

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

**Present: Commissioners Mips, Levine, Jaggon, Jepsen and Kuintzle and Alternate Commissioner Hallowell**

**Absent: Alternate Commissioners Harvey and 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. CIP (Capital Improvement Program) for FY 2024-2029**

Assistant Town Manager Scott Colby gave an overview of the six-year CIP, which included long-term and short-term goals.

Commissioner Mips asked if the streets that were dug up would be repaved this year. Mr. Colby replied that any streets dug up by utility companies would be repaved and that there are standards on how the repaving would be done.

Commissioner Levine asked about streetlights and if they were under the authority of the Town or the utility company. Mr. Colby said that the Town owns some of the street lights and some are owned by Eversource. Ms. Levine noted that there were some areas that she has asked for better lighting and she has not seen it addressed in the CIP and she asked if Mr. Colby knew if her requests were being looked at. Mr. Colby said that he would be happy to look into it if she would give him the addresses and Ms. Levine said she would call him.

Commissioner Jaggon asked about updates on the design for the Clover Street cricket field. Mr. Colby stated that work is being done under the current fiscal year – FY23 and they are wrapping up the design for that project. He said he did not have a report from the design developer at this point but he anticipated that we should have something from the Engineering Department in the coming weeks.

Commissioner Jaggon asked why it took so long for Clover Street and Sharshon Park to be improved. Mr. Colby said that those two projects were under design in FY23 and then they will be completed in a few years in the CIP. He said he could not explain why those projects were done at that point in time.

Commissioner Jepsen asked if we are getting close to the percentage we need to be at for paving streets. Mr. Colby said that about 78% of our roads are in good condition and that we are about where we need to be.

Commissioner Jaggon asked who does the rating for the roads. Mr. Colby said that the Engineering Department works with an outside consultant.

Commissioner Jaggon asked if that information was published. Mr. Colby said that he did not believe that information was published online. Mr. Jaggon thought it was good information to have available so taxpayers would know when their roads would be done. Mr. Colby said that the information does not indicate when the roads are being paved and that it just indicated what the road rating level is for that road, which then allows for the Engineering Department to prioritize which roads should be included in future years of the CIP.

**Motion: Commissioner Levine moved that the Town Planning and Zoning Commission recommend to the Windsor Town Council, pursuant to CGS Section 8-24, approval of the Town of Windsor and Windsor Board of Education proposed Capital Improvements Program for fiscal years 2024-2029.**

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

## **2. Transfer of town-owned property at 2T Kendrick Place**

Assistant Town Manager Scott Colby gave an overview of the request, which included the location, size, description, history, value and restrictions of the property.

Town Planner Eric Barz asked if the property owner was made aware that they would have to go to Inland Wetlands before making any improvements within the Upland Review Area. Mr. Colby said yes, that is correct.

Commissioner Levine asked if the new property owner would be responsible for maintaining the masonry barrier between the pond and Marshall Phelps Road. Mr. Colby replied that would still be within the Town right-of way. Ms. Levine said the Town would still be required to maintain that area. Mr. Colby said yes.

Commissioner Jaggon asked if he thought COVID-19 was a deterring factor for people to attend the public hearing in 2021. Mr. Colby stated that they were offering their meetings in a hybrid format and they did have public hearings available virtually via Zoom as well.

Commissioner Jaggon suggested that it would be a good idea to redo the public hearing. Mr. Colby said he would take that into consideration.

Commissioner Jepsen said that he attended the public hearing and that the abutters were listening. He asked if the map they were given was an accurate description because it seemed that there were parts that may be the Town's responsibility and maybe the States. Mr. Colby said that it is an accurate description of the boundary and that there are easements that the Town has, as well as a right-of-way.

Commissioner Jepsen asked if we wanted to keep the area at the corner to maintain the line of sight.

Commissioner Mips said there are easements on it so the property owner knows the State is responsible.

Mr. Colby stated that the property owner is aware of the easements that are there, both the Town and the State.

Commissioner Jepsen asked if the property owner was responsible for the line of sight issues. Mr. Colby said to a degree, yes. Commissioner Jepsen asked if the Town can still go on the property to clear the line of sight if we need to. Mr. Colby said yes.

Commissioner Levine asked about the black lines on the diagram and if it was what the State owned. Mr. Colby said no, that is all the Town owned parcel that would be transferred over and within that there are easements that the Town and state own.

**Motion: Commissioner Levine moved that the Town Planning and Zoning Commission recommend to the Windsor Town Council, pursuant to CGS Section 8-24. Approval of the transfer of a portion of town-controlled real property, vacant land, located at 2T Kendrick Lane as described in the attached deed.**

**Commissioner Jepsen seconded the motion and it passed 4-0-1 (Commissioner Jaggon abstained).**

#### **E. Pre-Application Scrutiny**

##### **1. Loomis Institute, Inc. – 1228 Windsor Avenue and 28 Island Road/10-34 Beckwith Drive,** Construct two new single-family employee houses, NZ Zone

Attorney David Hoopes and Director of the Physical Plant Lance Hall from Loomis were present. Attorney Hoopes provided an overview and discussed the need for faculty and employee housing, the proposal to build two new houses in the NZ Zone and their locations.

Commissioner Mips was concerned whether the proposal would be in keeping with the homes that are on Windsor Avenue. She asked for help from Mr. Barz.

Commissioner Mips said they are taking one lot with a house on it and then adding another driveway and a smaller house on the lot and asked how that would look. Mr. Barz said that he could not picture that stretch of Windsor Avenue.

The Commission discussed where the proposal was located and that there are bigger houses there.

Attorney Hoopes offered that they could pull that house back farther from the street so that it is more in line with the houses that are already there.

Commissioner Levine asked about a square on the plans and if that was another house. Mr. Hall said that it was a small cottage back there.

Commissioner Mips asked where they would move the house that they were referring to. Attorney Hoopes said that it could be moved straight back from Windsor Avenue and moved closer to the cottage but that it would still be separated by a fair distance. He stated that it would give similar setbacks as the other houses on the street.

Commissioner Levine commented that the driveway looked very disproportionate to the size of the house and asked if it was a scaled drawing. Mr. Hall said the drawing is scaled and that they could make the house bigger too. He said the plans are still under development, so there is no full set of plans.

Commissioner Jepsen asked about the sewer in the back and if it is proposed or if it exists. Mr. Hall said MDC currently has a line that ends in the back and they would connect to it. He said the proposal is to extend that line to the next door neighbor at 1212 Windsor Avenue.

Commissioner Mips asked about the small building at 1228 Windsor Avenue and if it was an electrical building. Mr. Hall said that it is a two-bedroom cottage where a faculty member lives.

Commissioner Mips shared concerns of how it would look from the frontage and that she was not worried about the one off of Island Road. She asked Mr. Barz what the Commission is being asked. Mr. Barz said that the NZ Zone requires that single-family homes be built in accordance with AA Zone standards and it also says that the Commission can allow the development to differ from those standards because of peculiarity of use. He gave examples on the Loomis campus and said a precedent has occurred, so they are asking for another to be added from the original. He said if they are going in the right direction, they will continue developing their plans and come back to staff and if staff thinks it needs to come before the Commission then they will do that.

Commissioner Mips said her only concern is what the small house will look like next to the big house at the top of the hill.

Mr. Barz suggested that they make it relate more to the existing cottage than the house and to serve it off the same driveway, the way the existing cottage is.

Mr. Hall said that they are very aware of the aesthetics there and that they would work to make it fit in with the neighborhood.

Commissioner Levine asked if they are looking to build two houses on Island Road. Attorney Hoopes said they had changed their thinking on that and could make a legal lot with just one variance. They have 75 feet of lot width and they need 85 feet. He said the plan is to go before the Zoning Board of Appeals and then they do not have to do a zone change.

Commissioner Mips said that staff would need to see the final plans and if necessary, come back before the Commission. The other commissioners agreed.

Mr. Hall and Attorney Hoopes thanked the Commission for their time.

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

**1. 3.9 Site Plan – 777 (875) Day Hill Road**, Adding drainage to soccer fields, I Zone, Alford  
Assistant Town Planner Todd Sealy reviewed the approved application.

**2. 90-day Extension Request for Re-subdivision filing – 11 Goodwin Drive**, 2 lots, 62.47 acres, I Zone, Blueprint Partners Corp.

Attorney Evan Seeman of Robinson & Cole was present via Zoom. Attorney Seeman reviewed the request and asked the Commission to approve the 90-day extension.

**Motion: Commissioner Mips moved approval for a 90-day extension as requested. Commissioner Levine seconded the motion and it passed 5-0-0.**

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

**1. Site Plan – 458 Windsor Avenue**, Public park, 5.68 acres, NZ Zone, TOW

Professional Engineer Rob Newton of BSC Group was present. He gave an overview of the park and discussed location, access, current usage, plans, the entrance, parking spaces, seating areas, multi-age and accessible playground, open space, open air pavilions, restroom, exercise equipment and access to Deckers Brook.

Commissioner Mips said that it looks good and that it had been a long time coming.

Commissioner Jaggon asked about the options for restroom facilities and asked if we might not have a restroom facility there. Mr. Newton said there are two options for the Town to choose from – a hard-walled, permanent structure or portable toilets, which would be screened appropriately.

Commissioner Jaggon commented that having a park of this magnitude should have a restroom facility and should be a part of the plan. Mr. Newton said there would be bathroom facilities but that it would either be a permanent structure or a portable one.

Commissioner Jepsen asked about the stage area and if they had considered an elevation rise so the people in the back could see the stage. Mr. Newton said the great lawn slopes from north to south, so if you are looking at the stage it is slightly down but it is generally flat. He said their goal was not to add a lot of fill and costs to the project.

Commissioner Jepsen asked about using an area to the south to provide additional parking and asked if it had been discussed. Mr. Newton said they tried to keep that area as-is to support the area business owners and not impact their operations. He said an option would be to work with the business owners if additional parking was required.

Mr. Sealy thanked the team at BSC for working with the Town to develop these plans. He said these projects are extremely complex with a lot to consider within a public space – maintenance by DPW; programing by Recreation and Leisure Services; looking at the needs and wants of the community; and public safety and security. Mr. Sealy said that there were a lot of departments to take into consideration

and that the staff wanted to be sure to deliver the best project and product for the residents. He concluded by thanking all of the Town staff who helped get the project this far.

Commissioner Mips thanked Mr. Sealy and mentioned that she was glad to see the opening remained on Drake Street so that way people could walk in.

Commissioner Levine shared that she thought it was a vast improvement.

**Motion: Commissioner Levine moved the approval of the site plan for 458 Windsor Avenue for a public park as described by the applicant.**

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

- 2. Site Plan – 29 Windsor Avenue**, Mixed commercial development, 13.8 acres, B2 Zone, Dijon, LLC
  - 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 application.

#### **H. Minutes**

##### **1. June 13, 2023**

**Motion: Commissioner Levine moved to approve the draft minutes of June 13, 2023 meeting as amended.**

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

#### **II. MISCELLANEOUS – None**

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

##### **1. Update on recent development – None**

#### **IV. BUSINESS MEETING**

##### **A. Application Acceptance**

##### **1. Site Plan & Special Use – 120 High Street**, Housing for handicapped persons, 8 units, 4.38 acres, AA Zone, EBEX, Inc.

The above items will be scheduled for public hearing at the next regular Town Planning and Zoning Commission meeting on September 12, 2023.

Mr. Barz said it is our practice to take August off and said the regulations allow the staff to ask the Chair permission to add items to the September agenda if we have sufficient time to get items to CRCOG where required or advertise in the Hartford Courant. He said while we only have this one site plan and special use, he would expect that over the summer we will accumulate several more applications.

##### **B. Old Business – None**

## V. PUBLIC HEARINGS

Commissioner Levine read the legal notice into the record.

**A. Special Use – 777, 903 and 1001 Day Hill Road**, Section 15.2.13, Top soil, gravel, sand, clay, or stone removal, I Zone, Alford Associates, Inc.

Civil Engineer and Land Surveyor Wilson Alford, Jr. of Alford Associates, Inc. was present. He reviewed the application and discussed the location, history of application and proposal to prepare the property for a commercial development.

Public Comment: None

Mr. Barz said ordinarily when you approve a site plan, that site plan could include significant grading. In this case, they would like to get going on that grading while the plans are being developed to give them a head start, which they are within their right to do. He recommended approval by the Commission, subject to conditions that have been outlined in the memos the Commission received and to previous conditions of approval on the special use for this property.

Commissioner Levine asked if this was still called a special use. Mr. Barz said yes.

**Motion: Commissioner Levine moved approval of the special use for 777, 903 and 1001 Day Hill Road with the following conditions: that all of the recommendations set forth in the Engineering report of July 6, 2023 be included in the approval and that the conditions set forth in the Wetland Agent's memo of June 7, 2023 also be included and that all the previous conditions set forth pertaining to the site be also incorporated.**

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

**B. Special Use – 29 Windsor Avenue**, Section 5.2.6H, Parking within a front yard, 13.8 acres, B2 Zone, Dijon, LLC

Attorney Brian McCann of Pullman and Comley, Project Engineer Jeffrey Galarneau of VHB, property owner and applicant Dinesh Patel of Dijon, LLC and Certified Planner John Guskowski were present. Attorney McCann provided an overview and discussed size and location of site, proposed special uses, wetlands on site, drainage improvements and mitigation, parking, buffer area, turning radii and DOT approval for the new curb cut and possible traffic signalization.

Mr. Galarneau presented the plans and discussed the demolition plan, limit of work, orientation, curbing and pavement, overall site plan, off-site improvements, drive-thru cue, layout and materials plan, access, lower parking field, fueling canopy, car wash, 21 vacuum stations, intersections, emergency vehicle access and rear drive aisle, concrete sidewalks and crosswalks, EV parking stations and handicap spaces, grading and drainage, retaining wall, utility plan, erosion and sediment control, location of lights and landscaping.

Commissioner Mips said that on the north-side there is one lane coming in and on the south-side there are two lanes coming out and another lane going in. She asked why they do not have all of the entrances on the north-side. Mr. Galarneau explained that because of the geometry of Windsor Avenue on the south-side,

they are allowed to have a full access where vehicles are allowed to enter and exit. He said on the north-side there is an island there that does not allow full access there and would create vehicle conflicts.

Commissioner Mips asked if there would be some kind of directional sign so vehicles can get from the beginning all the way up to the convenience store because it looks like there could be cross traffic there. Mr. Galarneau demonstrated how to navigate through the site.

Commissioner Mips asked how they would slow people down and was concerned with the cross traffic. Mr. Galarneau asked if she was looking on the south-side. Commissioner Mips said no, her concerns were on the right-side and asked if they would have stops signs. Mr. Galarneau said yes and that they have added some stop signs and stop bars from last time and they could add another one where Commissioner Mips was concerned.

Commissioner Mips shared concerns with traffic, especially during rush hour. Mr. Galarneau thought adding the stop sign and stop bar would help.

Mr. Galarneau showed pictures of the proposed convenience store.

Commissioner Levine commented that there are a number of large trees shown on the south-side, along the property line, and asked if the tree canopy would eventually impede on the fire truck route. Mr. Galarneau did not believe the intent was to have the canopy extend over the driving lanes.

Commissioner Levine said that some of the trees that they have indicated incorporating into the site will grow to be 30-40 feet at maturity. Mr. Galarneau said that it would be more of a maintenance issue.

Commissioner Levine suggested finding some trees that grow in an upright fashion instead of trees that grow out. Mr. McCann suggested planting trees that grow 12-15 feet instead. Commissioner Levine agreed.

Commissioner Jepsen asked where the pedestrian access would be if one was in the lower parking lot charging a vehicle. He said he would have concerns if people were just walking through the traffic. Mr. Galarneau said they would look at that and could add a sidewalk and some crosswalks to give pedestrians a more controlled route.

Commissioner Jepsen shared that his father said the most dangerous place to drive is in a parking lot and that he saw a possible safety issue there.

Commissioner Mips agreed.

Mr. Barz asked for clarification on the route through the car wash and vacuum stations. Mr. Galarneau said that it is one-way on either side.

Commissioner Mips asked what would be used for a delineation between the vacuum stations and the drive-thru entrance lane. Mr. Galarneau said that it would be a raised, 6-inch curbed island with grass in the middle.



Mr. Barz asked if the parking spaces for the vacuum stations would be meet the required depth. Mr. Galarneau said that they are longer than what is required.

Mr. Barz said that the consensus of the staff, regardless of the WB50 turning radius shown, is that the site is too compressed with too many pinch points and conflict areas with traffic. He asked if all of those vacuum stations are necessary and he questioned the requirement for three pay points to get into the car wash on the north-side. He said if three were not necessary, they would have a lot more breathing room to decompress the site. Mr. Galarneau said the emergency vehicle does not need to go through the vacuum station area. Mr. Barz said that he was talking about giving the site some breathing room and not having narrow strips between everything. Mr. Galarneau said that the models show that the firetruck can get through and Mr. Barz said that he understood that.

Mr. Sealy said there was a drawing in their files that explained how the vacuum station area would work with the parking spaces. He opened the drawing on the computer screen illustrating the vacuums and parking spaces. He explained that the vacuums and hoses are located overhead so it would not be cutting off a portion of the parking space.

Commissioner Levine asked about the demolition plan and what were the plans in the back, upper, left-hand corner where there is a little jog. Mr. Galarneau replied that they are grading that back swale area should phase II come then that swale goes away and will get moved up. He said it will have the same purpose that it has today but just for a future phase.

Commissioner Levine asked why it is necessary to do it now. Mr. Galarneau replied that they want to protect the site from water making its way from the upper tier. The water will be intercepted and then allowed to flow in the direction that it currently flows.

Commissioner Levine asked if it would be a swale in the upper area. Mr. Galarneau said no, they need to do grading and demo first.

Commissioner Jepsen asked where the water is going to go. Mr. Galarneau showed on the plans the direction of the flow of water on the site. He said the water would make its way to the wetlands.

Commissioner Jepsen clarified that it would not flood Windsor Avenue or the gas station next door. Mr. Galarneau said right, and that they are conveying the water to the wetlands instead of flowing through the site and into the wetlands.

Commissioner Levine asked what would be served through the drive-thru other than coffee and soft drinks. Mr. McCann said that he believed they would have food items as well. He said they are looking to have a vendor operate the kiosk that uses the drive-thru. They are looking at something like a donut shop.

Commissioner Levine asked if the vendor would also run the convenience store as well. Mr. McCann said that it was possible but that they are also in conversations with some vendors where there would be a separate vendor for the drive-thru.

Commissioner Kuintzle asked if there was any further consideration for the neighbors across the street who already have an existing water problem and was concerned that the development were further exacerbate the issue. Mr. Galarneau said that any stormwater that is introduced to the site will be collected and placed in an underground storage system to hold it and then there will be a piped underground outlet to Windsor Avenue. Mr. McCann added that there is no water management on the site currently.

Commissioner Kuintzle reminded the applicant that there were several neighbors who live across the street who shared their flooding concerns because of the grade of the property at the last public hearing. Mr. Galarneau said they put catch basins there to collect any water from exiting the site, which is standard practice.

**Public Comment:**

Gloria Ruffin of Violet Street shared concerns of walkability, access, increased traffic, loss of small business owners and hours of operation for the convenience store.

Jonathan of 22 Deerfield Road stated that it is a high traffic area and that his biggest concern was safety for pedestrians who walk along the street, especially youth who walk in the area. He questioned how a teen would get safely across the street with so much traffic.

Attorney Edward Schenkel of Jacobi & Case, located in Milford, CT, who is representing an abutter at 70 Windsor Avenue requested that the Commission reserve making a decision until the next meeting. He stated that his client has hired several professionals to review the site plans and that they would like to make a presentation at the next public meeting.

Resident Alesha Pepper shared safety concerns that the city bus route and public school bus route is on Windsor Avenue and worried that it is just a matter of time until someone gets hurt.

Mr. Barz summarized the history of the application and listed outstanding comments and staff concerns, which included the gas station and convenience stores elevations and materials, decompression of the site and the realignment of Violet Street.

Commissioner Mips asked if there was a traffic study. Mr. Barz said yes, BCS has reviewed that for us and those are reflected in the Town's Engineer's comments.

Mr. Barz continued and listed unanswered questions regarding the process of realigning the Violet Street intersection.

Commissioner Mips said that she agreed with Mr. Barz and that it continues to be a crowded site and did not think they needed that many vacuum stations.

Commissioner Levine said the plans are an improvement but that she was still not comfortable with it.

Attorney McCann addressed the questions asked during public comment. He stated that the applicant never mentioned having a Cumberland Farms or national retailer at the site. He said that they do know who will be the operator of the convenience store and they are a small business owner. He addressed some of the safety

concerns by stating that the development is appropriate for the site because of the high volume of vehicles and proximity to the highway. He said they are expecting significant comments from the State DOT (Department of Transportation), including but not limited to a signal at the intersection and that will address safety issues on that street that are not currently being addressed.

Attorney McCann continued that he did not believe the public hearing should be extended just so that Attorney Schenkel and his team can prepare an opposition presentation. He discussed ways they amended the plans to address their concerns.

Attorney McCann stated that it will not be a 24-hour operation and that the site would be well lit with security lights at night.

Certified Planner John Guskowski of Tyche Planning and Policy Group stated that it is a well-established principle that the addition of a gas station/convenience store does not generate new traffic. He said that it captures existing traffic that is in need of service. He said the purpose of this facility is to capture and serve that market. He explained that this development is safer and better than other alternatives in terms of safety because it is farther away from the residential population centers like Wilson and Windsor Center and is as close as possible to the highway. He stated that as far as pedestrian traffic, there are existing sidewalks and there will be an enhanced sidewalk as part of this application. Mr. Guskowski shared a page from the Town's Plan of Conservation and Development and showed the Commission that the Plan specifically states that this location is appropriate for this type of development.

Both Attorney McCann and Mr. Guskowski asked the Commission not to continue the application.

Commissioner Levine asked if they had thought about taking the car wash out to free up some of the area. Attorney McCann said they did not think it was necessary.

Mr. Barz said he remembered what a former town attorney had said to staff and the Commission which was that the Commission cannot leave an approval subject to a subjective decision by another body. He gave examples of conditioned approvals that are not subjective. He said with the reconstruction of Violet Street, and all those moving parts, he did not know what the process is there and if there was an opportunity for someone to say no.

Commissioner Mips said she was concerned because there is state land there and there is a lot to take into consideration.

Mr. Barz said that he is thinking back to all of the approvals that they have had with Great Pond to the Amazon facilities and the traffic signals, deceleration lanes and left turn lanes were all worked out at the time of the site plan.

Commissioner Mips said that she agreed and that they do not have the information in front of them for Violet Street. She shared concerns of cross-traffic, speeding and that the site is compressed. She would like to have something from the State stating that they will be doing something at the intersection. She said she can agree with the concept but not with the site plan at this point.

Mr. Sealy asked if Attorney Schenkel could address the Commission again. They agreed it was okay.

Attorney Schenkel stated that it was not their intention to make an eleventh hour opposition. He said that the mailing of the notice was not received by his client until last week and they could not get comments together in time for the meeting. He also noted that according to regulations section 15.2D, which was outlined in his previous letter, it requires an existing gas station to have a self-service car wash and there is no existing gas station.

Mr. John Guskowski responded to Mr. Schenkel's comments. He stated that he had a conversation over email with Mr. Barz regarding section 15.2D and that the regulation had changed over time and that it was the staff's current interpretation that a gas station and self-service car wash could be co-located whether new or existing.

Mr. Barz stated that he thought Mr. Schenkel might have an older version of the regulations and he read the current regulation from Section 15.2D. He said the word "existing" had been deliberately removed from the regulation.

Commissioner Jepsen stated that he agreed with Commissioner Mips about the site plan. He said he would have felt better if the State had weighed in. He acknowledged that when Interstate 91 is backed up, people come off the exit, take a right turn and the traffic gets crazy. He thought it should be part of the plan to have something from the State regarding an additional signal or something to address the traffic.

Commissioner Mips said that the Commission does not come back until September and asked if we could put the application on hold.

Mr. Barz said there are 65 days to close the public hearing, so that would get them to September. He suggested if they were inclined to do that then it would give them a chance to reconfigure the site. He asked that Attorney Schenkel and his group not wait until the eve of the hearing to provide comments. He said if we have two months here, they need to share information with the applicant in all fairness to respond in a reasonable amount of time if we are going to continue this hearing for their benefit.

Commissioner Levine said the purpose of the public notice is so people will know when we are having a public hearing, so that was not her issue and Commissioner Mips agreed. Commissioner Levine stated that Attorney Schenkel should have done his due diligence to monitor this on behalf of his client's interests.

Commissioner Levine said that she was torn because the site is too congested but after listening to Mr. Guskowski who pointed out that our Plan of Conservation and Development, which states this is where these types of development should go. She asked why would we have a plan and then not follow it.

Mr. Barz said the Plan of Conservation and Development states a highway-oriented use, which would include a gas station, but as a special use we have to determine if this is an appropriate location and if there is a need for a gas station at this location.

Commissioner Levine asked if that was subjective as there are other gas stations right in that area. She did not think she was qualified to answer that.

Commissioner Jepsen asked if need is a requirement. He would think that if a property owner wants to build a gas station and it is allowed there, then he should be able to build it. He said he is not against the gas station and that he just worried about the traffic.

Mr. Barz read Section 15.2.1 and the general standards for Section 15 regarding need, which addressed Commissioner Jepsen's question. Commissioner Jepsen replied that they do get to look at need and Mr. Barz said yes.

Attorney McCann said that the DOT will be looking at the safety issue. He said the DOT is telling him to have more firm approvals from the Town in order to finalize their approval and the Commission is looking to have more from the DOT. He went on to say that the State DOT's approval is done according to a traffic manual and is a ministerial act and there would be no issue with conditioning an approval on that. He said it is not discretionary. He said that they do not know right now if they have to reconfigure Violet Street. He stated that he felt like they were stuck in a spiral. He believed it was appropriate to condition this approval on the State's DOT approval.

Commissioner Mips restated that she cannot vote for the site plan at this time and would prefer to recess it with all of the questions out there.

Mr. Barz said that the staff would be happy to intervene with the State's DOT and see if we can get a meeting and some understanding.

Mr. Patel said that they had met with the DOT on the site six months ago and stated that the DOT wants to realign Violet Street on the right-side of the land. He stated that the DOT suggested to them to get a conditional approval from the Planning Board and then the State would be happy to review the traffic assessment. He said a traffic light is warranted at this location and if it is not approved, then they will not do this project. He said they have been working on this project for a year and a half and will have every question answered.

Commissioner Mips entertained the idea of having a special session meeting in August. The other Commissioners agreed that they would meet in August.

**Motion: Commissioner Levine moved to recess the public hearing on 29 Windsor Avenue until August 8, 2023.**

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

**C. Special Use – 29 Windsor Avenue, Sections 15.2.1A & D, Fuel filling station with self-service carwashes, 13.8 acres, B2 Zone, Dijon, LLC**

***Continued to August 8, 2023.***

**D. Special Use – 29 Windsor Avenue, Section 5.2.6C, Establishments with drive-through windows, 13.8 acres, B2 Zone, Dijon, LLC**

***Continued to August 8, 2023.***

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

Poquonock Village Design Development (PVDD), Poquonock Commons LLC

Mark Ferraina of Full Circle Group, LLC located at 126 West Street in Windsor reviewed the proposed text amendment, which would primarily allow for a four-story building where currently a three-story building is permitted. He discussed consolidating building footprints, reducing impervious site coverages, eliminating excess stormwater runoff, increasing open space, landscaping and lawn areas, square footage reduction for one-bedroom and studio apartments, eliminating 100 square foot storage requirement per unit, making uniform parking a requirement for all units regardless of size and removing all three-bedroom units.

Commissioner Mips asked if these buildings were the ones that were considered apartments at the Farmington River. Mr. Ferraina said yes, the apartments in the back right-hand corner where we received approvals for 192 units. He said they are looking to consolidate those 192 units previously in eight building into four buildings.

Commissioner Levine asked if they were increasing the number of units. Mr. Ferraina said no.

Commissioner Levine asked Mr. Ferraina to describe what one and a half parking spaces looks like. Mr. Ferraina said it looks like 288 spaces. He said there is also a master home owner's association and they own four separate additional parking areas in the development that accommodate 40 or 50 additional parking spaces for guests. He believed there would be sufficient parking.

Commissioner Levine asked if the parking was first come, first serve situation. Mr. Ferraina said yes.

Public Comment:

Commissioner Levine read three public comment letters into the record, which included comments and questions from Mary Lou Baryza of 210 Old Village Circle, James Baryza of 210 Old Village Circle and Thomas Carr of 812 Old Village Circle.

Commissioner Levine read the June 22, 2023 CRCOG letter into the record.

James Baryza of 210 Old Village Circle shared his major concern is the parking. He said the streets cannot handle it if the parking overflows into the community. He stated that he sees most households with 2 or more vehicles.

Mr. Barz discussed the history of the application, why the staff had no comments and the justification for the parking requirements. He recommended an approval for the application.

Commissioner Mips asked if four-stories would require an elevator. Mr. Ferraina said yes. He explained that all walk-up units would be eliminated and that all units would be served by an elevator and be made more accessible.

Mr. Barz continued and discussed the improvements to the site, which include significant decompression in the site and creation of additional open space. He said he heard a lot of concerns raised in the public

comment letters. He said we have a two-step process – a concept plan and a detailed plan – both requiring public hearings. He asked those neighbors who are listening that it is critical to attend the first hearing for the concept plan and he explained the process.

Commissioner Levine said that she assumed some of the parking spaces would be for EV (Electric Vehicle). Mr. Ferraina said yes, they would like to do that.

Commissioner Mips said that she liked the idea because it will have less impervious coverage and that it would go from eight buildings to four. She also liked that the building would have elevators to help with the move in process. She added that more parking will be added when the buildings are built and she was not sure if the public realized that.

**Motion: Commissioner Levine moved approval of the text amendment for sections 13.2.9C(3)(d)(iv), (v) & (vii) and add new section 13.2.9C(3)(m), Poquonock Village Design Development, Poquonock Commons LLC as presented by the applicant.**

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

**F. Text Amendment – Section 7.6.4, Self-storage facilities, Targeting Centre One, LLC**  
Certified Planner Donald Poland of Gorman+York Property Advisors, LLC based at 111 Founders Plaza in East Hartford was present and provided an overview. He discussed the proposed text amendment, research conducted and options explored for the RC Zone.

Commissioner Levine asked if there would be space outside for RVs or boats or that sort of thing. Mr. Poland said that no outdoor storage is allowed as written in the proposed text amendment.

Public Comment: None

Mr. Barz said Mr. Poland had spoken to him some time ago and that he incorporated all of his suggestions into the text amendment and had no changes.

Mr. Poland noted a minor change, which corrected a cross referenced section. He said the revision had been emailed to staff.

Commissioner Levine read the June 22, 2023 CRCOG letter into the record.

**Motion: Commissioner Levine moved approval of the text amendment for section 7.6.4 concerning self-storage facilities from Targeting Centre One, LLC as amended.**

**Commissioner Jepsen 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 10:20 p.m.**

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

TP&ZC

July 11, 2023

Page 15 of 16

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

---

Jill Levine, Secretary