

PLANNING AND ZONING COMMISSION
February 13, 2017 Meeting Minutes

These minutes are not official until approved at a subsequent meeting.

Commission Members Present: Alan Gannuscio, Jim Szepanski, Alexa Brengi, Luis Valdez, and Cindy Cooper (Alternate)

Commission Members Absent: Vincent Zimnoch, and Kayleigh Royston (Alternate)

Town Staff Present: Jennifer Rodriguez (Town Planner), and Dana Steele (Town Engineer)

I. Call to Order

Chairman Gannuscio called the meeting to order at 7:09 pm.

II. Roll Call

Commission roll call was taken. Cindy Cooper was seated for Vincent Zimnoch.

III. Approval of Minutes from the January 9, 2017 Regular Meeting

Chairman Gannuscio stated that approval of the January 9, 2017 minutes will be postponed to the March 13, 2017 meeting.

REVISION TO AGENDA

Chairman Gannuscio stated that there are some items that need to be added to the agenda under VIII-D, Action Items, that came after the initial posting of the agenda. They are resolutions for approval regarding different town projects and are required under Section 8-24 of the General Statutes.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adds the following items to the agenda under Section VIII-D, Action Items:

- ii. 2016 Infrastructure Improvements consisting of: (1) sanitary sewer installation and replacement along portions of Wicklow Street and Whiton Street, and manhole replacement and sewer main repair on Garry Road and Bel-Aire Circle; (2) drainage and flood control and erosion control improvements in the area of Dibble Brook running through Tracey Circle; (3) reclaiming, grading, and resurfacing portions of Gaylord Road, Garry Road, Preston Road, Lownds Drive, Bel-Aire Circle, Juniper Drive, Pine Hill Road, Whiton Street, and Wicklow Street; and (4) sidewalk installation and repair in these areas.

- iii. Partial roof replacement of the Windsor Locks Middle School.

IV. Public Hearings

Mr. Szepanski read the rules for conducting a public hearing.

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on February 1, 2017 and February 8, 2017.

A. Special use permit with site plan review and liquor permit for Bradley Bowl at 129 Ella Grasso Turnpike

Lindsey Fortunato of Fortunato Construction Group and David Ely of Bowl New England addressed the commission. Their application for the renovation at Bradley Bowl is for an interior renovation and to convert some of the existing bowling lanes into a restaurant area, kids space, and Laser Tag. Their proposal for the exterior includes façade changes just on the west facing street side, with no changes to the parking lot or other changes to the site with the exception of one additional light pole. Mr. Ely commented that over the years the nature of bowling has changed and at this juncture they are looking to have a more complete center with more than one attraction, and to modernize the facility.

Mr. Ely went on to discuss in detail the renovations planned for the facility. The renovations will take four months, and they will remain open during that time. It was clarified that they are looking for approval for a new liquor permit because they are moving the bar to a different area.

Ms. Rodriguez discussed her report dated February 9, 2017. Ms. Rodriguez noted that funding has been set aside for sidewalks to be added along Ella Grasso Turnpike, but we are still waiting for DOT to review further engineering.

Regarding parking, Mr. Ely commented that they have never maxed out their lot because they do parking calculations as part of their business. He believes a customer will spend about two and a half hours in the entire center and that parking will be more than sufficient.

Mr. Steele discussed his report dated February 13, 2017. Regarding comment 5, eliminating 2% of the existing site impervious coverage, he noted that on the survey it appears that some of the parking spaces encroach onto the property line to the north and to the south, so technically they're non-conforming as far as setbacks and seem to be prime candidates for removal if it's deemed there is sufficient parking to do so.

There was some discussion with the applicant regarding eliminating 12 or 13 parking spaces in order to reduce 2% of the existing site impervious coverage. Mr. Ely did not see a problem with this.

Ms. Fortunato discussed the parking plan. The total number of parking spaces currently required under the existing regulation is 331, and the total number of spaces being provided is 217. They are suggesting the number of spaces required should actually be 114, which is a difference of 217 spaces.

Chairman Gannuscio stated that it appears they would be well within the 217 spaces. He likes the analogy of the arcade making it more of a retail use, which would offer justification for fewer spaces. This could be classified as a family entertainment center and would offer leeway in the commission's discretion.

Mr. Szepanski asked if the handicapped parking spots will be ADA compliant. There was some discussion regarding this, and Mr. Steele concluded that the spacing will be about three feet shy. Mr. Ely stated that they would comply by restriping the entire parking lot by the end of the project.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this proposal. There were none. The floor was then opened up for comments in opposition. There were none.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission closes the public hearing on the special use permit with site plan review and liquor permit for Bradley Bowl at 129 Ella Grasso Turnpike.

Chairman Gannuscio stated that what we have here is a very long in existence use with a liquor permit in place. There is no dramatic change to the continuation of the liquor permit, and this is a legitimate entertainment enterprise as we define it in our regulations. It has a liquor permit in place and is continuing as a complementary use with this new plan.

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves the special use permit with site plan review and liquor permit for Bradley Bowl at 129 Ella Grasso Turnpike with conditions. The applicant has produced a sufficient analysis to cover a reduced number of parking spaces as opposed to what the printed regulations require. The uses and analogies that have been made make sense and are defensible, and the commission is willing to accept this application with no fewer than 180 spaces, as there is wide ranging latitude that exists to justify this. In addition to accepting the reduced number of spaces, this application is approved with conditions (i) through (iv) listed in the Town Engineer's report dated February 13, 2017, with condition (iii) revised as follows: "The applicant shall provide a deferral agreement to provide construction drawings acceptable to the Town Engineer and to install sidewalks within six months of being required to do so by the commission." and condition (iv) revised to add the following phrase regarding existing site impervious coverage: "with the elimination of the encroaching spaces to the south." Additionally, any sign refacing or changes shall be deferred to staff for review; landscaping will remain as is with the exception of what may be removed for the new façade in the front and the encroaching spaces.

B. Special use permit with site plan review for conversion of a one-family house to a two-family house with upstairs apartment at 101 Oak Street

Mark Whitten Sr, representing the applicant, Mark Whitten Jr, addressed the commission. He stated that his son would like to convert 101 Oak Street into a two-family home, as it is 2,200 square feet and under-utilized, with just two people (his two sons) living in it.

Mr. Steele stated that he did not prepare a report as there are no site improvements, and he has no concerns. Chairman Gannuscio asked about potential WPCA requirements, and Mr. Steele replied that it would not require two separate laterals, but this would be coordinated through the Building Department before issuing permits and not something that the commission has to have a condition for.

Commission members had some questions for Mr. Whitten. There will be shared laundry on the first floor. There is parking for five cars on the driveway itself, and there is a five-bay garage which will have doors. There are three bedrooms upstairs and two bedrooms downstairs, so maximum number of people living there would be 10 or 12 people. Ms. Rodriguez commented that for each dwelling unit the regulations permit a family of six, so the maximum here would be 12. There will be some bushes along the front of the house itself. Hand railings will be installed in the front in the spring. Mr. Whitten added that right now utilities will not be split. The heat will be separate but water and electric will be paid by his son for both apartments.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this application. There were none. The floor was then opened up for comments in opposition. There were none.

Ms. Rodriguez discussed her report dated February 9, 2017.

It was **MOVED** (Gannuscio) and **SECONDED** (Brenge) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission closes the public hearing on the special use permit with site plan review for conversion of a one-family house to a two-family house with upstairs apartment at 101 Oak Street.

Chairman Gannuscio stated that when it comes to the adaptive reuse, this has been an upgrade to the situation with this house a number of years ago. It's been cleaned up, put to a good and marketable use within this district, and it's something more properties in this area could benefit from. It is something we have been trying to encourage with our downtown district regulations, so it falls within what we would like to see and what we put on the books. It has been beneficial to the town to have this property upgraded over the years and something we would look to have happen with other properties in the area.

It was **MOVED** (Gannuscio) and **SECONDED** (Valdez) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves the special use permit with site plan review for conversion of a one-family house to a two-family house with upstairs apartment at 101 Oak Street.

C. Special use permit with site plan review and liquor permit for Airfield Aleworks, LLC at 4-C National Drive

Mr. Szepanski pointed out that their application states under “Description of Request” that they would like to open a nano brewery. In their narrative, they start out talking about a nano brewery but then talk about on-site consumption, so wouldn’t that be a brew pub, according to our regulations? Mr. Bukowski replied that he was using terminology commonly used throughout the beer community. Mr. Szepanski then asked Chairman Gannuscio if the commission is legally okay with the application the way it was filled out. Chairman Gannuscio answered that it was noticed as a liquor permit, but the application itself says nano brewery. Ms. Rodriguez read Section 503D, which defines “brewery.” A brew pub would allow consumption on premises and tastings. Mr. Szepanski said he just wants to make sure we’re legal and moving forward in the right direction. Ms. Rodriguez agreed that we want to call it the right kind of permit. Chairman Gannuscio stated, “Let’s go forward with this and we will clarify as we go on that this is intended to be a brew pub.”

Alan Bukowski and Heath Gelinis presented a Power Point presentation to the commission. They propose to open a nano brewery in a 2,200 square foot part of 4 National Drive. There will be a tap room for on-site consumption as well as growlers to go. There will also be a manufacturing area where beer will be brewed and fermented. Mr. Bukowski went on to discuss the hours of operation, number of employees, the layout of the building, and parking requirements. He is looking for a total of 13 parking spaces. He discussed in length the parking schedule. They would like to reface the current sign at a later date and asked the commission if the Building Office could review this at that time.

Mr. Szepanski had questions for the applicant regarding office area, restrooms, bottling area, sanitizing growlers, area for cooler display, and checkout area. Additional questions pertained to seating area, music, the reason this area was chosen, the types of beer being served, and when they expect to open (6 to 10 months from time of application).

Mr. Szepanski had many more questions for the applicant regarding coat racks, dishwasher for the pints, types of tables being used, BYOF, shelf life of beer, bottle redemption, feel for atmosphere, the two bay doors, air conditioning, lighting, schedule, state and federal brewing tax on each barrel/diligent bookkeeping, parking analysis, and wait time at Valvoline. At this point Kenny Sabin, owner of the building, distributed minutes of the May 6, 2013 Zoning Board of Appeals meeting when Valvoline stated that services were usually completed in 15 to 20 minutes.

Mr. Szepanski went on to discuss in depth the parking analysis done by the applicant. He stated that the applicant did not take into consideration the possibility of workers or tenants parking off-site, and he feels it is just a snapshot taken at a particular time of the day. A lot of factors were not taken into consideration. He asked why a March 2014 parking schedule was used and not a more recent schedule. Mr. Bukowinski replied that this was the most recent schedule of when Heavy Automotive moved in that was on file in the Building Office. Mr. Szepanski then distributed his own parking analysis, which shows a shortage of 19 parking spaces. A lengthy discussion took place regarding this schedule, Q spots, and shared parking. Mr. Szepanski commented that there is a big parking lot behind the bank, which would be a great spot for shared parking, but our regulations don't allow it. He wondered if something could be worked out to alleviate these concerns.

Chairman Gannuscio commented that the Airport Interchange Overlay Zone (AIOZ) applies to properties within the interchange of Route 20 and asked how far down on Route 75 the AIOZ was extended, because that allowed for shared parking. Ms. Rodriguez responded, "2,500 feet, but I'm not sure where that lands us." She added that parking on this site is certainly something to talk about, especially when you look at all the mix of uses. At the end of the regulation there is some verbiage that says that you can consider at the commission's discretion uses that are not listed, and in the past the commission has considered a mix of uses to see what the overall need would be for the site. Chairman Gannuscio stated that one thing that concerns him is that we are talking about a concept change or an idea change for Valvoline without them being here to say if it's correct or not. This is an application for Aleworks, not for any kind of change to Valvoline, so there's a concern that we're going to make this approval without the input of some of the other tenants.

Mr. Steele noted that this was one of the issues that he and Ms. Rodriguez and the applicant discussed. The use that is creating the controversy has to do with the service bays, and it's the requirement of five spaces per bay, which seems like a lot to him. They are trying to interpret what might have been the thinking behind five spaces per bay. Chairman Gannuscio commented that he would like to hear input from the other tenants as to whether these calculations are realistic for the way their businesses are conducted. Mr. Steele stated, "Five spaces per bay seemed like a lot to me and perhaps it was for that reasoning that on some types of uses like this you may want storage for people who are going to leave their car there all day. Another consideration for storage—you're obviously working on one car, so the spaces within the building where a car can be, maybe these were intended to count towards this. Perhaps the thinking was that those spaces inside the building were intended to be part of that five per bay because you're going to have a car that's in there. Is it those spaces plus an additional five? Maybe, but in thinking through it, we felt that was a reasonable way to look at it."

There was more discussion regarding the parking schedule presented by the applicant. Mr. Bukowinski said he took it directly from the site plan of Heavy Automotive, which was approved at the ZBA meeting. Mr. Szepanski pointed out that it's flawed.

Mr. Sabin stated that Mr. Ferri testified in the ZBA meeting that his people are only there for 10 or 15 minutes. Mr. Bukowinski asked why there is so much available parking if the required number of spaces is 89. He added that his data is not just a snapshot but a snapshot of real time over the course of a month.

Chairman Gannuscio remarked that the problem with the regulations is that there is no definition of what a parking area is, and he would like to have a rationale on the record if the five spaces per bay is totally wrong or off the charts. The discussion continued on what the definition of a stall is.

Mr. Szepanski asked the chairman how he wanted to proceed. Chairman Gannuscio responded, "We are hamstringing some of the other tenants here, but at the same token, we're talking about a startup, and it's going to take some time probably to get to the point where you're at the limits of what the building and the site permit." Chairman Gannuscio cautioned that down the line the commission could become locked in by setting a precedent. Ms. Rodriguez commented that sometimes the commission has looked at the reality of the need and made the determination that based on this regulation it says, "Other Uses: parking spaces for other permitted or special uses not listed above shall be provided in accordance with requirements designated by the zoning commission," so it's an opportunity to give the commission the discretion to look at the need for a mix of uses. The commission has looked at mixes of uses as an "other use" in the past because the real requirement for each of those totaled a number that seemed excessive.

Mr. Steele said he did not submit any comments for this application, but the comments for the bowling alley application with regard to sidewalks would apply to this application as well where you have a desire for sidewalks along Route 75 and we have this plan for sidewalks to be going in.

Ms. Rodriguez read the regulation for brew pubs, Section 503B.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this application. Ron Bukowinski (the applicant's father) and Gary Merrigan, 100 Michele Drive, both spoke in favor of this application. Mr. Merrigan commented that Valvoline should be treated differently for parking, as they are a strict express service for fluids and should not be treated with the same criteria parking wise as Heavy's. He said if you can find a way to isolate Valvoline out of the equation, the parking's pretty close.

The floor was then opened up for comments in opposition. There were none.

Chairman Gannuscio concluded that this application presents a unique new use and creates a whole new mix for this site with new possibilities. This is not something the applicant is proposing lightly, and he has done his homework.

Mr. Steele pointed out that the applicant is not the property owner and suggested getting comments from the property owner. Mr. Sabin stated that his wife was actually the property owner but asked for an explanation of the sidewalk document. Mr. Steele explained that it is a legal document that is filed on the Land Records which states that he agrees to install sidewalks in front of the property if the time comes when there are sidewalks to connect to. Mr. Steele said the intent is for the town to move forward with the state with this project but the grant would be administered by the town at no cost to the property owners. Mr. Sabin said his wife would discuss this with her business partners and get back to Ms. Rodriguez.

It was **MOVED** (Valdez) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission closes the public hearing on the special use permit with site plan review and liquor permit for Airfield Aleworks, LLC at 4-C National Drive.

There was some discussion as to what the next step would be and how the motion would be worded.

It was **MOVED** (Valdez) and **SECONDED** (Brenji) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves the special use permit with site plan review and liquor permit for Airfield Aleworks, LLC at 4-C National Drive with special language added that special circumstances will allow mixed use parking. Additionally, the 63 proposed parking spaces, which are based on the data submitted, are sufficient for this site based on this mixed use. This approval will also be subject to a sidewalk deferral agreement submitted at a future point prior to the issuance of a Certificate of Occupancy and filed on the Land Records.

V. Reviews (none)

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Discussion with Commission and Staff

Mr. Steele mentioned that DPW raised the issue of storm water and reducing impervious surfaces and that it would be easier for staff to enforce this if there was something in the regulations that specifically spells out when it's required, so he asked that commission members keep this on their radar.

B. Action Items (none)

VIII. New Business

A. Public Input (none)

B. Receive New Applications

i. Site plan review for JSL Asphalt at 71-75 King Spring Road to construct office building

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission schedules a public hearing for a site plan review for JSL Asphalt at 71-75 King Spring Road to construct office building for March 13, 2017.

C. Informal Discussions

i. Fed Ex fuel island and canopy, change in scope of work

Devon Ward from Bohler Engineering addressed the commission regarding 130 Old County Circle, off of Old County Road, the former Watkins Freight Facility. He went on to give a brief overview of the project. They would like to move their fueling operations from inside the building to outside. A single canopy was proposed with two fueling positions for the tractor trailers and a small out building. He is here tonight to request permission to defer to an administrative review for a site revision to their site plan. Fed Ex has requested installation of two canopies in the parking lot. There is no increase in fuel storage or truck traffic; rather this will allow trucks to fuel and depart faster. There is no addition to impervious cover on the site. The lights on the underside of the canopy and the canopy height are significantly lower than the existing site lighting and they will provide an updated site lighting plan. They have also met with Mr. Steele, Ms. Rodriguez, and Mark Doody, the Building Inspector.

Chairman Gannuscio stated he was comfortable giving this to staff for review, given tonight's ample presentation.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission refers to staff for review and/or approval changes to the Federal Express site at 130 Old County Circle.

D. Action Items: Resolution for Approval (Pursuant to Section 8-24 of the C.G.S.)

Mr. Valdez asked Chairman Gannuscio to explain the need to approve these resolutions. He replied that it's required to be on record that the Planning and Zoning Commission says this is permitted and is a worthwhile plan before it goes to the bondsman. It's a review and a statement that's necessary under that section of the statutes.

i. 2017 WPCA Project consisting of (1) an upgrade of the Dexter Pump Station, (2) an upgrade of the radio communication system, and (3) improvements to the processes, mechanical equipment, electrical, and building systems at the Water Pollution Control Facility.

Chairman Gannuscio introduced the following resolution:

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

2017 WPCA Project consisting of (1) an upgrade of the Dexter Pump Station, (2) an upgrade of the radio communication system, and (3) improvements to the processes, mechanical equipment, electrical, and building systems at the Water Pollution Control Facility.

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves this resolution regarding the 2017 WPCA Project, pursuant to Section 8-24 of the Connecticut General Statutes.

- ii. 2016 Infrastructure Improvements consisting of: (1) sanitary sewer installation and replacement along portions of Wicklow Street and Whiton Street, and manhole replacement and sewer main repair on Garry Road and Bel-Aire Circle; (2) drainage and flood control and erosion control improvements in the area of Dibble Hollow Brook running through Tracey Circle; (3) reclaiming, grading, and resurfacing portions of Gaylord Road, Garry Road, Preston Road, Lownds Drive, Bel-Aire Circle, Juniper Drive, Pine Hill Road, Whiton Street, and Wicklow Street; and (4) sidewalk installation and repair in these areas.**

Chairman Gannuscio introduced the following resolution:

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

2016 Infrastructure Improvements consisting of: (1) sanitary sewer installation and replacement along portions of Wicklow Street and Whiton Street, and manhole replacement and sewer main repair on Garry Road and Bel-Aire Circle; (2) drainage and flood control and erosion control improvements in the area of Dibble Hollow Brook running through Tracey Circle; (3) reclaiming, grading, and resurfacing portions of Gaylord Road, Garry Road, Preston Road, Lownds Drive, Bel-Aire Circle, Juniper Drive, Pine Hill Road, Whiton Street, and Wicklow Street; and (4) sidewalk installation and repair in these areas.

It was **MOVED** (Gannuscio) and **SECONDED** (Valdez) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves this resolution regarding 2016 Infrastructure Improvements, pursuant to Section 8-24 of the Connecticut General Statutes.

iii. Partial roof replacement of the Windsor Locks Middle School.

Chairman Gannuscio introduced the following resolution:

RESOLVED, that the Planning and Zoning Commission of the Town of Windsor Locks approves the partial roof replacement of the Windsor Locks Middle School, pursuant to Section 8-24 of the Connecticut General Statutes:

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves this resolution regarding the partial roof replacement of the Windsor Locks Middle School, pursuant to Section 8-24 of the Connecticut General Statutes.

IX. Communications and Bills (none)

X. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Brenge) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adjourns the February 13, 2017 meeting at 10:36 pm.

Respectfully submitted,

*Debbie Seymour
Recording Secretary*