

**MINUTES
TOWN PLANNING AND ZONING COMMISSION
NOVEMBER 9, 2022
7:00 P.M. HYBRID MEETING
275 BROAD STREET, WINDSOR, CT**

Present: Commissioners Mips, Levine, Correia, Harvey and Kuintzle
Alternate Commissioner Harvey was seated for Commissioner Jaggon
Alternate Commissioner Hallowell was present, but not seated
Not Present: Commissioner Jaggon and Alternate Commissioner Rivas Plata

Also Present: Town Planner Barz, Assistant Town Planner Sealy and Secretary Marcavitch

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 noted that it would be Commissioner Correia’s last meeting and thanked him for his service to the town.

C. Zoning Enforcement Officer’s Report – None

D. C.G.S. §8-24 Referral Requests

- 1. C.G.S. §8-24 Review – 1857 Poquonock Avenue, Villages at Poquonock Improvements and ROW**

Director of Public Works/Town Engineer Robert Jarvis was present and reviewed the referral. He explained that the construction of all public improvements on approximately 4,400’ of Old Village Circle, and approximately 1,100’ of Commons Crossing have been completed. These improvements include the paved roadway, a five-foot concrete sidewalk adjacent to the road, storm drainage, miscellaneous landscaping and street lighting. The developer has asked the town to accept public improvements at this time. Removal of snow from the sidewalks will be the responsibility of the adjacent property owners, as is consistent with the town Ordinances.

Commissioner Levine asked if the town would be responsible for plowing those roads. Mr. Jarvis said yes and that it would begin this winter. Commissioner Levine asked if the adjacent property owners would be responsible for shoveling the sidewalks. Mr. Jarvis replied yes.

Assistant Town Planner Todd Sealy noted that there is a pending 3.9 application for the Villages at Poquonock and he reviewed the items expected to be accomplished. He anticipated staff sign-off by the end of the week.

Commissioner Mips asked if the motion should include a staff sign-off before implementation. Mr. Sealy said yes but was unsure if we could do that with 8-24s. Town Planner Eric Barz stated that we could add subject to approval of a site plan under Section 3.9 to the motion.

Motion: Commissioner Levine moved that the Planning and Zoning Commission of the Town of Windsor, pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut, recommend to the Windsor Town Council acceptance of the improvements and right-of-way at The Villages at Poquonock, 1857 Poquonock Avenue, subject to staff sign off on a pending 3.9 application. Commissioner Correia seconded the motion and it passed 5-0-0.

E. Pre-Application Scrutiny – None

F. Re-Approvals/Revisions/Extensions

1. **3.9 Site Plan – 105 Baker Hollow Road**, Emergency Access, I Zone, Alford Assoc., Inc.
2. **3.9 Site Plan – 1001 Day Hill Road**, Parking Lot, I Zone, Alford Assoc., Inc.
3. **3.9 Site Plan – 605-615 Day Hill Road**, Parking lot/landscaping, I Zone, 5.65 acres, Metcalfe

Mr. Sealy briefly reviewed the applications.

Commissioner Mips asked about 105 Baker Hollow Road and if the emergency access was because it is under construction. Mr. Sealy explained that for fire access they requested a way to get around the parking lot in front of the building rather than putting in a permanent drive before repaving the road.

Commissioner Mips thought Baker Hollow Road was to start this year. Mr. Sealy stated that the design for the road is underway right now but they have not begun construction on Baker Hollow. Mr. Barz confirmed that construction will begin in the next construction season.

G. Site Plans – None

H. Minutes

1. October 11, 2022

Motion: Commissioner Levine moved to approve the draft minutes of October 11, 2022 meeting as presented.

Commissioner Correia seconded the motion and it passed 5-0-0.

I. Adopt 2023 Meeting Schedule

Commissioner Levine moved approval of the proposed schedule of meetings for the Planning and Zoning Commission for the calendar year 2023.

Commissioner Kuintzle seconded the motion and it passed 5-0-0.

II. MISCELLANEOUS

A. Connecticut Federation of Planning and Zoning Agencies – Fall 2022

III. PLANNER’S REPORT

1. Update on recent development – None

IV. BUSINESS MEETING

A. Application Acceptance

1. Special Use Re-Approval – 1916 Poquonock Avenue, Gas Station/Convenience Store, Section 15.2.1, B2 Zone, Kahn/Safia 2 LLC

To be heard in January.

2. Design Development – 109-125 Poquonock Avenue, Mixed-Use with 77 dwelling units, B-2 zone, 2.33 acres, Blue Moon Design

Mr. Barz noted that the zone change at 550 Marshall Phelps Road and the text amendment for cannabis will also be heard at next month’s meeting.

The Commission directed that the above items, except for the special use application for 1916 Poquonock Avenue which will be heard in January, would be scheduled for public hearing at the next regular Planning and Zoning Commission meeting on December 13, 2022.

B. Old Business – None

V. PUBLIC HEARINGS

Commissioner Levine read the legal notice into the record.

Commissioner Mips read a letter regarding the zone change for 550 Marshall Phelps Road from Alford Associates, Inc. dated November 9, 2022 requesting an extension to be heard at the next meeting.

Mr. Barz noted there was a memo in the Commission’s packets requesting that the text amendment for cannabis dispensary facility or cannabis hybrid retailer, agenda item V.E, be postponed to December 13.

A. Zone Change – 550 Marshall Phelps Road, W to I Zone, 29.75 acres, Alford Assoc., Inc.

Postponed to December 13, 2022.

B. Text Amendment – Section 3.0.1 C(1), Projecting Signs, TOW

Mr. Barz stated he was approached by a commercial business owner who wanted a projecting sign because they're located so close to the street that it would be hard for a motorist to read a sign on the front face of the building. He explained that the current regulation for projecting signs are capped at 16 square feet and we count both sides of the sign. He said an applicant would be limited to eight square feet which is not much bigger than a realtor's sign on a front lawn. This amendment would allow for up to 12 square feet per side.

Commissioner Mips asked if it would be okay being so close to the road and questioned if it might interfere with lights. Mr. Barz explained that there are other regulations they will have to follow to ensure that they are safely installed.

Public Comment: None

Commissioner Levine read a Capitol Region Council of Governments (CRCOG) letter dated October 14, 2022 into the record.

Motion: Commissioner Levine moved approval of the text amendment for Section 3.0.1C(1) concerning the size of projecting signs.

Commissioner Kuintzle seconded the motion and it passed 5-0-0.

C. & D. Special Uses – 675 (777 & 903) Day Hill Road, Sections 8.6A & 8.6E(3), Industrial Development Reduced Lot Area and Commercial Recreational and Cultural Buildings & Facilities, I Zone, 2.46 acres, Alford Assoc., Inc.

Engineer and Land Surveyor Wilson Alford, Jr. of Alford and Associates, Inc. and Danielle Lim who will be the owner and operator of the hotel were present. Mr. Alford described the applications and what is being proposed. He discussed access points, hotel location and hotel amenities. He also requested that decisions on exterior façade materials be deferred to site plan approval.

Commissioner Mips asked why a reduced lot area is needed if Two Mile Road Realty owns the property the hotel is going on and the property to the right. Mr. Alford responded that they don't need more than what is there. It has the 50% coverage and the appearance will be satisfactory.

Commissioner Levine asked what is the Moda Hotel. She stated the documents say Microtel and in quotes Moda Hotel. Mr. Alford stated that it's essentially a different model.

Commissioner Levine stated that she understood that there will eventually be two hotels in this location and asked if that was correct. Mr. Alford said yes.

Commissioner Correia asked for clarification on which lot Mr. Alford was referring to that will have 50% lot coverage. Mr. Alford explained the lot with the hotel will have 50% coverage.

Commissioner Mips asked if the Formanek property will still have access off of that road. Mr. Alford stated that they have an agreement with them for access over that roadway to their facility. There is joint access to the Formanek property.

Mr. Barz asked Mr. Alford to explain how the storm drainage will be handled, as it speaks to the coverage issue. Mr. Alford stated that their drainage will go down through the soccer fields. Adjacent to it is a detention swale, on the east side, and their drainage will go into that. He explained that when they did the design for the soccer dome, they accounted for almost 100% imperviousness on the property so that the storm water will go to the south. The proposed plan is to drain water not directly into a storm drainage system but into grass swales that will run around the building. He stated that there are sandy soils and that they expect water absorption into the ground.

Public Comment: None

Mr. Barz stated that the architecture is still under review and noted that Mr. Sealy had provided a memo with a clear description of what the regulations say. The exterior facade materials used can be worked out during the site plan phase. He mentioned another outstanding comment pertaining to the sidewalk and tying into the other facilities. He said we would normally have a site plan and a special use permit heard together but unfortunately, they are not ready to present the site plan. He stated that if the Commission were inclined to approve it, to make the motion subject to final review of the architecture by the Commission at the time of the site plan.

Motion: Commissioner Levine moved approval for the Special Use application 675 (777 & 903) Day Hill Road for Section 8.6A, Industrial Development Reduced Lot Area, in the I Zone with 2.46 acres subject to final approval of this Commission for the architectural details at the time the site plan is presented to the Commission. Commissioner Correia seconded the motion and it passed 5-0-0.

Special Use – 675 (777 & 903) Day Hill Road, Section 8.6 E(3), Commercial Recreational and Cultural Buildings & Facilities, I Zone, 2.46 acres, Alford Assoc., Inc.

Motion: Commissioner Levine moved approval of the Special Use application for the same address that was previously stated for Section 8.6E(3), Commercial Recreational and Cultural Buildings & Facilities, in the I Zone with 2.46 acres with the same conditions.

Commissioner Correia seconded the motion and it passed 5-0-0.

E. Text Amendment – Sections 2.2 & 8.6U, Cannabis Dispensary Facility or Cannabis Hybrid Retailer, TOW
Postponed to December 13, 2022.

F. Text Amendment – Sections: 1.1.3, 2.2, 5.2.6R, & 8.6U, Cannabis Moratorium, TOW

Mr. Barz stated that this is an extension of the current moratorium. He recently heard that marijuana could be grown outdoors which is not something he took into consideration when he drafted the new regulation. The moratorium will provide him with more time to do research. He added that cultivation was included in this moratorium extension.

Public Comment: None

Motion: Commissioner Levine moved that the Cannabis Moratorium be extended for a period of up to four months.

Commissioner Correia seconded the motion and it passed 5-0-0.

G. Text Amendment – Add Section 4.5.17, Housing for Handicapped Persons, Lally and Assoc., Inc.

Mr. Lally was not present at the meeting.

Motion: Commissioner Levine moved to postpone the public hearing for the text amendment to add section 4.5.17, Housing for Handicapped Persons, to the December meeting due to the applicant not being present.

Commissioner Correia seconded the motion and it passed 5-0-0.

VI. Public Communications and Petitions – None

VII. ADJOURNMENT

Motion: Commissioner Levine moved to adjourn the meeting at 7:40 p.m.

Commissioner Correia seconded the motion and it passed 5-0-0.

Respectfully submitted, _____, Andrea D. Marcavitch, Recording Secretary November 9, 2022.

Jill Levine, Secretary