

**MINUTES
TOWN PLANNING AND ZONING COMMISSION
JUNE 9, 2020
7:00 P.M. ONLINE VIRTUAL MEETING
275 BROAD STREET WINDSOR, CT**

Zoom instructions

Dialing in by Phone only:

1. Please call: **1-646-558-8556**
2. When prompted for participant or meeting ID enter: **874 8741 5699** then press #
3. You will then enter the meeting muted. During Public Comment if you wish to speak press *9 to raise your hand.

Joining in Computer:

Please go to the following link: <https://zoom.us/j/87487415699>

1. When prompted for participant or meeting ID enter: **874 8741 5699** then press #
2. Only if your computer has a microphone for two way communication, then during Public comment if you wish to speak press **Raise Hand** in the webinar control. If you do not have a microphone you will need to call in on a phone in order to speak
3. During public comments if you do not wish to speak you may type your comments into the Q&A feature.

Present: Commissioners Mips, Levine, Correia, Smith, and Alternate Commissioner Harvey. Alternate Commissioner Jaggon and Commissioner Mark Ferraina were present but not seated. Alternate Commissioner Harvey was seated for Commissioner Profe.
Also Present: Town Planner Barz, Assistant Town Planner Sealy and Recording Secretary Lisa Ozaki.

I. NEW BUSINESS

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

- A. Public Communications and Petitions (five-minute time limit per person) –**
Assistant Town Planner Sealy addressed the public on how to participate in Public Comments.
- B. Communications and Petitions from the Town Planning and Zoning Commission – None**
- C. Zoning Enforcement Officer's Report – None**
- D. CGS § 8-24 Referral Requests – None**

E. Pre-Application Scrutiny - None

F. Re-Approvals/Revisions/Extensions

1. **SP 3.9 – 482 Pigeon Hill Road Verizon**, Parking lot addition, I Zone, Foresite Group, LLC
2. **SP 3.9 – 610 Old Village Circle**, Open Space amenities (pool), Poquonock Commons, LLC

Assistant Town Planner Sealy reviewed the above site plan revisions application approved by the staff pursuant to Zoning Regulations Section 3.9.

Commissioner Mips asked are they eliminating the splash pad and putting in a pool. Asst. Town Planner Sealy said that is correct.

Commissioner Smith asked if hiking was still being proposed as an amenity. Town Planner Barz stated that he believed that is still proposed.

G. Site Plans – None

Minutes

1. May 12, 2020

Motion: Commissioner Levine moved to approve the minutes as amended. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

2. May 26, 2020

Motion: Commissioner Levine moved to approve the minutes as amended. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

II. MISCELLANEOUS

1. Zoning Practice – May 2020

Commissioner Mips asked Town Planner Barz if this is something the Commission needed to look into our regulations for. Town Planner Barz said that we have a number of provisions for inclusive housing, but the Commission could consider more.

III. PLANNER'S REPORT

1. Update on recent development.

Town Planner Barz stated that there was nothing to report at this time.

IV. BUSINESS MEETING

A. Continuation of New Business – None

B. Application Acceptance

1. **Special Use – 740 Prospect Hill Road**, Permanent Farm Stand, Section 10.5.11, AG Zone, Sedor/Newgate Farm

The Commission directed that the above item to be scheduled for public hearing at the next regular Planning and Zoning Commission meeting on July 14, 2020.

C. Old Business – None

V. PUBLIC HEARINGS

1. **Special Use – 244 Bloomfield Ave.**, Yoga Mediation Center, Section 8.6E, I Zone, Gnostic Cultural Institute Meditation Center

Assistant Town Planner Sealy stated that he has promoted the following to panelists for this application:

Josefina Olivares, Yahira Rodriguez

Josefina Olivares was present and addressed the Commission. Ms. Olivares said that the mediation center will focus on personal growth, motivational and meditation classes. Ms. Olivares stated that the hours of operation will be from 5pm to 10pm.

Commissioner Mips asked the Town Planner if this is a non-conforming use in the I Zone. Town Planner Barz said that the property is zoned Industrial in a residential area and not non-conforming. Town Planner Barz stated that this use is allowed by special use. Commissioner Mips asked if these were like the ones on the corner of Capen Street with non-conforming uses. Town Planner Barz said that Capen Street was zoned Residential with nonresidential uses and are truly non-conforming uses. Commissioner Mips asked Ms. Olivares if the center was going to just be operating at night seven days a week. Ms. Olivares stated that she has a day job and would be open once they are done with their day job. Town Planner Barz stated that this is a positive, since there is a real estate company there that can sometimes use all the available parking for staff meetings.

Commissioner Smith commented that the improvement to the parking lot looks good and asked if the classical music will be played only indoors. Ms. Olivares stated that all classes would be inside with music.

Spoke in favor of:

Yahira Rodriguez was present and addressed the Commission. Ms. Rodriguez said that she is the realtor for the applicant and this is an excellent company coming in. Ms. Rodriguez

explained that she is trying to focus on bringing in local businesses that are good for the town.

Asst. Town Planner Sealy stated that all of staff has signed off. There was a concern with parking, but given the off-peak hours, everything is fine.

Commissioner Levine asked to have the hours clarified. Ms. Olivares stated that the hours are 5pm to 9pm. Commissioner Levine asked if the signage issue has been taken care. Asst. Town Planner Sealy said that the applicant will need to come in for a building permit and it will be approved then.

Motion: Commissioner Levine moved to approve the Special Use – 244 Bloomfield Ave., Yoga Mediation Center, Section 8.6E, I Zone, Gnostic Cultural Institute Meditation Center. Commissioner Smith seconded the motion and it passed unanimously. 5-0-0

2. Subdivision – 357 Rainbow Road, 4 Lots, R11/AG, The Connecticut Light & Power Company

Assistant Town Planner Sealy stated that he has promoted the following to panelists for this application:

Marek Kement, Kris Beckett

Town Planner Barz addressed the Commission and recapped the application from the previous meeting.

Marek Kement, Engineer from Anchor Engineering was present and addressed the Commission. Mr. Kement read his letter dated June 4, 2020 to the Commission. Mr. Kement stated that there was a traffic study done and indicated that there is an increase of 1.7 to 2% of traffic flow and it is not going to affect Rainbow Road. Mr. Kement said the environmental study is still being reviewed by an independent contractor since it was a concern.

Commissioner Mips asked what the frontage of the lots is and how close are the houses to the west side of it. Mr. Kement said that they are about 75 feet wide and meet the zoning requirements and parallel to the west. Town Planner Barz stated that the town doesn't measure frontage as a standard, but lot width, measured back at the building line.

Kris McKelvie, Director of Construction from Hartford Habitat for Humanity was present and addressed the Commission. Mr. McKelvie stated that the lots are 75 feet. Commissioner Mips asked if they will consider a sign coming east that says blind drives ahead. Mr. Kement stated that he doesn't think that is necessary since there is adequate site line for the driveways. Town Planner Barz stated that he doesn't know if we can do that since road sign requires a warrant and the Town Engineer will need to review it.

Commissioner Levine said that problem is Rainbow Road itself and a sign is not going to stop anyone from speeding. Commissioner Smith said that the problem with the east bound traffic is traveling down a significant hill and it's hard to slow down. Commissioner Levine stated that she is concerned about the school bus stops on Rainbow Road. Mr. McKelvie said that he has Dattco information and there are three stops already on the street from this property. Mr. McKelvie noted that the speeding has been a problem forever and not because of this project.

Town Planner Barz stated that given that the applicant hasn't received the comments regarding the soils, the Public hearing needs to stay open. Town Planner Barz said that he will speak to Town Engineer Jarvis about a sign or what options will be available.

Asst. Town Planner Sealy read the Zoom Q & A into the record:

Christina Murphy, 349 Rainbow Road asked about the traffic study and taking into account stay home orders? With the added turnarounds, will there be significant parking that is not on the road? Is there consideration in building only two or three houses on the lot that meet the look of the neighborhood? These are very small lots in this spot and do not match the lot size of the surrounding properties.

Matt Kozloski, 449 Rainbow Road said he asked Habitat to take a walk through the neighborhood to understand and improve the traffic issues and it was ignored. Anchor Engineering is based out of Glastonbury, Eversource is headquarters out of Hartford and Boston, Habitat is based out of Hartford, and so what Windsor residents have been involved with the design planning development and strategic planning of this development?

Jane Oswecki, 458 Rainbow Road, said to note that all these school bus stops are on the north side of Rainbow Road, so that speeding traffic coming down Rainbow was not affected.

Commissioner Levine read letters from the following into the record:

Lilly Ranford, 57 Country Club Rd. dated May 13, 2020

John Karzak, 187 Rainbow Road, dated May 13, 2020

JoAnne Anaio, 22 Highland Ave., dated May 12, 2020

Asst. Town Planner Sealy read email:

Sharon Brooks, 441 Rainbow Rd. dated June 9, 2020

There is currently a transformer on the existing lot, will that be moved?

Town Planner Barz noted that he believed the transformer was going to be screened. Mr. Kement said that yes it will be. Commissioner Smith said that he is pretty sure that is not a transformer, but a frontier equipment box.

Commissioner Smith asked what the distance is from each house to the other property. Mr. Kement said that it's around 24 feet from the house to the property line. Commissioner

Smith asked what the setback is from the street. Mr. Kement said that it's 40 feet from the property line. Commissioner Smith asked why 441 Rainbow Road property is setback. Mr. Kement stated that the one next to 441 was shifted back because of a wetlands pocket and the rest of the lots followed that. Commissioner Smith asked about the turnarounds and how they affect the impervious coverage. Town Planner Barz stated that doesn't apply to single-family homes in the R zones. Commissioner Smith asked about the storm water management permit on the Engineering Department review dated May 1, 2020:

1. A Storm water management permit administered by the Engineer Department is required based on the proposed improvements exceeding 5,000 square feet of imperious coverage and/or disturbance of 1.0 or more acres. Inspection and Maintenance Agreement is required for each lot to ensure protection and maintenance of all storm water related features for the life of the parcel.

Mr. Kement stated that he believed a separate permit with the Engineering Department needs to be pulled for that.

Commissioner Mips moved to recess the public hearing until July 14, 2020

3. Text Amendment – Section 2.2 & 8.6Y, Package Distribution Center, Cody

Assistant Town Planner Sealy stated that he has promoted the following to panelists for this application: Thomas Cody

Thomas Cody, attorney from Robinson & Cole, was present and addressed the Commission. Atty. Cody recapped the text amendment to the Commission. Atty. Cody stated that he revised the amendment and explained the revisions. Atty. Cody said that outside loading has been removed from the amendment. Atty. Cody asked that if approved, the Commission give this amendment an effective date of June 15, 2020.

Commissioner Harvey asked how loading and unloading will occur inside. Atty. Cody said that the loading will occur inside the building and the vehicles that are being loaded are sprinter vans. Atty. Cody noted that the vans would drive in, queue up inside the building, and leave. Town Planner Barz stated that we have a similar facility on International Drive, where Pepsi trucks drive into the building to be loaded.

Commissioner Smith said that he was pleased with the changes that were made. Commissioner Smith asked if this would be like a UPS or Fed Ex drop off and pick up. Atty. Cody stated that yes is would. Commissioner Smith said that he thinks this new revision really clears it up and he is in favor of it.

Motion: Commissioner Levine moved to approve the Text Amendment – Section 2.2 & 8.6Y, Package Distribution Center, Cody with the effective date of June 15, 2020.

Commissioner Smith seconded the motion and it passed unanimously. 5-0-0

- 4. Zone Change from "I" Industrial to Transect 4 ("T4") Urban Core Zone / TNDD Concept Plan – 10 Great Pond Drive, 181 Multifamily Units, Real Group/Alford Associates, Inc. Applicant has asked to be postponed to July 14, 2020 meeting.**

**Motion: Commissioner Levine moved to postpone the public hearing until July 14, 2020
Commissioner Correia seconded the motion and it passed unanimously. 5-0-0**

VI. Public Communications and Petitions - None

VII. ADJOURNMENT

Motion: Commissioner Levine moved to adjourn the meeting at 8:09p.m. Commissioner Smith seconded the motion and it passed unanimously, 5-0-0.

Respectfully submitted, _____, Lisa Ozaki, Recording Secretary

I certify these minutes were adopted on June 9, 2020

Jill Levine, Secretary