say. Something similar could be considered for inclusion in the in-law regulation.

**VI. ADJOURNMENT**

**Motion: Commissioner Profe moved to adjourn the meeting at 7:38 p.m. Alternate Commissioner Jaggon seconded the motion and it passed unanimously, 5-0-0.**

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

I certify these minutes were adopted on July 12, 2016 \_\_\_\_\_  
Karl Robert Profe, Secretary