

**PLANNING AND ZONING COMMISSION**  
**October 13, 2015 Meeting Minutes**

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

Commission Members Present: Vincent Zimnoch, Alan Gannuscio, Jim Szepanski, and Mike Forschino

Commission Members Absent: Alexa Brengi, Cindy Cooper (Alternate), and Pat Sayers (Alternate)

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

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**I. Call to Order**

Chairman Zimnoch called the meeting to order at 7:06 pm.

**II. Roll Call**

Commission roll call was taken.

**III. Approval of Minutes from the June 8, 2015, July 13, 2015, August 10, 2015, and September 14, 2015 Regular Meetings**

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the August 10, 2015 minutes.

Chairman Zimnoch stated that approval of the June 8, 2015, July 13, 2015, and September 14, 2015 minutes will be postponed to the November 9, 2015 meeting.

Mr. Gannuscio informed the commission that Ralph Leiper passed away. Mr. Leiper served for well over 25 years on various boards in this town, including this Planning and Zoning Commission. His dedication went beyond this board to the Board of Education, Dollars for Scholars, and the Lions Club, and he did so quietly and without fanfare, and so Mr. Gannuscio would respectfully like to mark his passing.

**IV. Public Hearings (none)**

**V. Reviews**

**i. Site plan review for new parking lot adjacent to 12/14 Northgate Drive**

Eric Peterson, Professional Engineer for Gardner & Peterson Associates of Tolland, Connecticut, addressed the commission. They have been retained by Design Automation Associates to assist them with their project to expand their parking at 12 and 14 Northgate Drive. 12 and 14 Northgate Drive are two parcels that were created as part of the Northgate Business and Industrial Park in 1988. 12 Northgate Drive contains an existing building that was built in 1989 and has a little bit of parking, and

14 Northgate Drive is a vacant parcel they bought so they can expand their parking for their office use. Their proposal is to combine these two parcels so they don't have issues with setbacks of parking in between the two. They will be using the existing curb cut, essentially creating a parking lot where you do a loop and come around so it's easy for vehicles to maneuver in and out of there. They are adding 24 parking spaces for a total of 37. The plan shows deciduous trees in the two parking lot islands and around the perimeter and also some shrubbery beneath them and some evergreen plantings in the back to screen the residential neighbors from any vehicles exiting at night. They are adding another entrance off the side and will add some landscaping there. They will be adding two light poles for security purposes with LED lights facing straight down with full cut-offs. There is an existing drainage system. The plantings in the back will be gold cone junipers which can grow up to five feet and red cedars which can get up to 30 feet tall and eight to 15 feet wide.

Mr. Peterson then introduced John Lambert and Kathy Hearn from Design Automation to answer any specific questions. Mr. Szepanski asked about the hours of operation. Mr. Lambert, one of the co-founders and President and CEO of the company, responded. He stated that they are a fast-growing mechanical engineering firm with 30 employees. Their goal is to turn the warehouse in the back into office space. The hours of operation are 9 to 5, give or take a few hours either way, Monday through Friday. He went on to give some background on the type of work they do. They write custom written engineering software for companies like Pratt and Whitney and United Technologies to improve the efficiency of their mechanical engineering operations. For example, his company did the mechanical design for all the batteries on the Mars vehicles. They are a very successful company and last year hired five or six people. They are able to grow their company because they focus on solving very difficult problems, so their value becomes very compelling. Chairman Zimnoch voiced a concern that 37 parking spaces may not be enough space for their fast-growing company. Mr. Lambert responded that they received a state grant and have a very fixed budget and have to get this project done within this budget. Initially they had the parking lot going all the way to the north, but they could not afford to do that, so this design fits their budget. They could possibly be back in the future to expand their parking spaces. They have 30 employees in the company, but only about 20 are actually in the office on a given day.

There was a discussion regarding the dumpsters and their locations. Mr. Szepanski pointed out that the commission usually requests that the front of the dumpsters be non-visible from the street. Mr. Peterson commented that they had a difficult time coming up with a better spot where the truck would have an easy way to access the dumpsters without losing a lot of parking. They are screening the dumpsters on the sides and on the rear with a fence. It is set back pretty far from the road, and the L shape building will hide it a little. There was some discussion about putting a gate in front of the dumpster. Mr. Szepanski suggested extending the trees farther to the north. Mr. Lambert noted that there is a heavily wooded area with birch trees and they would like to leave it that way. Mr. Lambert went on to say that they are very

picky about their property, and his building is very clean and well-maintained. Mr. Gannuscio said this type of operation is what we are looking for in town, and he sees a minimum of issues.

Dana Steele, Town Engineer, discussed his report dated October 7, 2015. Mr. Steele commented that direction from the commission would be helpful regarding the height and placement of the plantings and the enclosure for the dumpster.

Jennifer Rodriguez, Town Planner, discussed her report dated October 7, 2015. Ms. Rodriguez suggested adding a number for the address to the sign for safety purposes.

Mr. Steele asked for clarification regarding the address. Ms. Hearn replied that the building is 12 and the parking lot is 14.

There was a discussion regarding the plantings and existing vegetation. Chairman Zimnoch felt that the arborvitae trees would be sufficient to shield headlights and if there are already big trees on the neighbor's property, then there is no point in the applicant planting big trees. Mr. Forschino said if the trees on the other side are gigantic and you can't see through, then the five foot bushes would like nicer. Mr. Szepanski would like to see the taller red cedar trees. Mr. Gannuscio suggested interspersing a few arborvitae to give low coverage, but he can't see the need for a whole new forest being planted. Mr. Steele summarized, "Leave the vegetation if you can and supplement it." Chairman Zimnoch agreed and said what is required is to block the headlights, so if there is vegetation there year round, that would be fine. He stated the commission will leave it up to staff to walk the site and decide what is needed there to make sure the headlights don't shine into the residential area. Mr. Gannuscio stated he would also waive the sidewalk here. Why have the sidewalk to nowhere? Commission members agreed there was no need for a sidewalk there.

There was a discussion about the dumpster. It was agreed that the existing fence in the back of the dumpster could be utilized and that the front should be covered with a gate.

The sign will have the building number added to it.

Mr. Gannuscio pointed out that fire and police have not yet commented on this application, but rather than hold up this project, staff was asked to follow up with fire and police to make sure there are no issues.

Chairman Zimnoch summarized: The plantings and front enclosure for the dumpster will be approved by staff.

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the site plan for a new parking lot adjacent to 12/14 Northgate Drive with staff handling the final decision on the plantings and dumpster enclosure and also the concerns listed in the Town Engineer's report of October 7, 2015.

Items VIII.C.i. through iii will be moved to this point in the agenda.

## **VIII. New Business**

### **C. Informal Discussions**

#### **i. Home occupation for sale of firearms, 27 Deborah Road**

The applicant was not present for this discussion.

#### **ii Bakery, 64 Main Street**

Tina Salvatore addressed the commission. She said she would like to open a bakery at 66 Main Street in Waterside Village next to the massage parlor. She has taught cake decorating for 40 years and has a degree in accounting. She has a well-established clientele already and has a Facebook page called Tina's Cake Emporium and a website titled the same. The bakery will have cakes, cupcakes, cookies, pies, and some specialty breads. She has made pupcakes for The Flying Fur. There will only be one single deck commercial oven. She has talked to the Fire Marshall already, and because she will not be dealing with any grease and does not need a stove, she will only need a Type II ventilation which would vent the hot air out the front. She has a tentative floor plan and a business plan. Her daughter-in-law, who has a marketing degree, will be helping out.

Mr. Gannuscio remarked that for the previous two applicants in this area the commission just relied on an informal presentation and did not require any specific plans. Ms. Rodriguez said she had Ms. Salvatore come before the commission because it's an existing building. If it was a brand new site, it would go through the special permit process as well as site plan review, so that's why she wanted to get some direction from the commission. She brought with her a list of all the uses that are there. This is a typical use for the retail commercial space. There is nothing site-wise to review. Ms. Rodriguez stated that the underlying zone is Business-2, and the MSOZ kicks in when you've got a major upgrade to a property or a new development, so it is not a special use, it is a site plan review. Mr. Gannuscio commented that he sees no need for a site plan review, just staff review with the building official's inspection. Mr. Forschino stated his only concern is with the ventilation but if the Fire Marshall and Building Inspector okay it, he is fine with it. Chairman Zimnoch said Ms. Salvatore will be working with Ms. Rodriguez and the building official and wished her luck.

**iii. IHZ/Housing Study regarding draft regulations**

Ms. Rodriguez stated that the study is underway. The consultant recommended that the latest survey be out there until the end of October, and at that time they will be wrapping up their comments. At this time no action is required by the commission.

**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)

**D. Action Items** (none)

**IX. Communications and Bills (none)**

**OTHER**

Chairman Zimnoch stated there is an issue that was brought up to Mr. Gannuscio regarding the election signs. The Republican signs measure 34½ inches by 21 inches which equals five square feet per side. The regulation is for six square feet for residential. The Democratic signs measure 24 by 18, which is 3 square feet per side. Mr. Gannuscio commented that the commission may be subject to its own ambiguity. Section 605 of the regulation says, “The maximum size imposed upon political/election signs...in residential zones shall be six (6) square feet.” He added, “We don’t say total, we don’t say per side.” Mr. Gannuscio read from Section 601B, Measurement of Sign Area: “The area of the sign which is designed to be seen from more than one (1) side shall be considered to be that of the aggregate area of the rectangles, triangles or other shapes which encompasses all lettering, wording, designs or symbols together with any background.” He stated, “The aggregate of the two 3 square feet falls within Section 601; the 10 square feet does not fall within 601, because 601 sets out the tone for this entire section it looks like to me.” Chairman Zimnoch asked Ms. Rodriguez if that was her interpretation also. She responded, “That’s the literal interpretation. I’m not sure if that’s what we were all going for at the time.” Section 607G talks about civic and non-profit organization signs, and there is no sign area requirement. Going forward some clarifying language would make sense and maybe a discussion about what the intention was during the last amendment. Mr. Gannuscio commented

that he sees the Lions Club as a civic organization but he does not see the Democratic Town Committee or someone's campaign committee as a civic organization or a non-profit organization. Ms. Rodriguez replied that she is bringing it up to say, "What is the rationale for restricting the size of one versus the other," and when we consider any new language, that section should be considered in that discussion.

Paul Harrington, 10 Meg Way, Campaign Manager for the Windsor Locks GOP 2015, explained that he ordered those signs, and he read the regulation as 6 square feet. He did not take into consideration the aggregate, meaning both sides of the signs. A complaint was then filed with the Planning and Zoning Office that the Republican signs were too big. He took it upon himself along with other attorneys to look up some US Supreme Court rulings. There was a ruling that came down this past June that a town cannot regulate the size of a sign if they don't regulate civic and non-profit signs. He suggested that the commission needs to look at the regulations to be more in line with the US Supreme Court rulings. Ms. Rodriguez said she has a copy of this and will email it to commission members. Chairman Zimnoch stated they will take a look and see what changes to the regulations need to be made.

**X. Adjournment**

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission adjourns the October 13, 2015 meeting at 8:34 pm.

*Respectfully submitted,*

*Debbie Seymour*  
*Recording Secretary*