

**MINUTES
TOWN PLANNING AND ZONING COMMISSION
SEPTEMBER 13, 2016 7:00 PM
COUNCIL CHAMBERS, TOWN HALL
275 BROAD STREET, WINDSOR, CT**

PRESENT: Commissioners Mips, Profe, Scharoff, Smith and Alternate Commissioner Jaggon
Alternate Commissioners Levine and Correia were present but not seated

ALSO PRESENT: Town Planner Barz, Assistant Town Planner Kenyon, Recording Secretary Hartmann

I. NEW BUSINESS

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

A. Public Communications and Petitions (five-minute time limit per person) – None

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

Commissioner Mips introduced and welcomed Alexander Correia as the new alternate to the Planning and Zoning Commission.

C. Zoning Enforcement Officer's Report — September 2016 – None

D. CGS § 8-24 Referral Requests

1. Animal Shelter –Construct animal shelter at 942 Bloomfield Avenue

This item was presented with the Site Plan application.

E. Pre-Application Scrutiny

1. 100 Lamberton Road, Potential Self-Storage Facility

The application was presented by TJ Barresi of Barresi Associates, 570 Hayden Station, Windsor, CT along with William Mathews of Macritchie Storage, LLC. The proposed location is in the I Zone on 7.96 acres. They hope to submit an application under Zoning Regulations Section 8.6 O, Self Storage and Outside Storage Facilities. The plan is to utilize the existing building and construct a 30,000 square foot building addition. The property fronts Lamberton Road and the rear faces I-91. The addition will have two loading bays on the west side and two loading bays on the north side. The existing bays will also be utilized. The entrance will be in the same location but the pavement will be reworked. All fire codes will be adhered to. There will be staff on site from 9:30 AM to 5:30 PM. The facility would be open from 6 AM to 10 PM. Entry will be by controlled access keypads. The storage facility would not be the typical facility with outside garage bays, but rather the interior will

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have storage bays. The existing windows will be reduced in size and you would only see a limited number of doors through the windows from the exterior of the building. Mr. Barresi told the Commission the applicant would like an interpretation of the regulation in terms of screening the facility from I-91.

Town Planner Barz explained to the Commission that under pre-application scrutiny, the Commissioners may provide general statements and feedback so as to not prejudice themselves.

Mr. Barresi went on to explain the applicant would like to clear shrubbery that blocks the view of the facility from I-91 to increase visibility. There was a question as to whether or not I-91 is considered a street that requires screening or if it would need a variance. A variance will also be needed and applied for prior to the special use application as the facility would be closer than 500 feet to a residential area, albeit across the highway.

Commissioner Smith noted it is important to maintain an image of Windsor from the highway.

Commissioner Mips indicated it may be better to reduce the size of the window facing I-91 to minimize the number of storage doors that are visible.

The applicant will provide pictures from a similar facility owned in Illinois.

F. Re-Approvals/Revisions/Extensions

- 1. Amendment to a Design Development — 55 & 69 Mechanic Street**, increase number of free-standing signs to two and changes to proposed sign design, Olde Windsor Station
Chris Davis of ArtFX Signs made the request.

Chris Davis of ArtFX presented the application. He explained the proposed sign design and location of the signs.

Town Planner Barz said the Commission must approve any signage that was not approved as part of the detail plan approval for the Design Development.

Motion: Commissioner Profe moved to approve the Amendment to a Design Development at 55 & 69 Mechanic Street, allowing an increase in the number of free-standing signs to two and changes to proposed sign design. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

G. Site Plan

- 1. Site Plan - 942 Bloomfield Avenue, construct 1,200 SF animal shelter, NZ Zone, Town of Windsor**
 - **Request to Defer Sidewalk Construction**

Victoria Houle, Project Engineer, presented the plan for the proposed animal shelter developed by town staff and the Public Building Commission. Ms. Houle explained that the Town has been awarded assistance under the State Transit-Oriented Development and Responsible Growth Incentive Fund Program for the construction as well as for the environmental assessment, remediation planning, and demolition of the existing facility on Mechanic Street. Construction documents are being finalized.

In response to questions, Ms. Houle explained that the Town would not share the dog pound with Bloomfield. The location is in the NZ zone, the property is existing open space, and is a part of the Hayden Trust.

Motion: Commissioner Profe moved to recommend to the Town Council, pursuant to the provisions of Section 8-24, the approval of the proposed new animal shelter facility construction at 942 Bloomfield Avenue. Commissioner Scharoff seconded the motion and it passed unanimously, 5-0-0.

Ms. Houle went on to explain that the construction documents including the site plan, are in the process of being finalized. There is approximately 900 linear feet of frontage along Marshall Phelps Road plus an addition approximately 680 linear feet along Bloomfield Avenue. Currently there is no sidewalk network in the area of the site. Town staff is requesting the deferral of the required sidewalk installation along both street frontages of the project. Deferring the construction until a later date will allow town staff and the Commission to evaluate the future sidewalk system in the area. Future private development along Marshall Phelps Road may provide the town with more guidance regarding which side of the road would be best for the sidewalk. In addition, there is both planned construction work along Bloomfield Avenue associated with the MDC's sewer replacement project as well as potential future road work in conjunction with the Route 305 Corridor Study.

Ms. Houle also showed an alternate parking layout preferred by the Public Building Commission that will have less environmental impact and will also be a cost savings to the town. Staff is recommending that the sidewalk installation along the street frontage, in accordance with Zoning Regulations Section 3.5.1(b), would best be deferred at this time.

Motion: Commissioner Profe made a motion to approve the Site Plan application for an animal shelter at 942 Bloomfield Avenue subject to the following conditions: Incorporation of the new parking layout; landscaping per section 3.1.2C(2) of the Windsor Zoning Regulations must be shown on site plan; a photometric plan, cut sheets, BUG ratings for light fixtures must be submitted; fence details; information regarding location of all transformers, mechanical equipment and other equipment to be screened must be shown on plan; sidewalks on Marshall Phelps Road and Bloomfield Avenue shall be constructed at a time to be determined by the Town Engineer after evaluation of the future sidewalk system in the area and following completion of planned construction work along Bloomfield Avenue. Commissioner Scharoff seconded the motion and it passed, 4-1-0, with Commissioner Smith opposed.

The public hearing was opened and the Minutes and Miscellaneous items were discussed following the public hearings.

H. Minutes

1. Minutes July 12, 2016

Commissioner Profe moved to approve the minutes of July 12, 2016. Commissioner Scharoff seconded the motion and it passed unanimously, 5-0-0.

2. Minutes July 26, 2016 Special Meeting

Commissioner Profe moved to approve the minutes of July 26, 2016. Commissioner Scharoff seconded the motion and it passed unanimously, 5-0-0.

II. MISCELLANEOUS

1. FYI: APA Zoning Practice — August 2016 and September 2016

2. FYI: CFPZA Quarterly Newsletter—Summer 2016

3. Capital Improvement Program FY 2018-2023

Town Planner Barz said the Commissioners are invited to submit project suggestions. Commissioner Smith asked if a workshop could be held prior to voting on the CIP next year. Town Planner Barz responded that a presentation could be arranged.

4. FYI: 3.9 Site Plan Revision — 1985 Blue Hills Avenue Extension, LED light replacement, I Zone, Griffin Industrial Realty

5. FYI: 3.9 Site Plan Revision — 280 Broad Street, building addition and parking, B-2 Zone, Alford/Sachdev Plaza LLC

6. FYI: 3.9 Site Plan Revision — 4 Batchelder Road, Cutler Hall landscaping changes, NZ Zone, Loomis Chaffee School/Loomis Institute

7. FYI: 3.9 Site Plan Revision — 730 Kennedy Road, Replace lights with LED and add new lights, NZ Zone, Windsor Public Schools/Town of Windsor

8. FYI: 3.9 Site Plan Revision — 700 Poquonock Avenue, LED Light Replacement, B-2 Zone, Con Sery Inc./HLW Liability Company

9. FYI: 3.9 Site Plan Revision — 530 Park Avenue, Remove old sign and install new sign, NZ Zone, Windsor Public Schools/Town of Windsor

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The above six site plan revisions were approved by staff under Zoning Regulations Section 3.9.

III. PLANNER'S REPORT

1. Update on recent development – Town Planner Barz updated the Commission on projects underway including:

- Windsor Station Apartments
- Liepold – 85% complete
- Poquonock Commons Clubhouse – 60% complete
- Poquonock Commons first 6 townhomes have started construction
- Dollar Tree conveyor installation
- Target rooftop solar project complete

IV. PUBLIC HEARINGS

Commissioner Mips opened the public hearings at 7:35 p.m. and Commissioner Profe read the legal notice into the record.

1. Special Use — 1001 Day Hill Road formerly known as 753 Day Hill Road and 139 Old Poquonock Road, fill removal, Zoning Regulations Section 15.2.13, I Zone, 139 Old Poquonock Road, LLC AND

2. Special Use — 1001 Day Hill Road formerly known as 753 Day Hill Road and 139 Old Poquonock Road, filling, Zoning Regulations Section 15.2.14, I Zone, 139 Old Poquonock Road, LLC

Wilson Alford Jr., civil engineer with Alford Associates, Inc., represented the property owner Mark Greenberg. Mr. Alford explained the property was formerly known as Mototown. Mr. Greenberg wishes to resume fill removal and fill operations that has been done historically for the past 30+ years. The property lines have been merged so it is now one piece of property. The activity will take place at the rear of the property. The existing house at the rear of the property will be demolished. Town Planner Barz outlined the outstanding requirements:

- Traffic calculations need to be added to the plan
- Stormwater and Erosion and Sedimentation Control permits are required
- DEEP permit may be required by the state
- Utilities need to be reflected on a separate site plan
- Annually the operator must show the excavation area, and a performance bond is required for restoration of the site
- Material brought in will be certified that it contains no contaminants

Town Planner Barz also said it was requested that trucks traveling to and from the site be prohibited from using Prospect Hill Road with signage stating as such at the vehicle exit. Commissioner Mips requested public comment. Now one from the public came forward to speak regarding the application.

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved approval of the Special Use for fill removal subject to 1 year time limit and receiving performance bond; truck traffic calculations; revised site plan application and trucks traveling to and from the site be prohibited from using Prospect Hill Road with a sign stating as such at the vehicle exit. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved approval of the Special Use for filling subject to 1 year time limit and receiving performance bond; truck traffic calculations; revised site plan application and trucks traveling to and from the site be prohibited from using Prospect Hill Road with a sign stating as such at the vehicle exit. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

3. Re-subdivision —2300 Day Hill Road and 1 Salisbury Street Great Pond Village, 2 lots to 4 lots, I Zone, Great Pond Village, LLC/Great Pond Industrial District

This item was postponed to the October meeting

4. Special Use Re-approval — 123 Day Hill Road, outdoor storage, Zoning Regulations Section 8.6B, I Zone, Permasteelisa/Corbin

Mr. Ernest Corbin representing Permasteelisa asked for re-approval of a five-year Special Use for outside storage.

Assistant Town Planner Kenyon said that staff supports the re-approval.

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

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved re-approval of the Special Use 123 Day Hill Road, outdoor storage, Zoning Regulations Section 8.6B subject to a five-year time limit. Commissioner Scharoff seconded the motion it passed unanimously, 5-0-0.

5. Special Use Re-approval — 446 Bloomfield Avenue, drive-thru window, Zoning Regulations Section 5.2.6D(3)(e), B-2 Zone, Cicero/Windsor Ventures, LLC

Joe Cicero, owner of the property, is asking for re-approval of the Special Use for the drive-thru window. Mr. Cicero noted that the traffic design is good and traffic is flowing well. Town Planner Barz said that there have been no queuing issues and litter control issues have been addressed. He recommended a longer time limit be given.

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

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved re-approval of the Special Use 446 Bloomfield Avenue, drive-thru window, Zoning Regulations Section 5.2.6D(3)(e) subject to a five-year time limit. Commissioner Scharoff seconded the motion it passed unanimously, 5-0-0.

6. Special Use Re-approval - 770, 800, 808 Bloomfield Avenue, outdoor storage, Zoning Regulations Section 8.6B, TLD ACE/Alford AND

7. Special Use Re-approval — 812 Bloomfield Avenue, outdoor storage, Zoning Regulations Section 8.6B, TLD ACE/Alford

Wilson Alford Jr., civil engineer with Alford Associates, Inc., presented the applications for outdoor storage. He described the properties and the locations of the outside storage areas of the manufacturing facility. Mr. Alford said there are no changes to the proposed areas for outdoor storage. Town Planner Barz explained that there are two entities, TLD ACE, 800 Bloomfield is on the east side and TLD America, 812 Bloomfield on the west side. Commissioner Mips expressed her concerns with the façade and loading docks along Addison Road. She said the front siding continues for a small segment to the side of the building then stops. She commented that while it is unsightly, it has nothing to do with the outdoor storage. Mr. Alford said they are addressing site issues and they have received money from the parent company in the capital budget for next year for improvements that include clean up and plantings. He went on to say the issue was originally caused by the town when Addison Road was built and the side was no longer screened.

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

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved approval of the Special Use Re-approval 770, 800, 808 Bloomfield Avenue, outdoor storage, Zoning Regulations Section 8.6B subject to a five-year time limit. Commissioner Scharoff seconded the motion it passed unanimously, 5-0-0.

Motion: Commissioner Profe moved for re-approval of the Special Use Re-approval 812 Bloomfield Avenue, outdoor storage, Zoning Regulations Section 8.6B subject to a five-year time limit. Commissioner Scharoff seconded the motion and it passed unanimously, 5-0-0.

8. Re-subdivision-70 White Rock Drive, 1 lot, R-13 Zone, Melhem/Suleiman

Belaal Suleiman presented the application. He said the original subdivision of the property was 68 and 70 White Rock Drive. He explained that the home at 70 White Rock Drive was constructed on the property and in 2006 it was abandoned and it is lacking water service. The original site was going to use a shared driveway. He bought the house at 70 White Rock Drive in a foreclosure sale and is seeking permission to install a single driveway to his property and approval to install a lateral from White Rock Drive to his home. He explained the approved plan requires an 8 inch water main on town right of way and then laterals to each property. This was because it was thought there would be a future road connecting White Rock Drive to Dally Farms Road and the MDC would not allow laterals to be located under a future road. He has asked the town to abandon that right so that he can put a lateral from White Rock Drive to his home. He was told by Planning that this could not be acted on tonight as the required special use had not been submitted. He has submitted that paperwork as required. He would like approval today to connect the laterals to the home and electric underground service.

Commissioner Mips requested public comment.

Henrietta Williams, 64 White Rock Drive, asked what a lateral was and how far from her property the driveway would be located. Town Planner Barz explained that a lateral is a private water line that runs from the main line in the street to a building. Instead of being 8 inches, it will be a 2 inch water and sewer line.

Pat Gardner, 80 White Rock Drive, is concerned with the privacy of her property, which is located to the front of the lot. There are existing trees to the rear of her property and she asked if anything would happen to them. Town Planner Barz explained that the existing trees are part of the site plan and will remain.

Shevonne Alexis, 74 White Rock Drive, expressed concerns with property maintenance and water drainage.

Regina Craft, 69 White Rock Drive, would like to know how the driveway will impact her driveway directly in front of 70 white Rock Drive.

Town Planner Barz explained the process and history of this project. He said the original subdivision showed five lots and approval of an access reserve parcel in the event a connection between White Rock Drive and Dally Farm Road was wanted in the future. Following approval of the subdivision, the owners returned and asked for subdivision and a special use for two flag lots, instead of the original five lots. This was approved subject to an agreement to allow future construction of a town road but has since expired. Town Council later approved the town road agreement. Town Planner Barz said the MDC would not approve the laterals as long as the town reserved the right to construct a public road. The owner of the property since lost the property to foreclosure. The current applicant then purchased the property from the bank and is now asking to modify the subdivision plan. A final draft of the legal opinion was received and noted that a special use would

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also be required by the new owner as the previous special use has the condition of the right of way for the future road. Town Planner Barz explained that in order for this Commission to abandon any right to a future road, the special use must be amended, not just the re-subdivision plan. There are two lots in the subdivision plan so 68 White Rock Drive is still subject to all of those same conditions of the original special use. If the applicant is successful and the Commission votes to eliminate the future right of way, the Town Council will then vote to authorize the Town Manager to execute a document releasing that on the land records and the applicant would be free to do his laterals. The owner of 68 White Rock Drive would then also be able to proceed with his laterals. However, they still have a right to place a driveway on the property line with one half on 70 White Rock Drive, so there may be two driveways.

In response to comments, Mr. Suleiman said the property is being pinned by TJ Barresi and the driveway will be marked at the same time. The driveway access will have a width of 25 feet and the driveway will be closer to his side. Drainage will be addressed using a French drain at the corner where most of the water drains. Silt fence will be installed during construction. He believes Mr. Barresi will address any concerns. This property will have to comply with Flag Lot restrictions that are a part of the Windsor Zoning Regulations.

Town Planner Barz said there was no special use advertised for tonight so the applicant is asking that the Commission hold a special meeting at which time the hearing could be re-opened and a new hearing could be held for the special use. The earliest date of the special meeting would be September 27th. Commissioner Mips suggested 5:00 Tuesday the 27th of September.

Motion: Commissioner Profe moved to recess the public hearing until a Special Meeting on September 27th. Commissioner Jaggon seconded the motion and it passed unanimously, 5-0-0.

9. Special Use-80 East Wolcott Avenue, increasing accessory building size, Zoning Regulations Section 4.5.16, R-11 Zone, Rumrill Miller/Hargrave

Phillip Hargrave presented the application. He explained he is requesting a 20 x 18 square foot accessory structure. The property is owned by his sister. The original farmhouse/home is at the front of the oversize lot. He said he will use the structure to store art materials and use it as a small studio.

Assistant Town Planner Kenyon explained the Zoning Regulations allow accessory structures to be up to 580 square feet. Due to an existing detached garage, the proposed shed would put the property over the allowed area. Therefore the applicant was applying for a special use. She said staff met with the applicant, elevations have been provided, and staff does not have any concerns.

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

Commissioner Mips closed the public hearing for this item.

Motion: Commissioner Profe moved approval of the Special Use 80 East Wolcott Avenue, increasing accessory building size, Zoning Regulations Section 4.5.16. Commissioner Jaggon seconded the motion it passed unanimously, 5-0-0.

10. Text Amendment —Zoning Regulations Sections 3.1.2B & 14.1.8, residential fences, walls, and hedges, visibility at intersections, Town of Windsor

Town Planner Barz explained that there has been a history of misinterpretation of the regulation for many years. This text amendment will clarify the regulation and will match the diagram, which is shown in the appendix. It will also be moved from Section 3 of the Zoning Regulations to Section 4, Single-Family Residential Zones.

Commissioner Profe read the CRCOG referral letter into the record.

Motion: Commissioner Profe moved to approve the Text Amendment, Zoning Regulations Sections 3.1.2B & 14.1.8, residential fences, walls, and hedges, visibility at intersections, Town of Windsor. Commissioner Scharoff seconded the motion it passed unanimously, 5-0-0.

11. Text Amendment—Zoning Regulations Sections 2.2 & 3.7.12, shared signs for unified site, Town of Windsor

Town Planner Barz said that this amendment will address signage at shared driveways in the Day Hill area and codifies a past practice or allowing sharing of sign space.

Commissioner Profe read the CRCOG referral letter into the record.

Motion: Commissioner Profe moved to approve the Text Amendment for Zoning Regulations Sections 2.2 & 3.7.12, shared signs for unified site, Town of Windsor. Commissioner Scharoff seconded the motion and it passed unanimously, 5-0-0.

V. BUSINESS MEETING

A. Continuation of New Business - None

B. Application Acceptance - None

C. Old Business

1. Zone Boundary Change – 1530 Palisado Avenue, 6-2 to NZ, Sachdev

The Public hearing for the above application was closed at the July 12th Town Planning and Zoning Commission meeting. Commission to make a formal decision September 13, 2016.

Town Planner Barz reminded the Commission that the public hearing was closed pending the sale of the property. It would change from a B-2 Zone to the NZ Zone. This change allows the use of a religious facility at this location by right with site plan approval for any site changes.

Motion: Commissioner Profe moved to approve the Zone Boundary Change – 1530 Palisado Avenue, B-2 to NZ as it will allow a less intensive use. Commissioner Jaggon seconded the motion and it passed unanimously, 5-0-0.

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

VI. ADJOURNMENT

Motion: Commissioner Profe moved to adjourn the meeting at 8:58 p.m. Commissioner Jaggon seconded the motion and it passed unanimously, 5-0-0.

Respectfully submitted, _____, Lori Hartmann, Recording Secretary

I certify these minutes were adopted on October 11, 2016 _____
Karl Robert Profe, Secretary