

PLANNING AND ZONING COMMISSION
May 9, 2016 Meeting Minutes

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

Commission Members Present: Alan Gannuscio (*via a remote connection*), Vincent Zimnoch, and Jim Szepanski. Cindy Cooper (Alternate) and Kayleigh Royston (Alternate) arrived at 7:55 pm.

Commission Members Absent: Alexa Brengi, Mike Forschino, and Pat Sayers (Alternate)

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

I. Call to Order

There was a delay starting the meeting as Chairman Gannuscio needed to be present remotely in order to form a quorum. Vice Chairman Zimnoch called the meeting to order at 7:26 pm.

II. Roll Call

Commission roll call was taken. It was noted that Chairman Gannuscio was present *remotely*. Vice Chairman Zimnoch asked the public if there were any objections to Chairman Gannuscio being present via conference and not physically. There were no objections.

III. Approval of Minutes from the April 11, 2016 Regular Meeting

It was **MOVED** (Szepanski) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission move the approval of the April 11, 2016 minutes to the next meeting of June 13, 2016 meeting.

IV. Public Hearings (none)

V. Reviews

A. Site plan review and site plan modification, 229 Old County Road and 110 Old County Circle for industrial building and trailer parking

Wilson Alford, Jr., Professional Engineer and Landscaper for Alford Associates in Windsor, addressed the commission. Mr. Alford described the location of the property and the access to it. The proposal is to build an 83,000 square foot building. The property at the present time is vacant. They have requested a waiver for some of the parking. There is presently no tenant for the building so they don't know exactly how many parking stalls will be necessary. There are 182 parking stalls shown, one for every 500 square feet, and they propose to build 108. They would like to defer the parking on the north side of the drive and the south side of the southerly drive unless more parking is required by the tenant. The building is a concrete panel

building. The landscape areas comply with the regulations. There are some trees along Old County Road on the berm that have died, and they propose to replant those. They would like not to have to build a sidewalk. There is no sidewalk in the area of the site, but there is a sidewalk on the other side of the street. Chairman Gannuscio asked for clarification that there is no proposed tenant at this time. Mr. Alford confirmed that. Chairman Gannuscio responded that he agrees with the request to defer the 74 spaces. Vice Chairman Zimnoch asked Mr. Alford what kind of use he envisions for this building. Mr. Alford replied that he would expect this to be a warehouse or a manufacturing facility.

Dana Steele, Town Engineer, discussed his letter to the commission dated May 5, 2016 and the seven conditions of approval contained in the letter. Mr. Steele commented that deferring parking makes sense, because until you really know what the uses are, setting a number that's appropriate would be difficult. Chairman Gannuscio asked Mr. Steele for his final comment about parking spaces. Mr. Steele replied that they can get started on construction to get this building up but before they move anyone in staff will confirm the parking.

Ms. Rodriguez discussed her report dated May 5, 2016. Mr. Steele commented that he did incorporate all of the WPCA/DPW comments from her report into his report and they have all been addressed.

7:55 pm: At this point Cindy Cooper and Kayleigh Royston arrived at the meeting. Also at this time it was noticed that the connection to Chairman Gannuscio had been lost. The connection was re-established and the meeting continued.

Chairman Gannuscio clarified where the existing sidewalks end. They go as far as Fox Hollow but not as far as the leaf dump. There are no sidewalks at Honda and none in front of the berm. He said he would be hard pressed to waive them entirely. If they were deferred and there ever came a point when the parcel along the Route 20 exit ramp is developed, this could be re-visited. Mr. Szepanski commented that he believes sidewalks are appropriate because if we keep putting sidewalks in then eventually they will all tie together as development happens. Vice Chairman Zimnoch stated that they are important but in this case, since there are no sidewalks, the commission should consider doing the standard deferral with an agreement that they will be built when there are adjoining sidewalks. Mr. Szepanski agreed to go with a deferral. Chairman Gannuscio stated, "Before we go to a vote or anything requiring a vote at this point, is the applicant willing to go with a three-member panel vote which would require that it be a unanimous vote?" Mr. Alford replied, "Yes."

Mr. Szepanski asked if the commission should be concerned about the lack of Police Chief's comments. Chairman Gannuscio replied that without a defined use for the building it would be difficult for the Police Chief to offer any kind of traffic comments.

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission approves the site plan review and site plan modification for 229 Old County Road and 110 Old County Circle for an industrial building and trailer parking with the seven conditions listed in the Town Engineers letter dated May 6, 2016, and the following three conditions from the Town Planner: (8) the installation of sidewalks for both properties (229 Old County Road and 110 Old County Circle) will be deferred with an agreement filed on the land records that is acceptable to the Town Attorney; (9) additional lighting details will be provided and will be subject to staff approval; and (10) any required signs will be approved by staff prior to installation.

At this point Chairman Gannuscio seated Cindy Cooper for himself. He said he would continue to monitor the meeting remotely.

B. Site plan reviews for LAZ Parking, 18, 22, and 50 Ella Grasso Turnpike; 53 Ella Grasso Turnpike; and 110 Ella Grasso Turnpike for parking lot improvements

Ozzie Torres, Professional Civil Engineer; Kevin Morrissey, Director of Maintenance for LAZ Parking; Richard Meehan, Surveyor for Meehan & Goodin; and Steve Robinson for the lighting, addressed the commission. Mr. Torres went on to describe the properties, the location of them, and what the proposed improvements will be. Mr. Torres stated that they did receive the Town Engineer's report and would be happy to go over those items with the commission.

Mr. Morrissey addressed the first three items of the Town Engineer's report. He stated that they are getting the paperwork together and will provide the Building Department with all the signed documents. They will be coming back to the commission before they pave. He commented that when they started this project they had a certain amount of money and now reality has sunk in and the plans have been scaled back to meet the available dollars they have to work with. They are disappointed that they can't go further than they are in Phase 1. They've tried to accomplish three main things: fix the drainage on the property to maximize the space they have available, address all the erosion that's going on so they can fix the land and not have it get any worse, and fix the lighting and install cameras because security is important to eliminate claims and theft. As the business becomes more profitable there will be more dollars for Phase 2. These three things, the drainage, the lighting and cameras, and the asphalt, are what they were trying to achieve in Phase 1, but when it became apparent that there wasn't going to be the dollars to pave, that's when they took that whole part of it off the table.

Mr. Steele stated that the applicant has two different types of parking—one is a self-park and the other is valet parking. When the customers are parking their cars themselves, they need to have proper aisle widths and spaces, and it didn't look like the self park lot currently met those requirements. What the applicant is suggesting is that in Phase 1 they put in the drainage and then when they're ready to repave it they can look at restriping at that time. Mr. Steele pointed out that one option is for the commission to approve based on Phase 1 only with the understanding that they will

come back for Phase 2. However, it should be noted that the drainage improvements that are being proposed are integral with the regrading and the paving because they don't really work until the water goes to the drainage structures. What they are proposing to do in the interim is to install the drainage and match existing grades which are not necessarily going to line up with the low spots of the sites, so the site is still going to have potential issues with erosion until they are ready for Phase 2. Mr. Steele said, "Normally I would say that's not a good way to do things, but I see it as them getting a head start on things." Mr. Morrissey added that they would like to postpone and defer the plans for the parking lots and leave them as they are now, cut and patch, and when they're ready to pave come back to the commission.

Mr. Meehan pointed out that when LAZ bought these properties in 2014 and brought him around the properties, he said at that time that all three of these properties were built willy nilly with very little attention to the details about the drainage, pavement, pitch, and where the fill was put. He said it looks like it was put together in the cover of darkness. This was not the way LAZ wanted to do it, so they came up with a master plan to fix it in three or four years. This is the best way they have to fix what is a bad situation. The drainage and pavement were put in without permits. He stated, "It's substandard, it doesn't work, let's make it work."

Vice Chairman Zimnoch asked Chairman Gannuscio if he had any issues with doing this in two phases. He replied that he did not.

Mr. Torres continued discussing items listed in the Town Engineer's report. Mr. Steele commented that he is sensing that the commission is flexible and agreeable to a phased approach to this, understanding that the first phase doesn't solve the problems but it gets the ball rolling towards a solution. He suggested to the applicant that they make clear with maybe a notation on the plan that everything outside the dotted areas are subject to change and subject to additional review, or something to that effect. Mr. Steele made a suggestion that as they continue discussing the conditions in his report, he will indicate which conditions are applicable to Phase 1.

Mr. Robinson discussed the lighting plan. They are requesting a waiver on the 14-foot height restriction due to the overall magnitude of the size of these lots and also because the like uses of the neighborhood are of that size. Mr. Steele commented that item 14 is strictly a technical item with regard to the regulations for maximum pole heights. The regulations allow 14-foot height and these are 28 feet high. The regulations allow you to increase the height by special permit in an industrial zone but this is a B-1 zone, not an industrial zone. This is not a special permit or a public hearing, so the applicant needs some direction from the commission as to what his options are with regard to lighting.

Ms. Rodriguez stated that she will not read through her entire report dated May 5, 2016 since 99% of her report is based on the parking areas. She noted that if lighting is going to be in Phase 1, she would like to see the details of the fixtures that are being proposed. If something is approved she would like it to be clear on the plan

what has been approved. Mr. Meehan said he liked Mr. Steele's suggestion that everything that's not within the dashed areas that they set aside as Phase 1 will be Phase 2. Also, this is subject to changes as the uses and their projected uses for the property are in flux.

A lengthy discussion took place regarding the proposed lighting. Mr. Meehan said they are looking for some way to get some lights up there and get them high up so they can use them and they're not going to cost a fortune. Chairman Gannuscio pointed out that the regulation is what it is--there is no means for waiving this or permitting it, and they have to live within the regulation. Mr. Meehan asked if they could use the existing poles and just replace the fixtures. Chairman Gannuscio replied that the regulation can't be waived and can't be varied but they would be grandfathered with the poles that are existing or they can ask for an amendment to the regulation, which would require a public hearing. Mr. Steele said with regard to items 14 and 15 in his report, the commission can either exclude the lighting from the motion to approve or it can include those as conditions, which would give the applicant the option to be able to bring in to staff for review a compliance lighting plan so they don't have to come back for the lighting. He suggested changing the wording for item 14 to "revise lighting plan to conform to 14-foot height or reuse existing poles."

Chairman Gannuscio asked Ms. Rodriguez about item five on her report. She replied that it can be discussed now but the area is not going to be repaved and can wait until Phase 2. There is a drainage structure there so that will be part of Phase 1. She said she had noted in her report that on lot 50 toward the rear to the west of the proposed 2-headed light fixture there is an area where new drainage is proposed, and it's shown as just vacant space that is not used for parking, but during observation there were a lot of cars parked there. Staff would like clarification on what this area is. Mr. Meehan replied that this is just a temporary staging area.

Mr. Szepanski asked what would happen if Phase 2 doesn't happen for some reason. What would we end up with? They're putting in drainage systems but not regrading or repaving. Will we still end up with erosion and water problems? Why is the applicant choosing to do drainage on three lots rather than taking the biggest lot and do the complete job and get that squared away? In other words, do the drainage, take care of the erosion problem, and do the paving, then move forward as money becomes available. Mr. Meehan responded that the applicant intends to stabilize those eroding areas in the first phase. Mr. Szepanski asked if this would fix the erosion or water problems. Mr. Steele replied that they are really putting a bandaid on it. Mr. Meehan pointed out that they are picking up the pieces of some very bad construction. They are stabilizing those areas and are doing the best they can. He remarked that this is LAZ parking--the premiere parking firm in the nation--you don't spend a million dollars and not spend the next million.

Mr. Szepanski then asked what would prevent them from selling those lots and selling the business and moving elsewhere. Mr. Meehan answered, "Except for one thing—they just bought the lots to come up here to get a presence at the airport." He went on to say that they bought this property, it was a shambles, and they are going to fix it and stabilize it. Mr. Szepanski asked Mr. Steele if he was comfortable with this. Mr. Steele noted that they are putting in some rip rap to stabilize the areas that eroded, but the permanent fix is to not let the water go over those slopes any more, and that will be part of Phase 2. He added that this application was a challenging one to understand exactly what the permit process should be because in a sense a lot of what they're doing is really just maintenance and wouldn't even require them coming to this commission. Mr. Szepanski asked, "Had the applicant not come to us, were we aware that this condition existed on these three lots--that they had erosion?" Mr. Steele responded that he was not aware of it. Mr. Szepanski went on to say, "So the applicant is stepping up to correct a problem that he sees on his property." Mr. Steele commented, "I'm very pleased at what they're proposing. I think this is a good thing." Mr. Szepanski agreed. Vice Chairman Zimnoch, Ms. Cooper, and Ms. Royston all agreed that Phase 2 of this project would most likely be completed.

Chairman Gannuscio asked about sidewalks. Ms. Rodriguez replied, "Phase 2?" Chairman Gannuscio commented that at that point maybe the latest plan floated by DOT for Route 75 will have put sidewalks in.

Vice Chairman Zimnoch asked how the commission will know what is Phase 1 and Phase 2 on the current plans. Mr. Steele suggested adding another condition that they add notations to the plan clarifying that Phase 1 is the only phase that is approved at this time and the other phases are subject to further review and approval by the commission. Phase 1 deals with drainage, installation, and lighting if they can produce a compliant lighting plan, and replacing existing fencing.

It was **MOVED** (Cooper) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission approves Phase 1 of the site plan reviews for LAZ Parking, 18, 22, and 50 Ella Grasso Turnpike; 53 Ella Grasso Turnpike; and 110 Ella Grasso Turnpike for parking lot improvements with the following conditions as listed in the Town Engineer's letter dated May 9, 2016: Items 1, 2, 6, 7, 8 as listed; Item 9 as amended to specify a four foot deep sump catch basin; Items 10, 11, 12, 13 as listed; Item 14 as amended with the last sentence to read, "Lighting plan to conform to 14-foot height limits or reuse existing poles"; Item 15 as listed; additional Item 16, that a note will be added on the plans that will state, "Phase 1 approval is for drainage and compliant lighting only and Phase 2 will require separate review and approval"; and additional Item 17, that prior to any site work a pre-construction meeting with the contractor will be required to review erosion control measures.

VICE CHAIRMAN ZIMNOCH CALLED A 5-MINUTE RECESS AT 9:35 PM.

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

i. Special use permit and site plan review for proposed building at 4 Lawnacre Road

Mr. Steele commented that this application is the Rolocut garage. They had it approved more than five years ago so their approval has expired. They're making the building smaller and want to come back for it to be re-approved.

It was **MOVED** (Szepanski) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission schedules a public hearing for the special use permit and site plan review for proposed building at 4 Lawnacre Road for June 13, 2016.

ii. Erosion & Sediment Control Plan for former Wood Power Group environmental cleanup at 523 Halfway House Road

Ms. Rodriguez commented that the Wood Group is getting a head start on their remediation of PCBs in the building floor, the parking area, and a lot of the soils. Because of the size of the soil disturbance and the need for erosion and sediment control, they have to come before the commission.

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission schedules a review for the Erosion & Sediment Control Plan for former Wood Power Group environmental cleanup at 523 Halfway House Road for June 13, 2016.

iii. Special use permit and site plan review for sale and/or rental of used motor vehicles at 321 Ella Grasso Turnpike, 499 North Street, and 501 North Street

Joe Calsetta, speaking for John Barberino, pointed out that this is the Hertz parcel that is on the corner of North Street and Route 75, and it has already been approved for this type of use.

It was **MOVED** (Zimnoch) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission schedules a public hearing for the special use permit and site plan review for sale and/or rental of used motor vehicles at 321 Ella Grasso Turnpike, 499 North Street, and 501 North Street for June 13, 2016.

C. Informal Discussions

i. Montgomery Mill, developer preliminary presentation

Dara Kovel, President of Beacon Development, Thacher Tiffany, Development Director for Beacon Communities, Bill Crosskey of Crosskey Architects in Hartford, CT, and Chris Ferrero, Civil and Environmental Engineer with Fuss & O'Neill in Manchester, CT, addressed the commission. Ms. Kovel stated they are here tonight to share some of their thoughts on what they would like to do with Montgomery Mill and to get the commission's feedback. She spoke briefly about who Beacon is and what their credentials are for doing a project of this scale and scope. They are a 40-year old development company focusing on high quality multi-family development across the northeast. They have 12,000 apartment buildings of all sizes and scopes, largely rental housing and differently designed depending on the context, the building, the neighborhood, the town, the city they're working in. They manage everything they develop. They love to build and design great buildings but they also know that being the long term owner and holder of those properties and managing them well is really the critical component to being a contributing member of Windsor Locks. Montgomery Mill provides a huge opportunity and a huge challenge. Ms. Kovel briefly discussed two of their projects—Ames Shovel Works in Easton, MA and Wilber School Apartments in Sharon, MA.

Bill Crosskey introduced himself. He said that his firm's areas of expertise are multi-family housing and historic preservation. Often those two go together and often in mill projects. He went on to briefly discuss some ongoing projects that are mill building conversions. He mentioned that Crosskey Architects are also working on the restoration of the Windsor Locks train station.

Chris Ferrero spoke about how this all started with a bold gesture of moving the train station back to downtown as part of tangible economic development. Many years later, we are seeing the positive results of that labor in awarding large sums of money to the town for infrastructure improvements and having the highest quality developers you can get in New England to come look at the Montgomery Mill for an adaptive reuse project. One of those awards was a \$250,000 grant that Windsor Locks received to further study the technicalities of what could happen with the train station moving. The Montgomery Mill was identified early on in the process as a catalyst property. A catalyst property is one where you can create a transformative effect on a downtown in a very short amount of time and in the short term. It moves you forward. Mr. Ferrero went on to discuss the site plan of this redevelopment. They are presently doing title work to establish ownership of some parcels that are adjacent to the property.

Thacher Tiffany commented that their goal is to be the catalyst that Mr. Ferrero described for this new transit oriented neighborhood, to take advantage of this amazing site on the CT river, the proximity to the new train station in an emerging town center, and this beautiful historic building. The way that's taking shape so far is it looks like there will be about 150 or 160 units which they would like to be mixed income, majority market rate, so they will have a range of incomes and a range of unit types.

Mr. Crosskey stated they are at a very early stage in the process. They just completed a detailed measure of the buildings and structural assessment of the buildings. He discussed the sketches of the building and the parking. They're looking at predominantly one and two bedroom units with some three bedroom units and studios, totaling about 164 units. They will be using historic tax credits, both state and federal, as a financing mechanism to pay for the renovation, which means they will be held to very strict requirements about how they restore the building. Mr. Tiffany added that the historic tax credits will be key to making this work. As they think about the right approach to this, they also have other key sources of funding in mind, especially the Brownfields funding program and other state sources that are useful for getting something like this done. In fact, they have already submitted an application for the Brownfields funding.

Ms. Kovel summarized that this is a very complex project; the environmental alone will be in excess of four million dollars. Their goal is to wrap up due diligence in the next month and a half and be into planning design work in the summer and back to the commission in a more formal basis in the summer, with their financing applications going in at the end of the year for the lion's share of the funding. With any luck, they would like to be under construction next year in the summer or the fall. Ms. Kovel concluded, "We really consider the town our partners in this and are very eager to hear what your thoughts are. We know this is just a very preliminary look at things, but we are eager to work closely with you to take this asset and turn it back into a vibrant resource as it has been in the past."

ii. Tax Increment Financing (TIF)

Patrick McMahon addressed the commission. He explained that a Tax Increment Financing (TIF) district is a new economic development tool. It allows you to take any new incremental taxes that are generated from a project and designate them for certain projects within the district, so it's a way for you to segregate future taxes into a fund that can be reinvested into one geographic area. Looking at what the goals and objectives are for Windsor Locks, they felt it would make the most sense to have the boundaries of the downtown district be concurrent with the Main Street Overlay Zone (MSOZ). Towns cannot have more than one TIF district. The process to establish a TIF district is: you have to hold at least one public hearing; you have to get an advisory opinion of the Planning and Zoning Commission; and you need to have the approval of the legislative body, which in Windsor Locks is a town meeting. They would also go through the Economic and

Industrial Development Commission, Board of Selectmen, and Board of Finance as they are progressing, but ultimately it needs a town meeting approval. They need a positive review from the Planning and Zoning Commission for them to move forward. Eligible uses of TIF funds are capital improvements, repayment of bonds, incentives to developers in the form of rebates, marketing, and several other activities. Under the downtown district they do not envision any bonding requirements, so they would not be generating any money to pay back bonds; they would be looking for pay as you go—monies that come in will be put in a separate account and projects are done as the funding becomes available.

Mr. McMahon went on to say that the MSOZ goes from about Rhythms Dance Studio down to the Ahlstrom office building. The Ahlstrom plant itself is not part of the overlay zone, but the Montgomery property is. The goals of the district are compatible with the overlay zone goals, so everything they're trying to achieve from a zoning perspective they're also trying to wrap into this district. The law allows for a TIF district to be up to 50 years. They are proposing 20 years, which can always be extended. For 20 years they are looking for the money to be reinvested into the district. This TIF district takes money that's been generated over several years and puts it in other funds and makes it so that it's easier to access for future projects. The use of the TIF funds each year would be within the budget approval process. For example, if there were \$200,000 generated in new funds and they wanted to use a portion of it for the historic train station restoration, that would be adopted as part of the next annual budget, so any of those new funds, even though they're segregated, would still be part of the budget process which the residents can weigh in on.

Some of the proposed uses on Main Street include streetscaping. It looks very good that they will be getting over two million dollars to devote towards the streetscape from Church Street north, but in the future they may want to do additional streetscaping to the south of Church Street. Restoration of the historic train station is a million dollar project, so ultimately a million dollars needs to be generated. This TIF tool could be another way to generate funds to help with that project. They made an application to the state for pre-development costs related to the properties directly across from the Windsor Locks Commons. This may supplement those funds. Money could possibly be designated to help with the maintenance and repair of the canal itself. Another way to use the funding is through a credit enhancement agreement, so money that is generated on a specific property you can actually rebate some of the future tax revenue back to the developer. In the plan that they have here, a developer can get up to 50% of the taxes that are generated from their project rebated back to them over the course of those 10 years. Key properties relative to a credit enhancement agreement would be Montgomery Mill, Windsor Locks Commons, and Dexter Plaza. Approval of any kind of credit enhancement agreement would involve going to the Economic and Industrial Development Commission and the Board of Selectmen. This would hopefully be a tool that would help draw in some additional private sector investment into the area.

Vice Chairman Zimnoch asked who initiates this process. Mr. McMahon replied that the Planning and Zoning Commission has 60 days total to do the advisory opinion, so hopefully the commission could put on the agenda approval of the TIF district at the next meeting. The public hearing would be scheduled by the Board of Selectmen. Mr. McMahon reiterated that the taxes that are generated today automatically continue to go into the general fund, so they're not cutting into a revenue source that's already there. Mr. Steele commented that this incentivizes development.

iii. Plan of Conservation and Development (decision on date of kickoff workshop)

Ms. Rodriguez said she would like to get some potential dates for a POCD kickoff workshop. It was decided that Tuesday, June 7 and Tuesday, June 21 would be best, and Wednesday, June 22 would be possible but not ideal.

D. Action Items (none)

IX. Communications and Bills (none)

X. Adjournment

It was **MOVED** (Cooper) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 3-0) that the Planning and Zoning Commission adjourns the May 9, 2016 meeting at 10:24 pm.

Respectfully submitted,

*Debbie Seymour
Recording Secretary*