

**MINUTES  
TOWN PLANNING AND ZONING COMMISSION  
APRIL 11, 2023  
7:00 P.M. HYBRID MEETING  
275 BROAD STREET, WINDSOR, CT**

**Present: Commissioners Mips, Levine, Hallowell, Harvey and Jaggon**

**Alternate Commissioner Harvey was seated for former Commissioner Correia and Alternate Commissioner Hallowell was seated for Commissioner Kuintzle**

**Absent: Commissioner Kuintzle and Alternate Commissioner Rivas Plata**

**Also Present: Town Planner Barz, Assistant Town Planner Sealy and Secretary Andrea D. 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 – None**
- C. Zoning Enforcement Officer's Report – None**
- D. C.G.S. §8-24 Referral Requests**
  - 1. C.G.S. §8-24 Review – Reconstruction of Baker Hollow Road**

Town Engineer Suzanne Choate was present and gave an overview. She described that the portion of Baker Hollow Road that runs east to west, between Marshall Phelps Road and Old Poquonock Road, is currently unpaved and unimproved. The width is inconsistent and is very narrow in places. It lacks a suitable base, drainage system and proper cross section. The horizontal alignment, near the culvert at its eastern end, is substandard and unsuitable for the roadway's intended use. Ongoing maintenance of the gravel and dirt surface is necessary. She stated that this proposed project consists of the construction of a consistent 30-foot wide paved road with a drainage system and curbing throughout. Substandard horizontal and vertical geometry will be addressed and a new stream crossing structure will be installed. The installation of water and sewer systems are included and the addition of street lights is also anticipated. A drainage easement from one adjacent property owner will be needed. She added that the project has received Wetlands Commission approval, and that construction is planned to begin upon Council approval of bonding.

Commissioner Mips said that it has been a long time coming and that she is glad to see it. Commissioner Levine asked if the work was being done to accommodate a new tenant down that road. Ms. Choate said there are several properties in the area that the road is not equipped to handle.

Commissioner Mips said that it will come out next to Old Poquonock Road, which goes down into Bloomfield, and there are a lot of residential areas there.

**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 the approval of the Baker Hollow Road Project to the Windsor Town Council. Commissioner Hallowell seconded the motion and it passed 5-0-0.**

**E. Pre-Application Scrutiny**

**1. 450 Bloomfield Avenue, Residential apartments, A.R. Building Company, Inc.**

President of A.R. Development Company, Jason Kambitsis of 310 Seven Fields Boulevard, Suite 350, Seven Fields, PA 16046 and Vice President of construction, Jeff Saris, were present to discuss a project proposal on Bloomfield Avenue. Mr. Kambitsis discussed the history of the company, how they operate and showed examples of multi-family buildings they have built in other communities. He encouraged the Commission to take a tour to see other buildings they have built. He discussed amenities that would be included – a community room, fitness center and pool. Mr. Kambitsis said the apartments would be finished to look like a condo with at least one master suite, washer and dryer in the units, marble countertops and every unit would have outdoor space. He said they are going for a higher-end market rate development. He also discussed the location of the site, conceptual layout with 51 units and asked for feedback from the Commission before they progress forward.

Commissioner Levine asked if they would be leasing the property individually per unit or lease it to a management company. Mr. Kambitsis said they have their own management company and the staff onsite would be A.R. Building employees. He added that they do not provide short-term leases and their shortest lease is 18 months.

Commissioner Levine asked if there would be a property manager on site. Mr. Kambitsis said, yes and maintenance.

Commissioner Levine was concerned with traffic in that area because of its proximity to the interchange of Interstate 91. She said she would like to see a traffic study as part of their application. Mr. Kambitsis said they could do that.

Commissioner Levine asked if there would be any affordable housing. Mr. Kambitsis said that it is all market rate housing right now.

Commissioner Levine clarified that they were not asking for any federal funding. Mr. Kambitsis said they are not doing any outside funding.

Commissioner Mips asked if there would be difficulty passing through the site with the Dunkin Donuts location. Mr. Kambitsis said they haven't done a traffic study but he imagined people would be coming into the site from Bloomfield Avenue.

Commissioner Hallowell asked if they intended to build all of them at once or would start with two and then expand. Mr. Kambitsis said the intent is to build all of them.

Commissioner Levine asked if there would electric vehicle (EV) charging stations. Mr. Kambitsis said, yes and they will have them at every building.

Commissioner Levine mentioned the new law in CT requiring a certain amount of EV charging stations. Mr. Kambitsis said that they design their sites for 40% of the parking spaces to be electric in the future.

Commissioner Mips asked if any of the units have garages. Ms. Kambitsis said, no, it is all surface parking.

Town Planner Eric Barz said he would like to see building some affordability factor into the site and discussed possibly creating a new design development district to justify the density they are looking for.

Commissioner Mips asked if the bus goes up Bloomfield Avenue and stated they might need to include bus service there. Mr. Barz wasn't sure and Mr. Kambitsis said that they would look into it.

Mr. Kambitsis thanked the Commission for their time and said they are really excited about being a part of the community.

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

- 1. 3.9 Site Plan – 105 Baker Hollow Road**, Adding fence, generator and wheel stops, I Zone, Alford Associates, Inc.
- 2. 3.9 Site Plan – 60 Ezra Silva Lane**, New sign, I Zone, 14.47 acres, Ezra Silva Lane, LLC
- 3. 3.9 Site Plan – 599 Matianuck Avenue**, Replace existing tennis and pickle ball courts, new fencing and seating area, NZ Zone, 31.67 acres, TOW

Assistant Town Planner Todd Sealy reviewed the approved applications.

#### **G. Site Plans**

- 1. Site Plan – 29 Windsor Avenue**, Mixed commercial development, 13.8 acres, B2 Zone, Dijon, LLC – *continued from March 14, 2023.*
  - a. Waiver request according to section 3.1.2.C(2)(a)(ii) for reducing the distance between the parking lot or driveway to a building within the Wilson Study Area.

This agenda item was heard during the public hearing portion of the meeting with the corresponding special use applications.

#### **H. Minutes**

##### **1. March 14, 2023**

**Motion: Commissioner Levine moved to approve the draft minutes of March 14, 2023 meeting as presented.**

**Commissioner Harvey seconded the motion and it passed 5-0-0.**

## **II. MISCELLANEOUS**

### **A. New May meeting date – Tuesday, May 16, 2023**

## **III. PLANNER'S REPORT**

### **1. Update on recent development**

Mr. Barz stated that there are a couple of projects reaching their conclusion. Amazon is ready for a certificate of occupancy hopefully this week, the laundromat on the corner of Bloomfield Avenue is getting very close and the SafeLite AutoGlass is moving into the warehouse-flex building on Baker Hollow Road.

Mr. Barz also reminded everyone that the next meeting has been moved to Tuesday, May 16 and will held in the Council Chambers at 7 p.m.

Mr. Barz said they are in the process of developing a request for proposals or request for qualifications to update the plan of conservation and development. He said they will seek outside consulting to work with town staff.

## **IV. BUSINESS MEETING**

### **A. Application Acceptance**

#### **1. Text Amendment – Sections 13.2.9(C)(3)(d)(iv), (v) & (vii) and add new section**

**13.2.9(C)(3)(m)**, Poquonock Villages Design Development, A.R. Building Company, Inc.

#### **2. Special Use Re-Approval – 35 Poquonock Avenue, Section 5.2.6D(2), Outdoor Entertainment, .48 acres, B2 Zone, Beskovic**

The above items will be scheduled for public hearing at the next regular Town Planning and Zoning Commission meeting on May 16, 2023. Mr. Barz added that staff were expecting a few more applications to come in for the May meeting.

### **B. Old Business – None**

## **V. PUBLIC HEARINGS**

Commissioner Levine read the legal notice into the record.

### **A.-D. Site Plan and Special Uses – 29 Windsor Avenue, Mixed commercial development, 13.8 acres, B2 Zone, Dijon, LLC**

Mr. Barz stated that the applicant would like to present to the Commission a new concept for the development that has not been fully engineered. He said this would be almost like a pre-application scrutiny within a public hearing. The applicant was asking for the Commission's feedback tonight as to whether they are headed in the right direction.

VHB Office Manager John Furman, Attorney Brian McCann, and owner and applicant Dinesh Patel were present. Mr. Furman reviewed the new concept and discussed the changes, which included deleting the pocket park, moving the site forward, aligning the driveways, modifying the retaining wall, rotating the buildings and pushing them to the back of the site, moving the daycare further away from the Interstate 91 exit ramp by 80 feet and updating the landscaping to provide extra shielding to the daycare. He noted the same building and uses still exist. He also addressed the Fire Marshal's concerns of getting a WB-50 vehicle through the site and showed improvements.

Mr. Furman stated that they will have to go back to the Wetlands Commission but will need to fully engineer the plan first. He asked the Commission if they were heading in the right direction with this concept.

Commissioner Levine mentioned the traffic patterns issue that was raised at the February meeting and asked if they are planning to install a stop sign or something to control the traffic for those coming out of the car wash. Mr. Furman said, yes. There will be stop signs throughout the site and that the plan they are looking at was just a concept.

Commissioner Levine asked what they envisioned to be between the proposed retail and the exterior play area for the daycare. Mr. Furman said it is just a landscaped area for now. They are exploring ideas and it may have a sitting area with landscaping tables.

Commissioner Levine shared concerns of people sitting outside and smoking near the daycare center play area.

Commissioner Mips said they would have to have a traffic study done. Mr. Furman stated that they had a traffic study done and the revised layout will not change it. He said the traffic study is based on the uses and access points and that has not changed. They have applied to the State for two permits – an encroachment permit to create the curb cuts and an update to an OSTA (Office of the State Traffic Administration) permit. They have received confirmation from ConnDOT (Connecticut Department of Transportation) that an update to the OSTA permit is not needed. He said only the encroachment permit is needed to create the signal and the realignment of Violet Street, which will be reflected on the updated plans per the request of the Engineering Department.

Commissioner Levine asked if it was going to be a 24/7 operation. Mr. Furman replied that the complex itself will not be controlled. It will be lit and the public can enter at any time. He said none of the businesses would be open 24/7.

Commissioner Levine was concerned as the site abuts a neighborhood area.

Commissioner Hallowell stated she was still perplexed about the traffic flow around the car wash. Mr. Furman reviewed the traffic flow with the Commission.

Commissioner Mips shared that the area still seems very crowded.

Commissioner Levine said when they come back, there will be a scaled drawing so they can see the distances between each one of the features. Mr. Furman stated that they were looking at a scaled plan and the dimensions on it are the same. Commissioner Levine said that there is a lot of stuff going on in a small space.

Mr. Furman brought up the original proposal, which showed the travel lanes as 11 feet, 13 feet and 11.5 feet. He added that the site is also unique in configuration as it has very small frontage and then when you get through the frontage, the site widens out. He said the car wash fits very well because it is linear and it plays to that reduced lot width there.

Commissioner Mips said that she was glad to see that they reversed the daycare and the parking but still thinks it is crowded.

Commissioner Levine shared concerns about the daycare being so close to the highway and did not think it was an appropriate place.

Commissioner Hallowell said it is a permitted use. Commissioner Levine said she understood that but wanted to give him feedback.

Mr. Furman said that what the Commission isn't seeing is the landscaping. Since they flipped the building, they now have the ability to add additional landscaping, which would add a buffer and screening.

Commissioner Levine asked what would be in the half circle shown on the plan. Mr. Furman said that the half circle is there for the fire truck to reverse directions. Commissioner Levine asked where the landscaping would go to separate the daycare from the highway. Mr. Furman said by the front of the parking spaces, there is a large landscaped area there and then there will be landscaping areas around the outdoor play area. He said the outside area would be protected.

Commissioner Jaggon shared concerns of the potential negative impact to the brook in Keeney Park in the back. Commissioner Levine replied that it was a wetland's issue. Commissioner Jaggon stated that they will have to go back to the Wetland Commission. Mr. Furman said, yes, they do have to go back but the brook is higher than the development. He said the changing grade from the property line at the public land behind the site to this development is about 30 feet.

Mr. Furman added that they had impervious coverage calculations and this project has more landscaping than the original design and they will have to add more landscaping to comply with the parking requirements.

Mr. Furman mentioned logistics and the 100 days deadline they have to close the public hearing. He said that Attorney Brian McCann would like to address the Commission and strategize. Attorney McCann stated that they understood from the Town Planner that they are under a statutory deadline and that the 100 days would expire after this meeting. He reviewed state statute 87D. Mr. Barz interrupted him and said that the 100 days would get them to the next meeting date on May 16. Mr. Sealy confirmed that was correct. Mr. Barz stated all that is needed is to grant an extension to the May 16<sup>th</sup> meeting, at which time we would have to conclude business.

Attorney McCann said, they could do that. Mr. Furman asked if they would have to file with the Wetlands Commission first before conclusion. Commissioner Mips said, yes. Mr. Furman said they are coming up on the Wetlands Commission filing and didn't think they would make the May meeting.

Commissioner Mips said that the Wetlands Commission usually meets at the beginning of the month before the Planning and Zoning Commission meeting. Mr. Barz stated that they will be meeting two weeks before us in May.

Mr. Furman said that maybe it would go easier since the application would be an update. He said he would look into it and adjust as they need to and would coordinate with the Planning Department staff.

Mr. Barz addressed Commissioner Mips and said if they were forced to withdraw and re-apply, he didn't think they should have to pay the full application fee. He suggested that the base fee would be sufficient and not charge the full site plan fee. Commissioner Mips agreed.

#### Public Comment:

Shaneek Brown of 733 Windsor Avenue shared traffic concerns with the increase of uses for the site, especially around rush hour.

Mr. Furman replied to Ms. Brown and said that they are proposing a traffic light at that intersection. He said the stop sign he was referring to was in response to the question about the internal intersections.

Commissioner Mips asked if they have approval on the traffic light because they are at the State highway. Mr. Furman said they are submitting a permit application and don't have approval yet.

Commissioner Hallowell asked which entrance would have the proposed traffic light. Mr. Furman said the full entrance, the two lanes out and one lane in.

Mr. Barz asked that Mr. Furman verbally request a recess to the public hearing until the next meeting and Mr. Furman did so.

**Motion: Commissioner Levine moved to recess the public hearing to the next meeting on May 16, 2023. Commissioner Jaggon seconded the motion and it passed 5-0-0.**

**E. Special Use Re-Approval – 777, 903 and 1001 Day Hill Road, Section 15.2.13, Top Soil, Gravel, Sand, Clay, or Stone Removal, I Zone, Alford Associates, Inc. – *postponed from March 14, 2023.***

Professional Engineer and Land Surveyor Wilson Alford, Jr. was present on behalf of the owner Mark Greenberg and provided a brief overview of the renewal application. He discussed the location of the excavation and the Engineering Department comments that he received last Wednesday. He asked that the Commission approve subject to resolution of the Engineer's comments.

Commissioner Mips asked if he had approval from the Wetlands Commissioner. Mr. Alford said, yes.

Commissioner Mips said that the Engineering Department had a number of points and asked where he stands on those. Mr. Alford said they received the comments last Wednesday and with the holiday, they didn't have a chance to take care of them. He has reviewed them and they are acceptable to them.

Commissioner Mips asked if they will stop work instead of having a water truck. Mr. Alford said there has always been a water truck on site. He said the small piles are the hardest to get watered but that the piles are temporary.

Commissioner Mips said the Engineering Department has problems with the phasing plan and that they don't match the plan sheets. Mr. Alford said they would take care of the coordination there.

Commissioner Levine said the letter dated June 15, 2021 from Mr. Landry is two years old and she asked if he was still in agreement. Mr. Alford said he would assume so and that he had not contacted him. Commissioner Mips thought an updated letter was necessary. Mr. Barz said he didn't think it was needed. Mr. Landry was made aware of the full extent of the grading a year ago and they are just back for a renewal.

Commissioner Jaggon asked if there are any contaminants in the top soil that is being moved. Mr. Alford responded that there are the normal contaminants found in agricultural/tobacco fields. The top soil has to be handled according to DEEP (Department of Energy & Environmental Protection) requirements.

Commissioner Jaggon asked if DEEP was involved at this time. Mr. Alford said he wasn't sure if DEEP was involved or that they are doing it according to their procedures and guidelines.

Commissioner Jaggon asked if there was any documentation of what is in the soil. Mr. Alford said he didn't have any but he'd make available to the staff whatever they do have.

Public Comment: None

Mr. Barz said the operator who was doing the excavation wasn't adhering to the wetland's plans or the zoning permit. They were operating in the wrong location and opened up more acreage without closing up finished acreage than they should have. He said they also had to go back to the Wetlands Commission to amend the wetlands permit. The Engineering Department has given a list of comments that should address the situation going forward. Mr. Barz believed the Wetlands Commission required Mr. Alford to monitor the operator more closely.

Mr. Alford stated that he is required to make an inspection on a weekly basis to ensure they are adhering to the plans.

Mr. Barz stated that he spoke with the Town Engineer about the comments and she did not think there was anything that would call for delaying the Commission's approval. He asked that the Commission condition their approval to the Engineer's April 5<sup>th</sup> memo.

Commissioner Jaggon shared concerns that there was no input from the Health Department regarding the contaminants in the soil. Mr. Barz said there are pesticides in all of the former tobacco fields in town and unless it is being used for residential purposes or for a park or school yard, they can keep the soil in place or



if it is taken off site, it has to be tracked and properly disposed of. If this were being used for residential development, then we would be very concerned.

Commissioner Jaggon said he was concerned for the employees who are exposed at the site every day and he asked that the Health Department take a look. Mr. Barz noted that pesticides were being applied on a yearly basis when it was a tobacco field with development all around it.

Commissioner Harvey said that she is more concerned about the dust and that it be controlled more appropriately. Mr. Alford said the top soil is not as bad as the sub-soil. The sub-soil is a finer material, which he has seen blow around a bit more.

Commissioner Hallowell said that this is just a re-approval of an existing permit. Mr. Barz said, yes, but they were in violation of two separate permits. He also clarified that this permit is only for one year and that it is noted in the regulation.

**Motion: Commissioner Levine moved the re-approval of the special use for 777, 903 and 1001 Day Hill Road, subject to resolution of all the outstanding issues identified by the April 5<sup>th</sup> memo from the Town Engineer.**

**Commissioner Harvey seconded the motion and it passed 5-0-0.**

#### **F. Text Amendment – Sections 2.2 and 3.3.5K, Electric vehicle charging stations, TOW**

Assistant Town Planner Todd Sealy provided an overview of the proposed text amendment. He discussed the State's new Public Act 22-25 regarding requirements for electric vehicle (EV) charging stations and read the proposed text amendment.

Commissioner Levine asked what was considered a safe distance from a building. Mr. Sealy said at this time, the current building and fire codes do not have a lot of recommendations on what the safe distances are. He said we are trying to put something into the regulations that indicates that we would like to see the stations spread out over a site and not all pushed up against the building.

Commissioner Levine said if there was a fire and it was too close to the building, it could be tragic.

Commissioner Harvey said there had been a lot more recent incidents with EV charging stations being too close to combustible materials, which should be avoided. She said she knew the DEEP's spills group has responded to a lot more issues with EV charging stations inappropriately located.

Mr. Barz stated that handicap spaces by law have to be the closest space to the entrance to the building, so they are often 10-15 feet from the building because they have to be there.

Commissioner Levine said that 10-15 feet seems reasonable. She was thinking 5 feet or less would be concerning.

Mr. Barz said that we have parking lot separation requirements in our regulations and we wouldn't allow that to happen.

Mr. Sealy added that our Fire Marshal reviews applications in great detail and would be looking at distances.

Commissioner Mips said there were no comments from the Fire Department, so she would assume this was discussed with staff. Mr. Sealy said, yes and as building and fire codes catch up with some of these new regulations and new technologies, we can update our regulations.

Public Comment: None

Commissioner Levine read the March 17, 2023 CRCOG letter into the record.

**Motion: Commissioner Levine moved approval of the text amendment for Sections 2.2 and 3.3.5K dealing with Electric Vehicle charging stations.  
Commissioner Jaggon seconded the motion and it passed 5-0-0.**

**G. Zone Change – 777 Bloomfield Avenue, I to AG Zone, 41.5 acres, Beaudoin**

Commissioner Levine stated for the record that the applicant's attorney is a personal friend of hers but their relationship would not have any bearing on her determination of this application.

Commissioner Mips asked if anyone had any objection to that and nobody objected.

Attorney John Webber from the law office of Cori-Lynn Webber at 126 Palisado Avenue in Windsor was present on behalf of the applicant. He gave a brief overview and discussed the history of the property and the applicant's plans for the property.

Commissioner Hallowell asked where the access point would be if they intend to build a home. Attorney Webber said there is a right-of-way adjacent to Mitchell Selig Ford and it runs up behind the dealership. He said it has been there for many years and serves this property and two other parcels.

Commissioner Hallowell asked Mr. Barz if there were any regulations on building a home on a property zoned AG (agricultural). Mr. Barz said the AG Zone is a defacto residential zone with a density of one unit per three acres and any residential structures adhere to the AA residential standards.

Commissioner Hallowell asked if there was anything that would preclude it from being subdivided. Mr. Barz said it is a land locked piece, as are the other two properties that share the right-of-way, and unless they gained some other access, they would not be able to subdivide.

Commissioner Mips asked if the Addison Road Extension would allow them to subdivide. Mr. Barz said they are cut off from that by the rear of Mitchell Selig Ford.

Commissioner Hallowell asked if that was where the access point is now. Attorney Webber said no, it is somewhat adjacent to that.

Commissioner Mips said that it is beyond that, just before Mitchell Selig Ford.

Commissioner Hallowell said that her only concern is the access.

Commissioner Harvey asked what the current access looked like. Attorney Webber said that it is paved adjacent to Mitchell Selig Ford and as you reach the back of the Mitchell parcel, it turns to gravel.

Commissioner Levine read the Fire Marshal's comments and asked if that meant they would require sprinklers to be installed in the home. Mr. Barz said because the house is so remote, there would be significant delay in fire service reaching there and the Fire Marshal is strongly recommending that they put in residential sprinklers. He said he was not clear on whether building a house on that lot rises to the level of creating a flag lot since there was historically a house there for a long time and they are replacing something that was torn down.

Commissioner Levine asked if it was just a recommendation. Mr. Barz said he would love to see them put sprinklers in there but this is a zone change and we cannot condition a zone change.

Commissioner Mips was concerned that the AG Zone allows for livestock to be raised there and there are residences around it. Attorney Webber said that the two residences are quite a ways away. He said it is not the applicant's intention to get into any serious farming or livestock.

Mr. Barz added that there are significant wetlands here that render it unsuitable for industrial use and the majority of the wetlands lies between the residences on Ezra Silva and the other properties on the east side are zoned agricultural.

Attorney Webber said that the applicant is aware of the Fire Marshal's concerns and as they proceed to building a house, they will take those into consideration.

Public Comment: None

Mr. Barz said the staff met with the applicant. He said staff have been looking at this property for many years and wondering what could be done with it industrially. He said he thought it was a good move to take it from a non-conforming residential use and make it a conforming use, which gives more flexibility. He said the land is not suitable for industrial use.

Commissioner Levine read the March 31, 2023 CRCOG letter into the record.

**Motion: Commissioner Levine moved approval of the zone change at 777 Bloomfield Avenue from the I to the AG Zone with 41.5 acres.**

**Commissioner Jaggon seconded the motion and it passed 5-0-0.**

**H. Zone Change – 120 High Street, B2 to AA Zone, 5.38 acres, EBEX, Inc.**

Engineer and Land Surveyor Ed Lally of Ed Lally Associates in Windsor was present to represent EBEX, Inc. Mr. Lally discussed the location of the property and reasons why the site was unsuitable for business development.

Commissioner Mips asked what the double dotted line was on the plan. Mr. Lally said that is the wetlands line.

**Public Comment:**

Naiomi O’Sullivan of 50 Fitzmaurice Circle asked what the plans were for the land and if houses were going to be built. She said if the land were to be developed, she shared concerns with traffic, the small strip mall nearby and wildlife displacement.

Commissioner Mips said that the AA (residential) Zone would allow residential uses.

Mr. Barz said that staff had met with the applicant and reviewed the zone change. He agreed that the property is topographically challenged and not likely to be suitable for B2 development, unless there was a direct extension of the office/retail complex next door. He said we cannot get into the ultimate intent for the property because we are just talking about a zone change and plans can change. He said he would let Mr. Lally respond to the public comment question.

Mr. Lally said the development would take place on High Street and said Fitzmaurice Circle would be hundreds of feet away. The traffic would be addressed when they come in for a special use permit. He said there would be no disturbance near their property and minimal impact on traffic, less than a single-family residential subdivision.

Commissioner Harvey asked if there would be a future proposal to subdivide this property. Mr. Barz said not necessarily to subdivide. He said the Commission approved a text amendment from Mr. Lally a few months ago that outlined his intention. It was for a new form of assisted living and would require a special use permit.

**Motion: Commissioner Levine moved approval of the application for zone change at 120 High Street from the B2 to the AA Zone.**

**Commissioner Jaggon seconded the motion and it passed 5-0-0.**

**I. Re-subdivision – 11 Goodwin Drive, 2 lots, 62.47 acres, I Zone, Blueprint Partners Corp**

Attorney Evan Seeman from the law offices of Robinson and Cole in Hartford and Civil Engineer Isaiah Brown from Langan Engineering and Environmental Services were present to represent the applicant. Attorney Seeman gave a brief overview and discussed the property details and intent. Mr. Brown discussed the existing property boundary, acreage, location and proposed re-subdivision.

Commissioner Mips asked if the entrance point would be off of Goodwin or Iron Ore. Mr. Brown said they are working with staff but preliminarily there would be curb cuts on both roads.

Commissioner Hallowell asked if it was zoned agricultural right now. Mr. Brown said that it is in the I Zone right now. Commissioner Mips added that it was all Griffin farmland.

Public Comment: None

Mr. Barz said that staff reviewed the application with the applicant. He said several years ago Griffin Land had come in for a re-subdivision and a site plan was approved but the deal fell through and they never filed the re-subdivision in the land records. He said the Commission is essentially re-approving something that had previously been done. He said there will be an application coming forward at the next meeting.

**Motion: Commissioner Levine moved approval of the re-subdivision of 11 Goodwin Drive into 2 lots for a total of 62.47 acres in the I Zone.**

**Commissioner Jaggon seconded the motion and it passed 5-0-0.**

**J. Design Development Concept Plan – 144 Broad Street**, 106 units, B2 Zone, 2.655 Acres, Alford Associates, Inc.

Gregory Vaca of GRAVA Properties and Christian Alford of Alford Associates were present and provided an overview. Mr. Vaca discussed phase 2, the purchase of additional land and what it allowed them to do, public amenities and access points.

Commissioner Mips asked if residents on Upper Broad Street would still have access. Mr. Vaca said, yes. The access has been maintained for pedestrians and vehicles and he believes the pedestrian access has been enhanced.

Commissioner Mips asked if they would access it through the second driveway. Mr. Vaca said yes, it's the same connection that exists today from Upper Broad Street.

Commissioner Mips asked if they'd be coming out the back. Mr. Vaca said, no, they would come out through the front on Prospect Street.

Commissioner Levine asked about the location of the EV charging stations. Mr. Vaca said the original plans didn't include charging stations and they are introducing more into the site.

Commissioner Levine asked if they were going to separate them. Mr. Vaca said they could separate them.

Commissioner Levine asked where the handicap parking is on the plans. Mr. Alford showed where they are located.

Commissioner Mips noted that there are a number of comments from the Engineering Department and staff. Mr. Alford said he didn't think there was anything there that was insurmountable.

Mr. Barz asked if it was still accurate that all the utilities would be venting through the roof and that there would not be a multitude of penetrations through the exterior walls. Mr. Vaca said his recollection was the south building would not have venting out the façade, where it is visible from the town. He said that on secondary facades, they would vent through the façade and use a matching color with the façade so they would blend in.

Mr. Barz asked if there was any chance they could try to do better than that. Mr. Vaca said the way they have approached this project from the beginning is the south building is really where the town experiences the project and that is where they have premium façade materials and venting through the roof but to the north on the south building, facing the parking lot, it doesn't seem like the right place to be expending funds when it will only be seen by residents.

Mr. Barz said a bicycle shelter had been mentioned on the plan and asked about the nature of that. Mr. Vaca said he had sent an example to Mr. Sealy. He said it would be attractive and meant to cover the bicycles to protect them from rain. Mr. Barz asked if it was like a bike locker. Mr. Vaca said, no, it is just a roof. He showed the Commission an example. He mentioned there will be a separate storage location.

Mr. Barz said the Fire Marshal commented that the restaurants and retail will have to comply to include sprinklers. Mr. Vaca said, yes.

Mr. Barz said he didn't see anything in the staff comments that couldn't be worked out with an approval subject to the outstanding comments on the two memos – April 10<sup>th</sup> from the Engineering Department and April 11<sup>th</sup> from the Planning Department.

Public Comment: None

Commissioner Jaggon asked if the affordable housing percentage remains at 20%. Mr. Vaca replied, that is right.

**Motion: Commissioner Levine moved approval of the Design Development Detail Plan for 144 Broad Street, 106 units in the B2 Zone, subject to staff review and approval of all the items outlined in the memos of April 10<sup>th</sup> from the Engineering Department and April 11<sup>th</sup> from the Planning Department. Commissioner Hallowell 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 9:03 p.m. Commissioner Harvey seconded the motion and it passed 5-0-0.**

Respectfully submitted, \_\_\_\_\_, Andrea D. Marcavitch, Recording Secretary April 11, 2023.

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Jill Levine, Secretary