

**PLANNING & ZONING COMMISSION**  
**July 13, 2009 Meeting**

Commission Members Present: Alan Gannuscio, Marshall Brown, Vincent Zimnoch,  
Janet Ramsay, Jim Tatro, and Anthony Scarfo

Town Staff Present: Town Planning Coordinator and Assistant Zoning and Wetlands  
Officer Jennifer Rodriguez, and Town Engineer Dana Steele

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Chairman Gannuscio called the meeting to order at 7:08 pm.

Commission roll call was taken.

**MINUTES:**

**Chairman Gannuscio referred to the June 8, 2009 meeting minutes and noted that he, Mr. Zimnoch, Mr. Brown, Ms. Ramsay, and Mr. Tatro were present at that meeting. He then asked the Commission members and staff for any comments or corrections. They had none. Mr. Gannuscio moved to approve the June 8, 2009 meeting minutes, as published. Mr. Tatro seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**PUBLIC HEARINGS:**

There were none.

**REVIEWS:**

- a. Continued review of the site plan modification application of The Congregational Church of Windsor Locks, Conn., Inc. for the property located at 8 Main Street.**

Attorney Paul Smith addressed the Commission and stated that the following individuals were also present that evening:

- Doris McAusland from the Congregational Church; and
- Len Norton, the engineer on the project.

He noted that the Church had received a portion of the Walgreens' property when the Walgreen's application had been approved. Attorney Smith stated that the original Church property was 1.2 acres in size and that the portion that they had received from Walgreens' was 2.13 acres.

Attorney Smith stated that the Church was proposing a gravel parking lot with 38 spaces. He then pointed out that the Town was developing a comprehensive plan for Main Street that involved using Bickford's and Dexter Plaza to create a common parking area. He went on to say that the Church was very supportive of that idea.

Attorney Smith stated that the Church had not made a permanent decision regarding the use of their property and was, therefore, proposing a temporary parking area. He explained that the Church had used the Walgreens' property (formerly the Dexter Office Building) for overflow parking in the past, but that they could no longer do so with Walgreens' now on the property. Attorney Smith explained that the proposed temporary lot would be used for overflow parking for Sunday services; it would not be for day-to-day use.

Attorney Smith reiterated that it would be for 38 gravel parking spaces. He went on to say that the applicant had gone through the permit process through the Wetlands Commission and had received their approval.

Attorney Smith referred to Town Planning Consultant O'Leary's memorandum and stated that there were really two issues: the gravel parking lot versus a bituminous lot and why they had proposed the gravel lot; and landscaping. He then explained that they had preserved three large maple trees at the corners of the parking lot to meet the landscaping requirement. Attorney Smith noted that it was a rear parking area and that they would be leaving everything around it as natural as possible. He went on to say that they would be putting plantings along Kettle Brook for stabilization purposes.

Attorney Smith again referred to Mr. O'Leary's memorandum and stated that Mr. O'Leary had asked if the parcel had been merged with the Church parcel. He noted that they had not filed a Certificate of Merger. He then explained that the newly acquired property was owned by the Church, but that the property that the Church was located on was actually owned by the Dexter Corporation. Doris McAusland explained that the deed stated that the property belonged to the Church as long as there was a Congregational Church on it. Attorney Smith stated that they would probably file some sort of certificate that would allow the properties to be tied together until the time that there was no longer a Congregational Church on the property. He then suggested that the Commission make such a certificate a condition of approval.

Attorney Smith stated that there was no proposed lighting for the temporary parking lot. He then noted that stormwater quality had been addressed when they had gone through the Wetlands Commission.

Chairman Gannuscio asked the Commission members for any questions. They had none.

Town Engineer Steele stated that he had submitted a letter dated July 13, 2009 which contained the following three recommended conditions of approval:

- “1. The applicant shall provide a cash E&S bond in the amount of \$3,500 prior to start of construction.
2. The riprap spillway into the brook shall be monitored by the applicant and town staff for at least 1 year to confirm stability of the rock lining and subsoil. Additional measures designed by the applicant’s engineer shall be required if the proposed stabilization measures are determined to be inadequate by the Town Engineer.”

Mr. Steele commented that his concern was that the brook might wash the stone away.

- “3. Prior to release of the bond, all disturbed areas shall be stabilized and an as-built topographic survey shall be provided in accordance with the specifications of Section 705.F.10 to confirm the depth of the water quality basin and the parking lot grades within the floodplain.”

Mr. Steele commented that the only concern with the elevation was that it was in a floodplain area and that they did not want to decrease the amount of flood storage in the area.

Anthony Scarfo arrived at 7:20 pm.

Chairman Gannuscio asked Ms. Rodriguez for any comments. She had none. She then submitted the approval letter from the Wetlands Commission to Mr. Gannuscio and offered to read through Mr. O’Leary’s memorandum for the record.

Ms. Rodriguez read Mr. O’Leary’s memorandum dated July 12, 2009 as follows:

- “1. The applicant has submitted a set of Plans with a revised date of 6-26-09, ‘Town Comments’. This set of plans are apparently in response to staff comments including my report dated June 7, 2009 and the Town Engineer’s report.
2. Attorney Smith testified to the Commission that the two parcels have been merged. Evidence of this should be supplied to the Commission (Section 705 G requires parking to be on the same parcel as the building it serves). And, the Site Plans should show these parcels as merged.
3. Has approval from the Wetland Agency been secured? Copies of all land use approvals and conditions should appear on the plans.
4. The Site Plan has been modified to provide a minimum aisle width of 24 feet in width, and shows that a minimum separation distance of 10 feet is maintained to side and rear property lines as required. We have asked if a layout can provide continuous circulation.

5. Section 705 F 2 requires proper surfacing of all parking areas. A paved surface is required except where approved by the Commission as 'seasonal, low volume or over-flow parking'. The applicant should provide information to the Commission as to how this proposed parking fits into this description and regulation requirement.
6. Are any stormwater quality measures being proposed along with the stormwater basin?
7. The revised plan shows an additional existing 36" maple tree to be preserved. The Regulations require a minimum amount of landscaping in all newly developed parking areas, and the plan should verify conformance to the Regulations.
8. If any lighting proposed, an additional application would need to be made to the Commission."

Chairman Gannuscio read the following from Ms. Rodriguez' letter dated July 13, 2009 regarding Wetlands approval:

"On July 6, 2009 the Inland Wetlands and Watercourses Commission held a meeting on your application and approval was granted for the proposed temporary gravel parking area and detention area. Please contact this office prior to the start of site disturbance so town staff may inspect marked clearing limits and installed erosion and sediment control measures."

Chairman Gannuscio stated that Comment #5 from Mr. O'Leary's July 12, 2009 memorandum was a key point. He then read that comment as follows: "...requires proper surfacing of all parking areas. A paved surface is required except where approved by the Commission as 'seasonal, low volume or over-flow parking'. The applicant should provide information to the Commission as to how this proposed parking fits into this description and regulation requirement."

Chairman Gannuscio commented that the St. Robert's Church lot was overflow parking and it had to be paved with drainage. He then pointed out that St. Robert's did not have a school like the Congregational Church had. Ms. McAusland stated that the proposed temporary overflow parking was only for Sundays. Attorney Smith reiterated that as a matter of practicality for the Church the proposed gravel lot worked because it would allow more flexibility down the road if the Town decided to make a common parking area. He went on to say that it would fit the definition; it was for overflow for Sunday services and it was not designed for any other use. Attorney Smith pointed out that it was a rear parking area. He then commented that

the applicant felt that it fit comfortably within the definitions; it would not get a lot of day-to-day use. He concluded by stating that they felt that it was a fair and reasonable fit.

Chairman Gannuscio clarified that the proposed lot would be for overflow parking for Sundays and not for school functions or for weeknights. Ms. McAusland stated that the school had just been closed and would not be reopening in the fall. Attorney Smith commented that the weeknight meetings were not large. Ms. McAusland stated that they would not use the overflow parking for weeknight meetings. Chairman Gannuscio stated that those two factors made a big difference; it now fit as a temporary and occasional overflow lot. The discussion continued briefly and Ms. Ramsay commented that it seemed to dovetail well with the Town's future plans as well.

Chairman Gannuscio asked if the gravel lot was something that they would be capable of plowing in the winter. Ms. McAusland replied that they had been told that it could be plowed.

Mr. Scarfo referred to the site plan and asked what the green highlighted areas represented. Attorney Smith replied that they were the three maple trees and the green space areas.

Mr. Brown asked how many parking spaces were being proposed. Attorney Smith replied that they were proposing 38 spaces. Mr. Brown clarified that there was no lighting plan. Attorney Smith stated that that was correct; they were proposing no lighting.

Chairman Gannuscio asked the Commission members for any other questions. They had none.

Attorney Smith stated that they had no problem adopting all of Mr. Steele's recommended conditions of approval. Chairman Gannuscio referred to Mr. O'Leary's comment regarding the merging of the two parcels and asked if that would be acceptable as a condition as well. Attorney Smith replied that he would have to look at the deeds. He went on to say that they could either merge them or put on a restrictive covenant stating that it was not a separate lot of record, but always had to be tied to the Church parcel. Ms. McAusland noted that the Coughin family actually owned the parcel that the Church was on. Attorney Smith stated that if it was a Right of Reversion he could merge the lots. Ms. McAusland stated that it was a Right of Reversion. The discussion continued briefly and Attorney Smith stated that a condition requiring a merger or restrictive covenant would be fine.

Mr. Steele suggested the following as another condition of approval:

“The rear parcel shall be merged or connected with the Church property prior to bond release in a form acceptable to the Town Attorney.

**Chairman Gannuscio asked for a motion regarding the site plan modification. Mr. Zimnoch moved to approve the site plan modification application of The Congregational Church of Windsor Locks, Conn., Inc. for the property located at 8 Main Street with the following conditions from Mr. Steele’s July 13, 2009 letter:**

- 1. The applicant shall provide a cash E&S bond in the amount of \$3,500 prior to start of construction.**
  - 2. The riprap spillway into the brook shall be monitored by the applicant and town staff for at least 1 year to confirm stability of the rock lining and subsoil. Additional measures designed by the applicant’s engineer shall be required if the proposed stabilization measures are determined to be inadequate by the Town Engineer.”**
  - 3. Prior to release of the bond, all disturbed areas shall be stabilized and an as-built topographic survey shall be provided in accordance with the specifications of Section 705.F.10 to confirm the depth of the water quality basin and the parking lot grades within the floodplain.**
- and the following condition suggested during the meeting:**
- 4. The rear parcel shall be merged or connected with the Church property prior to bond release in a form acceptable to the Town Attorney.**

**Mr. Tatro seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**ACTION ON CLOSED PUBLIC HEARING ITEMS:**

There were none.

**OLD BUSINESS:**

**a. Discussion with Commission and Staff.**

There was no discussion.

**b. Review of the extension for 177 Old County Road.**

There was no one present for the discussion, therefore Chairman Gannuscio asked the Recording Secretary to add it to the next meeting agenda.

**NEW BUSINESS:**

**a. Public Input**

There was none.

**b. Receive New Applications**

There were none.

**COMMUNICATIONS AND BILLS:**

There were none.

**Chairman Gannuscio moved to cancel the August 10, 2009 Commission meeting. Ms. Ramsay seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**Chairman Gannuscio moved to adjourn the meeting. Mr. Tatro seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:50 pm.**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**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.**