

**PLANNING & ZONING COMMISSION**  
**August 11, 2014 Special Meeting Minutes**

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

Commission Members Present: Vincent Zimnoch, Alan Gannuscio, Jim Szepanski, Alexa Brengi, and Curtis Ruckey

Commission Members Absent: none

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

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**I. Call to Order**

Chairman Zimnoch called the special meeting to order at 7:04 pm.

**II. Roll Call**

Commission roll call was taken.

**III. Action on Closed Public Hearing Item**

**A. Special use permit for Windsor Locks Public Schools for a special education transition program at 52 South Elm Street for 18-21 year olds to learn life/home skills**

Chairman Zimnoch stated that the Planning and Zoning Commission tabled a decision on this application so they could get more information on how they could limit and control this special use with this application and with future applications. Ms. Rodriguez has looked into and come up with some conditions that could be applied to this special use. He asked Ms. Rodriguez to summarize these conditions.

Ms. Rodriguez stated that the use that's been proposed is something that is permitted by special use permit in the zone that it's in, but in order to approve that special use permit, the commission must include a listing of findings with their approval. Section 1103A.4, the SPECIAL USE PERMIT section of the zoning regulations, reads: "The Commission shall make a finding that each of the following standards is met and where necessary, shall attach specific conditions to its approval of a special use permit..." She went on to say that this is where the commission gets the ability to condition approvals when a special use permit is needed. She drafted two motions, one to approve, and one to deny. She read the first motion that she drafted, to grant the special use permit. She explained that the listing of the three conditions were a summary of the applicant's narrative. She noted that at the last meeting, there was some question as to whether the town's records were correct, so she suggested that the wording for the second condition be, "the existing square feet as of this date, approximately 1,363 square feet." If the commission finds that each of these three conditions is found to be in harmony with the appropriate and orderly development of the district in which it is located, the commission is required to give its reasons for

these findings, per Statute 8-3c. She suggested two additional conditions. She explained why she chose “six” for the number of students in condition (e). She also explained under what conditions the commission could ask the applicant to come back for a modification to the special use permit.

Ms. Rodriguez went on to discuss the language for a motion to deny the special use permit.

Chairman Zimnoch said these are the only conditions the commission can attach to the approval. There was some discussion regarding setting the number of students, where this number comes from, and if it is appropriate. Chairman Zimnoch pointed out that should there be an approval and a subsequent need to add more students, the application would have to come back for modification.

Chairman Zimnoch asked for feedback from commission members. Mr. Szepanski noted that this structure was built in the late 1960’s as a residential use with the intent of religious use to house members of the clergy, and now the school system is being moved into this house. He also noted that once you grant a special use permit, the dynamics of that property may change in the future and may be used by others for similar purposes, so parameters should be set. The hours of operation need to be consistent with the school schedule, and this should be clarified. Inside use only may need to be a stipulation. Ms. Brengi felt “leisure activities” should be defined further. Mr. Gannuscio felt there is not a problem with this particular use, but rather what the commission has to do because of other special use permits in past years that has come back to haunt them. The conditions that the commission is putting on this application are to protect the town down the road. He sees no problem with this concept and use. Chairman Zimnoch agreed there is not a problem with this use but is concerned with special use permits that run with a particular property which potentially could be hijacked. Looking at these conditions, he is fairly comfortable that the commission can contain this particular application’s future from escalating into something they would not want to approve tonight. Mr. Ruckey asked if there was a way to have a termination date for a special use permit. Chairman Zimnoch responded no. He added that once a special use permit is approved, it stays, and that is why the conditions have to be very specific, but at the same time the commission is limited as to what conditions can be put on a special use permit. A discussion took place regarding the definition of “school hours.” Mr. Ruckey pointed out that school hours are extended as late as 10:00 pm for school events, and he felt this was a loophole. Ms. Rodriguez said the wording in the applicant’s narrative was “existing school hours.” She said it would be difficult to come up with hours other than how it’s listed in the applicant’s proposal. Chairman Zimnoch asked Mr. Szepanski if the conditions capture his concerns. He replied they did. Ms. Brengi and Mr. Gannuscio said they were good with the conditions. When asked by Chairman Zimnoch if he was good with the operating hours, Mr. Ruckey replied, “I’ve read and understand them.”

Mr. Gannuscio commented: “We have findings to be made because this is a special use permit application, and what we have now is an existing structure which has served since its construction as a dwelling. It has served as a residence and has space set aside for office use for the parish secretary, so it is a use that this structure has seen in the past. There’s a kitchen, which has essential life skills, so this dwelling is a continued use for some individuals who would not be residents of this structure but at some point in time would help prepare them to be residents on their own. It’s an acceptable use for the neighborhood as it currently exists. It’s being shown that the parking will be limited to the particular site where the rectory exists, and there won’t be any noticeable increase in traffic, so it continues to be in harmony with the residences that surround it. It’s a defined parcel with a number of acres of land. It doesn’t seem to put any excessive burden on the area, street, or town services for this to exist in this facility, so it meets with the surroundings. It’s an attempt by the Board of Education to increase the skills of the students who are entrusted to their charge, so it goes hand in hand with the school being nearby.”

Chairman Zimnoch stated that it is a creative use of this existing facility. He noted that there is a big turnout tonight, and there was no one at the last meeting in opposition to this application. The conditions the commission is attaching to this approval should take care of any potential problems down the road, and he sees no problem with this application. Mr. Ruckey pointed out that they will be improving this structure to be in compliance with ADA rules. He stated he has no issue with what they want to do and feels it is an admirable undertaking, but he is concerned with the special use permit as it pertains to this particular property and possible issues in the future with this piece of land.

It was **MOVED** (Szepanski) and **SECONDED** (Zimnoch) and **PASSED** (4-1, with Ruckey Opposed) that the Planning and Zoning Commission approve the special use permit for the Windsor Locks Public Schools for a special education transition program at 52 South Elm Street (property otherwise known as the Rectory) for 18-21 year olds to learn life/home skills, with the following conditions, based on essential findings per Section 1103A.4 of the Windsor Locks Zoning Regulations: (a) The use is approved for 52 South Elm Street only. (b) The use is limited to the 1,363 square foot Rectory space on a 5.5 acre parcel, existing as of August 11, 2014. (c) The specific use approved is for a Special Education Program servicing 18-21 year old students with disabilities during public school hours to learn a variety of life skills, social skills, job skills and participate in leisure activities. (d) The hours of operation will be the existing school hours. Each of these is found to be in harmony with the appropriate and orderly development of the district in which it is located. Additionally, no structures or site improvements have been approved as part of this special use permit. The Commission finds that the parking and loading facilities are adequate and properly located based upon the slated six students and three staff members. School vehicles are parked at the Windsor Locks High School at night. Any changes to the location and size of the use, the nature and intensity of the operations connected with it, the kind, location and height of any structures, the nature and extent of the landscaping on the lot, and the parking and loading facilities shall require a modification to the special use permit.

IV. **Adjournment**

It was **MOVED** (Zimnoch) and **SECONDED** (Brengi) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adjourn the August 11, 2014 special meeting at 7:37 pm.

*Respectfully submitted,*

*Debbie Seymour  
Recording Secretary*