

& ZONING COMMISSION 4, 2012 Meeting Minutes

Commission Members Present: Vincent Zimnoch, Alan Gannuscio, Jim Szepanski and
Alternate Peter Juszczynski

Town Staff Present: Town Planning Coordinator and Assistant Zoning and Wetlands Officer
Jennifer Rodriguez, Town Engineer Dana Steele and
Town Planning Consultant Michael O'Leary

Chairman Zimnoch called the meeting to order at 7:15 pm.

Commission roll call was taken.

Mr. Gannuscio moved to seat Mr. Juszczynski for Commission Member Ramsay for all of the evening's proceedings. Chairman Zimnoch seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

MINUTES:

Chairman Zimnoch referred to the April 9, 2012 meeting minutes and asked the Commission members and staff for any comments or corrections. There were none. Mr. Zimnoch moved to approve the April 9, 2012 meeting minutes, as published. Mr. Szepanski seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

PUBLIC HEARINGS:

- a. Public hearing on the site plan review and special use permit application of Brian Summers to operate valet parking on the property located at 183 Ella Grasso Turnpike.**

Chairman Zimnoch asked Mr. Szepanski to read the rules for conducting a public hearing. Mr. Szepanski then did so.

Brian Summers of Scenic Management/Days Inn located at 185 Ella T. Grasso Turnpike addressed the Commission. A discussion took place regarding the actual address of the property in question and it was determined that the agenda and the legal notice had been published with the incorrect street address. They had been published for 183 Ella Grasso Turnpike, but the actual address was 185 Ella Grasso Turnpike. Mr. Summers stated that they had had the required sign posted at the property for several weeks and that they had notified their neighbors of their intentions.

Mr. Gannuscio suggested that, given the nature of valet parking in Windsor Locks, the best solution would be to re-notice the public hearing for the following month's meeting. He went on to say that he did not want a lawsuit to come up due to the incorrect notice. Mr. Summers stated that proceeding with the public hearing and subsequently the valet parking was instrumental to their survival in order to keep people employed. The discussion then continued further and the Commission members all agreed that the hearing should be re-noticed and the hearing postponed until the June meeting. After a discussion regarding the placement of the public hearing sign on the property, it was suggested that the sign be moved from the front window of the building to the gazebo in the front of the property.

Mr. Gannuscio moved to postpone the public hearing on the site plan review and special use permit application of Brian Summers to operate valet parking on the property located at 185 Ella Grasso Turnpike to June 11, 2012. Chairman Zimnoch seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

REVIEWS:

a. Review of the site plan modification application of Joseph T. Colla and Colla Construction Company, LLC for the property located at 14 Old County Road.

Joseph Colla of Colla Construction Company, LLC was present.

Mr. O'Leary summarized the introduction to his memorandum dated May 13, 2012 as follows:

- The property in question was the former site of the Windsor Locks Oil Company.
- The Windsor Locks Oil Company stored their trucks in the same location that Mr. Colla was proposing to store his vehicles.
- The property in question, as well as all of the surrounding properties, was zoned Business 1, although there was one residential development.

Mr. O'Leary referred to Items 1 thru 3 in his May 13, 2012 memorandum and summarized them as follows:

1. The site was Zoned Business 1 and the office use conformed to the Regulations. The storage of the construction vehicles could be considered accessory to the office use. It could also be considered a continuation of the storage use as well as a continuation of a nonconforming situation. The proposed installation of a diesel tank could be considered an accessory use as long as it served only the trucks associated with the company in question.



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2. The storage of construction materials in storage bins was not a past use on the site and it was not listed as an approved use for the Business Zone; that was a use allowed in the Industrial Zones. Mr. O'Leary suggested that the storage of materials was not something that could be permitted on the site.
3. Since the property in question abutted a property that was used for residential purposes there was a required 25 foot buffer to the property boundary in common with that residential property

Chairman Zimnoch asked Mr. Colla if he had received input from the Fire Marshall. Mr. Colla replied that he had received a memorandum from the Fire Marshall, Michael Sinsigalli. He went on to say that he had forwarded both pump and tank specifications to Mr. Sinsigalli. He then noted that the Fire Marshall was requiring that the tank be at least 3 feet from the garage and 10 feet from the property line as well as the installation of concrete columns to block one side of the tank. Ms. Rodriguez noted that she had received no further comments from the Fire Marshall.

Mr. Gannuscio referred to page 18 of the Regulations and read the following:

The bulk storage of, or a warehouse for any materials not expressly prohibited, or any materials which will not constitute a public hazard or create an obnoxious odor.

A brief discussion followed regarding the Regulations and Chairman Zimnoch asked Mr. Colla how bulky the materials to be stored would be. Mr. Colla replied that there would not be a lot of materials stored on the site. He explained that it would usually be whatever materials were left at the end of the day and that they might then be used the following day. He went on to say that the piles of materials would never be very tall. Mr. Colla noted that the bins would probably be about 12 feet wide by 12 feet deep. He then stated that all of the materials would come out of the yard for the winter at the end of the paving season, around the beginning of December. Mr. Gannuscio then commented that it appeared as though they weren't really talking about bulk storage or the warehousing of materials.

Mr. Colla explained that from the drywell catch basin up to the fence on the property the elevation was about four to five feet higher. He went on to say that he was thinking of embanking the storage bins into that bank, therefore the bins and material piles would be even less noticeable.

Mr. Szepanski asked how the Commission would know that the piles would not get any bigger over time; how could they enforce it. Mr. Colla reiterated that he did not reclaim any material; he would only have working materials for his jobs on the site. The discussion continued briefly and Mr. O'Leary suggested that the Commission might be favorable to the following type of language:



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Excess material at the end of the day may be stored on the property not in excess of X-number of cubic yards.

The discussion again continued further and Mr. Colla stated that he would have three 12x12x5 foot bins (two to start and then possibly a third later on). Mr. Steele noted that that would be 80 cubic yards of material. Mr. O'Leary commented that they could regulate it by the excess cubic yards of material. Mr. Colla then suggested that they might be able to simply set a height limit for the piles of material. Mr. Szepanski stated that some type of buffer to block the view from Elm Street would be required. Chairman Zimnoch asked if there was a fence in back. Mr. Colla replied that there was a 6 foot high chain link fence. The discussion continued briefly.

Mr. Steele clarified that there were no proposed site improvements other than the installation of the diesel tank. Mr. Colla stated that that was correct. Mr. Steele then noted that no survey had been submitted with the application, only an aerial photograph had been provided. He then asked Mr. Colla how he determined the dimensions that had been provided. Mr. Colla replied that he had received those dimension from his landlord who had purchased the property a year ago. Mr. Steele asked Mr. Colla if he could get a copy of the survey from his landlord. Mr. Colla stated that he would call his landlord to find out. Mr. Steele commented that without a survey there was no way to know the dimensions for sure with regard to placement of the diesel tank. He went on to say that for enforcement purposes a survey would be very helpful.

Mr. Steele asked if the lot was currently all gravel. Mr. Colla replied that the back of the lot was dirt. Mr. Steele then asked if the fence was at the property line and clarified that there was no vegetation on the site. Mr. Colla stated that the fence was at the property line with no woods or trees.

Mr. Colla referred to Windsor Locks Oil and asked if they had been limited as to where they could park their tanker trucks; how were those mobile storage tanks different than his stationary tank with regard to required setbacks. Both Ms. Rodriguez and Mr. Gannuscio stated that that was more of a Fire Code issue for the Fire Marshall not the Commission.

Mr. Steele reiterated that there would be some enforcement issues with not having a survey. Ms. Rodriguez commented that she would like the location of the bin more specifically marked.

Mr. Gannuscio asked if there were currently any security lights on the property. Mr. Colla replied that there were. Mr. Szepanski then commented that they did not know what was on the site. The discussion continued briefly.



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Mr. Steele commented that some earth work would be needed to embed the bins and that that might impact the drainage on the site. He then asked Mr. Colla, if soils were going to be disturbed on the site, if erosion control measures would be needed to keep any silt from flowing into the dry well. The discussion continued briefly and Mr. Colla stated that erosion control measures would not be needed. He went on to say that the dry well was pretty much failed, with cracks and roots growing thru it. Mr. Steele asked if the dry well ponded. Mr. Colla replied that it did not. Mr. Steele noted that if the dry well did not pond then it was not totally failed.

Mr. Gannuscio asked Mr. Steele if, with a condition of approval to produce a survey, it would be too much to say that the approval could be subject to final review by the Town Engineer. Mr. Steele replied that that would be fine, but that the Commission could even be more specific. He then suggested the following as a condition of any approval:

öProvide a site plan showing the proposed improvements and their relation to property lines, and provide any erosion control measures deemed necessary by the Town Engineer.ö

Mr. O'Leary suggested that, if the Commission were looking at approving the storage of materials, they be very clear on location, setbacks, the evergreen screening from Elm Street and residential property to the rear and the area being used for the storage. He then reiterated that they would need to be very specific in any approval granted. The discussion continued briefly and Mr. O'Leary suggested that the Commission might want to continue the review in order to see a plan before making any approval. The discussion again continued and the Commission members and Ms. Rodriguez all agreed that they would like to see a marked up most recent survey for the site.

Mr. Gannuscio moved to continue the review of the site plan modification application of Joseph T. Colla and Colla Construction Company, LLC for the property located at 14 Old County Road to June 11, 2012. Chairman Zimnoch seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

Chairman Zimnoch told Mr. Colla that he needed to track down the most recent survey of the property and have it marked up to show where everything would be. Mr. Colla asked what he should do if he could not locate a survey. Mr. Steele stated that if a survey could not be located Mr. Colla would have to have one produced by a land surveyor.

ACTION ON CLOSED PUBLIC HEARING ITEMS:

There were none.



OLD BUSINESS:

a. Discussion with Commission and staff

Main Street Zoning

Mr. O'Leary distributed copies of the draft regulations that he had prepared to the Commission members and staff. He explained that the first section was the newly drafted Section 418, Main Street Overlay Zone (MSOZ). He went on to say that they needed to finalize the actual map before going to the public with the new regulations. He then noted that what was not currently on the map was the area that would be affected by Section 419, Conversion of Existing Buildings in Main Street Village Area (the surrounding transitional areas). Mr. O'Leary pointed out that the underlying zoning districts would remain in place.

Mr. O'Leary suggested that, before the Commission went any further in the process, that they adopt the Windsor Locks Main Street Study as part of the Plan of Conservation and Development and then adopt the new regulations. He then stated that they would also need a map showing the overlay district and the overall village area.

Mr. O'Leary summarized Sections 418, 403 and 419. He went on to say that Section 419 was very similar to what the Town of Windsor had in place.

First Selectman Steven Wawruck arrived at the meeting at 8:55 pm and he was given a copy of the draft proposed regulations.

Mr. Gannuscio asked First Selectman Wawruck if the Board of Selectmen had ever voted to adopt the Main Street Study. Mr. Wawruck stated that it had been promoted thru the Economic and Industrial Development Commission (EIDC), but that he was not sure if the Board had ever endorsed the study itself. Mr. O'Leary suggested that the Board of Selectmen adopt the Windsor Locks Main Street Study. Mr. Wawruck commented that the study was so broad that the Board could not endorse/adopt everything contained within the study. The discussion continued briefly and Mr. O'Leary stated that they could come up with some language simply referring to the overall concept of the study.

Mr. O'Leary stated that he would draft some language on the Plan of Conservation and Development and also some maps for Section 419.

Mr. Gannuscio asked if it was too early to post the proposed regulations on the main page of the Town's website. Mr. O'Leary noted that Patrick McMahon, EIDC Consultant, had a Main Street website and that that might be a good place to post the draft regulations with a link from the Town's website.



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Mr. O'Leary suggested that before the regulations went up on any website that a coversheet be prepared to go along with them. He went on to say that he would prepare the coversheet and work with Mr. Steele to prepare the necessary map. Once that was complete they could post the regulations on the website. Chairman Zimnoch asked Mr. O'Leary if he could also draft up the necessary language for adopting portions of the Main Street Study. Mr. O'Leary replied that he would do so.

NEW BUSINESS:

a. Public Input

There was none

b. Receive New Applications

i. Site plan modification and special use permit application of Alexa Brengi for the property located at 592 Elm Street.

Chairman Zimnoch moved to schedule a public hearing on the site plan modification and special use permit application of Alexa Brengi for the property located at 592 Elm Street for June 11, 2012. Mr. Gannuscio seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

ii. Application of the Pride Limited Partnership for the property located at 77 Ella Grasso Turnpike.

A brief discussion took place and it was determined that the application was incomplete and would not be received that evening. The Commission would receive the application at the June 11, 2012 meeting, if the application was complete at that time.

c. Informal discussion regarding the T&M and North Group, LLC request for acceptance of roads.

Mr. Steele stated that he had no news to report to the Commission. He went on to say that Mr. Lally had contacted him with some specific questions which meant that they were actually working on it.

Chairman Zimnoch asked the Recording Secretary to continue the item to the June meeting agenda.



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- d. Request for a favorable report under Section 8-24 by the Public Works Department for Safety Complex parking lot rehabilitation.
- e. Request for a favorable report under Section 8-24 by the Public Works Department for Public Works Facility parking lot rehabilitation.
- f. Request for a favorable report under Section 8-24 by the Public Works Department for Reed Avenue sidewalks from West Street to Creston Road (replacement of asphalt sidewalks with concrete sidewalks).
- g. Request for a favorable report under Section 8-24 by the Public Works Department for Coolidge Street rehabilitation (complete rehabilitation including sanitary sewer upgrades, drainage upgrades, and sidewalk replacement).

Chairman Zimnoch introduced the following resolution, which was seconded by Mr. Gannuscio:

RESOLVED, that the Planning and Zoning Commission of the Town of Windsor Locks approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Various Sidewalk, Reclaiming and Paving Roadway Infrastructure Improvements consisting of: (1) continuation of the pavement rehabilitation program in which roads are reclaimed, graded and resurfaced following drainage and sanitary sewer improvements, and installation of sidewalks on Coolidge Street; (2) continuation of sidewalk installation, including along Reed Avenue from West Street to Creston Road; and (3) milling and resurfacing of parking lots at the Safety Complex and Public Works Facility.

This resolution was approved by four votes in favor and zero votes opposed.

- h. Request for a favorable report under Section 8-24 by the Public Works Department for Southwest Veteran's Park walkway replacement (existing asphalt walkway to be removed and replaced with a new asphalt walkway).

It was discovered that the Southwest Veteran's Park walkway replacement had not been included in the resolution regarding the Public Works Department projects; therefore a separate motion was needed in order to approve the Southwest Veteran's project.



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Mr. Gannuscio introduced the following resolution, which was seconded by Chairman Zimnoch:

RESOLVED, that the Planning and Zoning Commission of the Town of Windsor Locks approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Replacement of existing Southwest Veteran's Park asphalt walkway with a new asphalt walkway.

The resolution was approved by four votes in favor and zero votes opposed.

- i. Request for a favorable report under Section 8-24 by the Board of Education for tunnel encap. in additional wings.**
- j. Request for a favorable report under Section 8-24 by the Board of Education for roof replacement.**
- k. Request for a favorable report under Section 8-24 by the Board of Education for pool roofing project at the high school.**
- l. Request for a favorable report under Section 8-24 by the Board of Education for pool dehumidifier at the high school.**
- m. Request for a favorable report under Section 8-24 by the Board of Education for pool filter and piping replacement at the high school.**
- n. Request for a favorable report under Section 8-24 by the Board of Education for HVAC upgrades.**
- o. Request for a favorable report under Section 8-24 by the Board of Education for Civil Rights ADA interior upgrades.**

Chairman Zimnoch introduced the following resolution, which was seconded by Mr. Gannuscio:

RESOLVED, that the Planning and Zoning Commission of the Town of Windsor Locks approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:



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School projects consisting of: (1) moisture remediation improvements to the Windsor Locks Middle School; (2) roof replacement of portions in excess of 20 years in age at South School, Windsor Locks Middle School, and Windsor Locks High School; (3) roof replacement of portions of Windsor Locks High School pool roof; (4) replacement of the pool dehumidifier/heating system in the Windsor Locks High School pool; (5) replacement of the filter and piping at the Windsor Locks High School; (6) HVAC improvements to the North School, South School, Windsor Locks Middle School, and Windsor Locks High School; and (7) ADA required code improvements at Windsor Locks Schools.

The resolution was approved by four votes in favor and zero votes opposed.

COMMUNICATIONS AND BILLS:

Chairman Zimnoch stated that he had received an invoice from Mr. O’Leary for his March/April, 2012 retainer in the amount of \$3,333. He then moved to approve Mr. O’Leary’s invoice in the amount of \$3,333. Mr. Gannuscio seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

Mr. Steele stated that he had received a revised plan for 492 Spring Street (H&M Grinder). He went on to say that the applicant had gone before the Zoning Board of Appeals, but that their requested variances had been denied by that Board. He then noted that the applicant had been told by the Board that they should remove the pavement and make the property conform to the approved plan. Mr. Steele commented that with the submittal of a revised plan, it appeared as though they were moving in that direction.

A discussion followed regarding 492 Spring Street and whether or not the approved site plan had expired and if it could be handled administratively. It was determined that they would need to submit an application for an extension, if that were possible, and that it could not be for staff review; it would need to go before the Commission.

Mr. Szepanski referred to Mr. Colla’s application and noted that he had also been before the Commission the previous month. He then suggested that in the future they make sure that applications were complete before scheduling the hearing or review so that they could actually act on them without having to continue them. Mr. Steele stated that at their initial look there really were no proposed changes other than the change of use, which would not have required that a plan be submitted. Ms. Rodriguez then noted that Mr. Colla had been told what he needed to provide to the Commission.



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Mr. Zimnoch moved to adjourn the meeting. Mr. Szepanski seconded the motion. All were in favor. The vote was 4 – 0, the meeting was adjourned at 9:55 pm.

Respectfully submitted,

Diane Ferrari
Recording Secretary

THIS IS A DRAFT

Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.