I. **Call to Order**

Chairman Gannuscio called the meeting to order at 7:03 pm.

II. **Roll Call**

Commission roll call was taken.

Chairman Gannuscio announced that the following public hearings would not take place tonight as the applications have been withdrawn: 8 North Main Street, Special Use Permit with Site Plan Review; and 18 Maple Avenue, Special Use Permit with Site Plan Review. He explained that the commission just found out that afternoon that they were withdrawn. An unidentified woman asked if the applicant decided to reapply how fast they could do it. Chairman Gannuscio replied that the earliest a new application could be accepted would be at the May meeting, and then at the June meeting (June 10) a public hearing would take place. He stated that Planning and Zoning meetings take place on the second Monday of every month unless that (second) Monday is a legal holiday, and then the meeting would take place on the second Tuesday of the month. There is a list of all the monthly PZC meetings on the website. The official listing place for agendas, minutes, and dates of meetings for Planning and Zoning is the portion of the website which is under the Land Use section. A man asked if there was any way they could be notified so they don’t miss the next meeting. Chairman Gannuscio replied that he believes there is an email list that is maintained, and they should contact Jen Rodriguez, the Town Planner, to see if there is a list they can get on to be notified of meetings. He thanked the people for caring enough about this to show up *en masse* and for being orderly.

Chairman Gannuscio pointed out that the meeting tonight is NOT the TIF town meeting for the Sports Complex on Old County Road.

III. **Approval of Minutes from the March 11, 2019 Regular Meeting**

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approves the minutes of the March 11, 2019 regular meeting.

It was noted that the minutes from the March 14, 2019 special meeting, which was nothing more than a tour of Montgomery Mill, also needed to be approved.
It was MOVED (Cooper) and SECONDED (Zimnoch) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission adds Approval of Minutes from the March 14, 2019 Special Meeting to the agenda.

It was MOVED (Szepanski) and SECONDED (Cooper) and PASSED (Unanimous, 4-0; Cooper Abstaining) that the Planning and Zoning Commission approves the minutes of the March 14, 2019 special meeting.

IV. Public Hearings

The Recording Secretary read the legal notice for the following public hearing that was published in the Journal Inquirer on March 29, 2019 and April 4, 2019.

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

A. 5 and 11 Ella Grasso Turnpike, Zone Change from Business-1 to AIOZ (property owner Neel Patel)

Attorney Paul Smith, 27 South Main Street, representing the applicant, BDL Real Estate Holdings, LLC, addressed the commission. Attorney Smith stated that this particular zone change ties into the next hearing which is for 3, 5, and 11 Ella Grasso Turnpike for the General Plan of Development. BDL has entered into a contract with the owners of the Ramada Inn, which is 5 and 11 Ella Grasso Turnpike, to purchase this property and incorporate it into the overall General Plan of Development. In order to do this, they are requesting that the town change the zone to an AIOZ designation.

Back in 2008 they appeared before this commission and requested that 3 Ella Grasso, which they currently own, be designated in the AIOZ zone, which was passed by this commission. The idea here is to take the 5.57 acres which currently constitute the subject parcel and put it into the AIOZ zone, and then incorporate it into the entire BDL project which would be about 21 acres. With regard to the site itself, it’s currently located on the east side of Ella Grasso Turnpike, almost up to the Windsor line. 3 Ella, the parcel owned by BDL, abuts Route 20 and goes in back of 5 and 11.

The site is currently occupied by the existing Ramada Inn (Quality Inn), with a restaurant/bar in the front, and is in a state of significant disrepair and operating at a low level of capacity. The idea with this site when it’s purchased is to tear the whole facility down. By purchasing this and putting it in the site it’s creating more frontage, making it a much better site overall. You cannot have a significant development of this site, with or without the existing hotel, until you solve the traffic access problem. Their initial idea to solve the traffic access problem was to reconfigure the Route 20/75 exit ramp. It was going to end with a service road and a controlled circle. They went through many years of development process with the state, but at the end of
the day the state did not want anyone touching the exit ramps. His clients have worked over the past several years to fix that problem. The answer is to buy this 5 acre piece, demolish the building, and create a light controlled access point onto Route 75 with a street down into the project to open the project for retail and multi-family use. BL has done a great traffic study on how this works. The overall function would be to tie in the piece with Maccalusso’s old building, the sushi restaurant, convenience store, and barber shop so they will have roadway frontage. If they make this intersection improvement, a bunch of properties will be tied into traffic control onto Route 75 and avoid traffic congestion with multiple driveways. The challenge with these pieces right on Route 20 is the access points. They are looking for the zone change and GPD approvals because the state wants to know what the town’s position is before it starts the DOT approval process for this traffic light. It’s going to be somewhat challenging because it’s close to the exits and entrances to Route 20, but it’s something that should function really well. It allows very good development and concentrates on solving that access problem on Route 75 instead of just by driveway, which wouldn’t work for this site.

Attorney Smith gave an overview of what will be going in on the property. There will be retail upfront, a couple of restaurants, and a 140-unit hotel. There is still the multi-family in the back and an additional retail site, making very good use of the property. Ms. Sayers asked if there will be any offices. Attorney Smith responded that they have a 10,000 square foot multi-story building that will be designed for offices, and in the front site also, although it looks like it will be more heavily retail use because it’s right on the highway. The idea is to re-zone it, trying to create residential presence so retail flourishes. It may change the way Route 75 is viewed and operates with this residential/commercial mixed use area. All the studies indicate that there is a significant demand for this kind of multi-family housing.

In terms of location, it’s what the AIOZ is designed to do. This clearly falls within that zone criteria, and they feel they have met all the criteria under 416.B and the statutory criteria which requires a zone change. It’s in the best interest in terms of where it’s located. It’s critical to allowing really good access for this piece and also 3 Ella Grasso.

Attorney Smith stated that the Quality Inn (the former Ramada Inn) is located on 5 Ella Grasso, and the zone change is for both 5 and 11 Ella Grasso. Ms. Sayers commented that the shared driveway for this piece has always been problematic. Attorney Smith repeated that they feel this would be a positive zone change and would be beneficial to the area.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this proposed zone change. First Selectman Chris Kervick, 100 Paul Drive, spoke in favor of this application. He said this is a problem property
with regular police activity. He feels the acquisition of this property could solve the access problem and also provide access to the rear land, and he encourages the commission to approve this zone change. Joe Calsetta also spoke in favor of this application. He feels this will be a boom for Route 75 and stimulate more development, and will hopefully encourage the State of Connecticut to finally fix Route 75. The floor was then opened up for comments in opposition. There were none.

Chairman Gannuscio read into the record Jen Rodriguez’s report/memorandum dated April 8, 2019.

Mr. Steele commented that he does not have a report for the zone change but would like to make an observation. He stated that even though the regulations say that the General Plan of Development could be approved subsequent to the AIOZ designation, if you look at the criteria for approval, a lot of it has to do with things the commission hasn’t seen yet, such as site plan details. The regulation allows the commission to act on these separately, but they have to be submitted simultaneously anyway, so as a point of discussion, does the commission want to vote on this separately or at the same time after the commission has considered everything. Chairman Gannuscio stated that his preference would be to decide the zone change portion of this first.

Mr. Steele asked, “So you feel you have enough information regarding the high quality of standard and the protection of environmental features and natural features and curb cuts?” After some discussion, it was decided to keep open the vote on the zone change and vote on it after the commission receives the necessary information from the GPD portion that would be needed to make an informed decision. Mr. Steele added that the public hearing on the zone change could be closed as long as no more comments will be taken from the applicant or the public.

It was MOVED (Cooper) and SECONDED (Zimnoch) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission closes the public hearing on the zone change from Business-1 to AIOZ for 5 and 11 Ella Grasso Turnpike.

The Recording Secretary read the legal notice for the following public hearing that was published in the Journal Inquirer on March 29, 2019 and April 4, 2019.

B. Master Plan of Development for 3, 5, and 11 Ella Grasso Turnpike
(property owner BDL Real Estate Holdings, LLC)

Attorney Paul Smith, 27 South Main Street, representing the applicant, BDL Real Estate Holdings, LLC, addressed the commission. This is a 21-acre piece, with the existing hotel, and 17 of these acres are in the AIOZ already. In this GPD, access to the property is through a light on Route 75. They will be constructing a roadway to a circular rotary. This will be a town road which will then create road frontage for this piece and the abutting property. One of the requirements of the state in terms of constructing this will be that the abutters on the side use the light as their controlled entranceway. What you
do is take a fairly substantial amount of property on Route 75 and now control it through light access, which makes it much easier for the businesses to get in and out. There will be a retail site which will front on Route 75. They envision multiple retail uses at that location: a restaurant, coffee shop, and some kind of high end retail. Along the frontage of the road as it goes in, there will be restaurants, a hotel, a second retail location of almost 12,000 square feet with multiple offices and retail uses, a multi-family gated residential area with one and two-family units, a community center, pool, and patio area, two-story residential units with parking underneath, and in the back a parking deck with parking on the top level and underneath. Drainage in this area runs down to the east of the site, with retention basins. They are market rate apartments with brick underneath and varying roof lines.

Michelle Carlson, Licensed Professional Engineer from BL Companies, representing Kevin Casey and BDL Real Estate Holdings, addressed the commission. She went on to describe in greater detail the layout of the property. The 11,700 square foot commercial building will be a combination of retail and medical offices. The four buildings in the back are two stories with 18 units in each, for a total of 72 residential units. The two four-story buildings have 100 units each for a total of 200, for a grand total of 272 proposed residential units, with some that are one-bedroom and some that are two-bedroom. The storm water will be managed on site in accordance with the town’s and DEEP’s regulations. The residential component has a big green space called the Great Lawn with sidewalks connecting to the clubhouse and a crosswalk to get into the retail area. A possible rail trail or sidewalk going to the back was discussed in their meetings with town staff. The main road coming in is designed to be a boulevard with green space in the middle. There is also a road in the development with a median in the middle with parking on both sides to give it a more pleasing look.

They are proposing cutoff light fixtures, zero light spill, with two different heights of 14 feet and a maximum of 24 feet, depending on where they are. They have some large parking areas where they want to be able to provide lighting. They are proposing to keep the base of the existing pylon sign that has the Quality Inn sign and to add another sign as you come off Route 20. Public utilities are in Route 75: Connecticut Water Company, gas, power, and sanitary sewer. They have reached out to the utility companies. She has not gotten a written response back from CT Water, but Mr. Steele did, and CT Water said they do have adequate water. They have to work out the sanitary sewer with WPCA and the town. The conveyance system is in place now, and it’s a matter of analyzing any restrictions or capacity issues downstream and what upgrades might be necessary. This will be worked out during the detailed Site Plan phase. They are hoping to get a Condition of Approval similar to the one that the Sports Complex received. Ms. Carlson reiterated that they have to get the Master Plan of Development approved before they can go on to the next stage with the state and get all the improvements necessary in place.
Access is much improved over what is there now. They are going to consolidate curb cuts, and they can have a good comprehensive development that’s well thought out with one single point of access. They have shown they can get emergency vehicle access and the necessary delivery trucks through the site. On the rear of the property there will be some form of retaining walls, anywhere from zero up to 22 feet. Dumpsters for private trash pickup have been placed throughout the site, and they will put in more details and specifics when they know who the tenants will be for the facility.

They have requested the following modifications or waivers, which are on the plans:

1. **Per Section 705.F.4.b.iii, LIGHTING STANDARDS:** A waiver for greater than 4:1 uniformity be granted. It’s hard to hit a 4:1 uniformity requirement exactly, so they would like a waiver to that, but still not going over the maximum footcandles, with zero cutoff footcandles at the property line, so there is nothing that is changing what’s going to spill off site. No light can spill off site.

2. **Per Section 705.F.4.b.vi, LIGHTING STANDARDS:** A waiver to allow for greater than 14 feet high but not greater than 24 feet high lighting fixtures, due to parking lots containing greater than 400 spaces. They would like the ability to go up to 24 feet in the retail parking lots and the lots where they have a lot of ground to cover in the middle of the site.

3. **Per Section 705.F.4.b.vii, LIGHTING STANDARDS:** A waiver to allow for some light poles to be placed in parking lots, outside of curbed planted areas in order to create a uniformly lit parking lot. They have submitted a preliminary lighting plan, and she can answer any questions on the specifics of this that the commission may have.

4. **Per Section 705.F.7, PARKING LOT LANDSCAPING:** A waiver to allow less than 15% gross parking lot area in landscaped areas; applicant proposing 10% interior landscaped areas. They feel they have plenty of green and do not feel they are asking for something that will degrade the quality of the project.

5. **Per Section 605.B, SIGN LOCATION:** A waiver to allow two pylon signs along Route 20, a route that does not legally provide access to the site. They are only asking for one sign now along Route 20, even though the plan says two, and then the one along Route 75, for a total of two signs.

6. **Per Section 603.A, HEIGHT OF SIGNS:** A waiver for a sign height to exceed 20 feet. They feel because of the location they need a sign taller than 20 feet so people can see the development.
7. **Per Section 608.B, SIGNS IN BUSINESS AND INDUSTRIAL DISTRICTS:** A waiver to allow the detached double-faced signs to exceed 32 square feet in area per side; applicant proposing 100 square feet per side of double-faced signs. They feel this is appropriate, given their location. Thirty-two square feet is just not enough sign for a development of this magnitude.

8. **Per Section 608.D, SIGNS IN BUSINESS AND INDUSTRIAL DISTRICTS:** A waiver to allow multiple signs on a parcel of property; applicant proposing three signs on parcel. **Right now they are allowed one sign, and they are requesting two.**

9. **Per Section 705.E, PARKING SETBACKS:** A waiver to allow no side parking setback. The parking will not conform with the requested public roadway. Right now they want to make sure that if they have any internal lot lines to this proposed public road that they can have a zero lot line setback with parking and it will look like a contiguous development. They don’t want to have parking setbacks between the hotel and the retail; it would not look contiguous, it would look like four separate parcels, and they’re trying to make one comprehensive development that flows nicely.

10. **Per Section 403, BUILDING SETBACKS:** A waiver to allow no building setback. This is on the same premise of making this a comprehensive well-flowing development and not looking like a patchwork quilt because of how they have to divvy up the parcels.

Attorney Smith added that there is an existing 60 foot sign for Quality Inn which is going to be taken down, so they are making significant improvements. Regarding the zero lot line, the restaurant sites are located just off the roadway, and there are some parking spaces that technically would violate the setbacks. Ms. Carlson replied that the parking spaces will not go over a proposed parcel line separating the development and the street. Originally they had a few spaces within the development that were encroaching on that proposed street line, and after they met with town staff, they went back and were able to get those spaces on the parcel, but they are asking for a zero lot line setback so they can have a boulevard concept with pull-in parking on the side so you can walk right into the restaurant. Attorney Smith commented that the idea is to make it like a streetscape with parking and restaurants right there.

Attorney Smith stated that they met with the WPCA, and his understanding is that there is capacity within the street, but there are some carriage issues well off-site such as a pump station that they want to look at. He suggests a condition of approval that would require them to connect to the system. Ms. Carlson added that they submitted their proposed estimate for gallons per
day of sewage for this development using the CT Public Health Code Standards, but they never subtracted out the existing uses on site, so they have a conservative number that they’re working with for capacity.

Ms. Sayers asked about the signage for the 60-foot sign. Ms. Carlson responded that they will work with the commission to put up a nice base to make it attractive. Attorney Smith noted that if the commission approves the locations and height of the signs, they will come back to the commission when they do the site plan with a final design for the commission’s approval. Mr. Casey commented that he saw a sign in Franklin, Massachusetts that he liked which was a three-sided brick structure, and at the top was an oval thing of Ben Franklin, so he envisions that he will do something to pay homage to Ella Grasso. There will be some architectural reference to the users that are there. The name of the development is Governor’s Station, and it is a classic mixed use development, so he wants to reference this to the public that there is a lot going on in the development. It will be obvious from the sign that Ella is the driving force behind the name of the development.

Attorney Smith discussed how this all fits in in terms of what’s around it. In the rear is the stream which probably won’t have any development and will probably stay a passive open space area. Route 20 is on one side, with this development on the front, and then Fox Hollow. They think they’ve done a nice job in terms of positioning the multi-family so it’s in a pretty controlled area. It should function very well, all controlled by the light. They have paid a lot of attention to pedestrian walking capability throughout the development.

Dana Steele, Town Engineer, summarized Jen Rodriguez’s report/memorandum dated April 3, 2019, with a revised date of April 5, 2019.

There was some discussion under #8, Proposed Uses, regarding whether another public hearing would be required if the applicant comes back for approval for the hotel and multi-family uses. The regulations are not clear. The regulations could be interpreted that there are no more public hearings after this process, or you could interpret that for certain uses, depending on the underlying zone, they are required. This is something that probably needs clarification as we move forward. Attorney Smith stated that this is something that will have to be addressed when they get to concrete site plans. His position has been that they are not concerned about having another public hearing if that is what is required.

Mr. Steele commented that Ms. Rodriguez mentioned in her zone change report that there seemed to be some concern that there were too many hotels in town, and this should be looked at carefully to determine when a hotel is appropriate. However, there is already a hotel on this site, and they are not really adding a hotel, they are just replacing it.
#16: Statement of Costs and Revenues. A written statement has not been provided yet, but Attorney Smith gave an overview. The commercial part of the site would generate far more revenue tax-wise than we would see as a cost to the town. With regard to the residential, the studies show these are low impact on the school system. It’s not anticipated that a lot of children attending school would be living in one and two-bedroom units. These market rate apartments probably generate more tax revenue than services that they consume for the town, so it’s very low usage for both the commercial and the residential. Given what exists on the site now, there would be less police presence than what is required today. Overall, their statement would be very low impact on the services that the town provides to businesses or residences versus what it would generate in terms of revenue. Mr. Casey commented that there would be approximately $300,000 to $400,000 a year from property taxes. Attorney Smith summarized that there would be no adverse impact on town services or the road system, and will probably be a revenue plus.

Chairman Gannuscio stated that he has copies of the letters that were sent out to the Town of Windsor regarding these public hearings and gave them to the recording secretary.

Dana Steele, Town Engineer, discussed his report/letter dated April 8, 2019. He stated that he emailed and handed out at tonight’s meeting combined suggested conditions of approval, taken from Ms. Rodriguez’s memorandum and his letter, and went on to discuss these conditions of approval.

#1: Freestanding signs shall not exceed **35** feet in height and 100 square feet per sign face. There was a discussion about the size and the lighting of the signs. It was decided to change the last sentence to: **“Signs shall be lit in keeping with the architecture.”**

#2: There was a discussion about additional landscaping or buffering. There were no concerns about there being insufficient buffering, and it was decided to eliminate condition #2.

#3: Mr. Wilson asked if the multi-use trail was going to be on private property or would it follow the state right of way. Mr. Kervick replied that it could be a combination of both. Mr. Wilson asked how wide the trail would be. The answer was: Ten makes the most sense. Mr. Wilson pointed out that shoulders gives you 20, and if you’re trying to eat up 20 feet of green space along the side of this development, this doesn’t work, so he doesn’t see how this condition makes any sense for this. There was a discussion about this, and it was decided to eliminate condition 3b.

#4: This is the WPCA condition. The first paragraph is from Ms. Rodriguez’s report, and the second paragraph is from the WPCA and is almost identical to the one that the commission approved for the All Sports
Village. One is just more specific than the other, and Mr. Steele feels either one is fine. Mr. Kervick commented that the last sentence in the WPCA condition saying that all costs will be paid by the developer is problematic because of the overlay of the TIF and the credit enhancement agreement, which is still to be negotiated. Attorney Smith stated that they don’t particularly care which condition is used, as they both accomplish the same thing. They understand they have to reach an agreement with WPCA, whatever that may be. He likes Ms. Rodriguez’s condition because it’s more open ended and gives the applicant and the WPCA some flexibility. It seems like a more sensible approach. It was decided to use the first condition, the one that Ms. Rodriguez proposed. This is adequate and makes sense in Mr. Steele’s opinion. It is not in any way undercutting the WPCA or putting them in a difficult position.

#5: There was a long discussion regarding shared parking and the on-street parking and who will be responsible for these parking spaces. It was decided to leave this condition as is.

#6, #7, #8, #9, and #10: Leave as is.

(New) #11: Lighting height may be extended to 24 feet, except in the residential areas.

(New) #12: Parking setbacks from property lines may be reduced to zero, except along Route 75.

(New) #13: Building setbacks from property lines may be reduced to zero, except along Route 75 and Route 20.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this proposed zone change. First Selectman Chris Kervick, 100 Paul Drive, and Joe Calsetta both spoke in favor of this application. The floor was then opened up for comments in opposition. There were none.

It was MOVED (Gannuscio) and SECONDED (Cooper) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission closes the public hearing on the General Plan of Development for 3, 5, and 11 Ella Grasso Turnpike.

Chairman Gannuscio commented on the Zone Change hearing for 5 and 11 Ella Grasso Turnpike. He stated that changing the zone change from Business-1 to the AIOZ makes sense to allow for the flexibility that is required to use this property to its fullest extent and to give the opportunity to the applicant to come up with the best possible set of plans. When the AIOZ was first put into effect years ago this was what was ultimately contemplated and was reinforced along the way with the Plan of Development where it is suggested that there be an opportunity to develop the Route 20 corridor and to develop it in a way that allows for some variety, thought, and
innovation. There is a precedent for this in the Plan of Conservation and Development, there is a sense to this, and it is something that opens up possibilities that are sorely needed on Route 75, so there is a need and a justification for this proposed zone change. It fits within the Plan of Conservation and Development, it offers revenue benefits to the town, it offers facilities not available in town, and it offers an improvement aesthetically over what’s there now.

It was MOVED (Gannuscio) and SECONDED (Cooper) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission approves the zone change for 5 and 11 Ella Grasso Turnpike from Business-1 to AIOZ, effective upon publication of the legal notice.

It was MOVED (Zimnoch) and SECONDED (Brengi) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission approves the General Plan of Development for 3, 5, and 11 Ella Grasso Turnpike with the conditions listed in the combined memorandum as read tonight by Dana Steele, Town Engineer: In #1 the blank was 35 feet in height on Route 20, and the last line was changed to, “Signs shall be lit in keeping with the architecture.” #2 and #3b were eliminated. #4 will be using the first condition. Numbers 11, 12, and 13 were added: #11 24-foot lighting could be used in commercial areas only; #12 a parking setback waiver is granted except for along Route 75; and #13 a building setback waiver is granted except along Route 75 and Route 20.

Chairman Gannuscio thanked the two alternate commission members for their valuable and needed input and participation this evening.

C. 8 North Main Street, Special Use Permit with Site Plan Review to convert home back to two-family home as originally constructed (property owner Virgenett Wiltshire)

Application was withdrawn.

D. 18 Maple Avenue, Special Use Permit with Site Plan Review for multi-family and retreat center (property owners Dennis and Martha Jarvis)

Application was withdrawn.

V. Reviews (none)

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Discussion with Commission and Staff (none)

B. Action Items (none)
VIII. New Business

A. Public Input (none)

B. Receive New Applications (none)

C. Informal Discussions (none)

D. Action Items

Chairman Gannuscio stated that the language for this item was not ready for this evening and asked the recording secretary to move this agenda item VIII.D to the May 13, 2019 Planning and Zoning meeting.

i. FY 2020 High School Roof Project: $2,863,957
ii. FY 2020 South Street School Roof Project: $1,200,000
ii. FY 2020 Roadway Infrastructure Project: $2,072,452

IX. Communications and Bills (none)

X. Adjournment

It was MOVED (Gannuscio) and SECONDED (Zimnoch) and PASSED (Unanimous, 5-0) that the Planning and Zoning Commission adjourns the April 8, 2019 meeting at 10:15 pm.

Respectfully submitted,

Debbie Seymour
Recording Secretary