

WINDHAM PLANNING & ZONING COMMISSION

Windham Town Hall
979 Main St., Willimantic

October 27, 2016

Minutes

Members Present: Paula Stahl-Chair, Jean Chaine-Vice Chair, Claire Lary, Edward Pelletier, Michael Graf and alternate Scott Lambeck.

Staff present: Matt Vertefeuille Director of Code Enforcement, and James Finger, Town Planner.

Others present: Phil DeSiato - DeSiato Sand & Gravel, Joe Boucher - Towne Engineering, and Kevin Solli of Solli Engineering

I. Call to Order—The Chair called the meeting to order at 7:00PM. All members were present, no alternate was seated.

II. Approval of Minutes:

Edward Pelletier **MOVED** to approve the October 13, 2016 minutes, Jean Chaine **SECONDED**. **The motion passed 5-0-0.**

Edward Pelletier **MOVED** to approve the September 22, 2016 minutes, Jean Chaine **SECONDED**. **The motion passed 5-0-0.**

Because the representative for O'Reilly's was delayed in traffic, Edward Pelletier **MOVED** to take up Other Business at this time, Claire Lary **SECONDED**. **Motion passed 5-0-0.**

III. Other Business - (DISCUSSION POSSIBLE ACTION)

1. **DeSiato Sand & Gravel Corp. - 64 Jordan Lane, & 329R Beaver Hill Road, North Windham** - Joe Boucher - Towne Engineering representing Phil DeSiato of DeSiato Sand & Gravel, outlined the five year reclamation plan and described progress to date.

Mr. Boucher explained that they looked at the site, and identified three areas that could be closed out during the next five years. The first area is the easterly embankment - section 'A' on the plan. It's been graded, loamed, and seeded, and is partially closed out now. Section 'B' will require additional excavation, then it will be graded, loamed, seeded and closed out. Finally, section 'C' is the deep section of the pit where there is some rock that needs to be removed, then it will be closed out. This accounts for an acre on the hillside, three acres in the southerly part, and two more acres in section 'C'.

The existing haul road passes by the house and where the scale was located. The haul road is between the working areas to allow excavation in the rear that will remain open so they can work on phase three and four. They are maintaining a hundred-foot buffer all around the excavation area. Some discussion ensued to clarify details.

Mr. Boucher explained that the only change to the plans since they were originally approved was in 2005 when the former Zoning Commission approved an expansion of land to add area in the far rear (so they could operate farther away from the residential areas near Labarre Dr.).

Chair Stahl asked for clarification on the approved phases, and Mr. Boucher reported that the Commission already approved phases three, four, and five. He added that each area has different material, and could be in demand at different times. Further, some things have to be done first before other things can happen - so

it's a difficult site to close out any given area. In some areas - natural vegetation has occurred, and it's almost a shame to reclaim the area - as it has trees growing out of the gravel.

ZEO Matt Vertefeuille agreed, and the Commission accepted the plans, and thanked Mr. DeSiato for planning the reclamation of the site.

- 2. Town Plan of Conservation and Development - Consultant's update** -Chair Stahl referred to the printed handouts from the Consultants, and cautioned that the detailed information on survey responses was only preliminary as the Consultants are not yet finished collecting responses.

Commissioner Chaine asked about the link to the Spanish version of the survey as it's still not posted online. Planner Finger explained that the Town's web master has had a lot of other things to post (leaf collection & voting instructions), so he hasn't gotten to it yet.

ZEO Matt Vertefeuille said he gave the link to several Spanish community leaders and sent it out to several Spanish people for them to use the Spanish version. He also reported that he had spoken with some who said they took the survey in English. Commissioner Pelletier said he had also contacted several Spanish people about the survey. The Commission accepted the material without taking any action.

IV. New Business:(DISCUSSION)

- 1. O'Reilly's 1031 Main St - Willimantic** - Site Plan review for retail use in B-1A District - Kevin Solli P.E. of Solli Engineering represent the application, and gave a general overview of the site, and addressed comments from the previous meeting.He explained that the current Lots & More Store is a large building with a fenced garden center.

O'Reilly's will be a 7,500 sq. ft. auto parts store with two un-signalized access points as now - but the driveways will be shifted slightly. It will have 31 parking spaces, and a loading site next to the dumpster location at the north end of the site. They have provided sidewalk connections to the existing sidewalks on both streets; and a location for a bike rack. The plan will reduce the overall impervious area, and he identified several new landscaping areas on the plan.

Mr. Solli explained the responses to the Town Engineer's comments on drainage, and the modifications to the plan to address these. These included use of open dry well catch basins and perforated pipe in a 3/4 inch crushed stone trench from north to south to allow storm water infiltration. Water, sewer, and gas will be connected to existing taps in the street.

They have provided an erosion and sedimentation control plan as required in the regulations; as well as clear instructions to the contractor on handling the site conditions during demolition as well as construction.

Landscaping will include a mix of deciduous trees, understory trees, as well as shrubs and ground covers. Currently, the site is pretty much pavement to the property lines. The lighting has been design to comply with the dark sky guidelines, and the Town's regulations. There will be two pole lights one in front, and one in back, and wall mounted light packs - all directed down to avoid light spilling onto neighboring properties.

Mr. Solli then addressed the architectural details, explaining that they have some cement board around the front along with some red ephis accents around the auto parts sign. For the Windham Street side, they've added some blank window panels, along with some low growing plantings and ground cover - so there isn't just a blank wall facing the street.

ZEO Matt Vertefeuille asked that they add a note that the blank window panels are not to be used for advertising or banners of any kind, and Mr. Solli agreed to add a note.

Mr. Solli said that they looked at the request to add an access easement from the Dunkin Donuts site to the rear of the property, but after discussing it, they decided that it was unlikely that any Dunkin Donuts customer would actually use the rear access; also, their team was concerned about the possible added traffic. Chair Stahl agreed, but asked if the neighboring property changed hands or was laid out differently,

would they consider allowing access at a later time. Mr. Solli said they certainly want to be good neighbors, and could put something on the plans for the future that they may be willing to discuss it at that time.

Commissioner Graf asked about promoting walkability, and explained his reasoning based on the surrounding property. Chair Stahl concurred, and commented on the desirability of moving the building closer to the street to match the general line of neighboring buildings, and also adding more green space along the street.

Mr. Solli responded that they are embracing the sidewalks with the connectors in front and to the side, and also the bike rack; this may be a small thing, but it encourages that (walkability). He agreed that pulling buildings forward is very prevalent in form-based codes. He added that one of the challenges of eliminating the parking in front is with retail operations - especially here where it's an auto parts store. He asserted that you're going there with your car, and you want it as convenient as possible. So the store wants to provide the parking in front, otherwise it would be inconvenient for customers to park in the rear and have to walk around to the front to enter the store.

He reasoned that they have a considerable amount of green space with shrubs, and flowering plants, along with some understory trees to enhance the area; so they tried to address this by enhancing the site development. He explained that the nature of this use, an auto parts store, would likely lead customer to want to drive to the store to pick up their auto parts instead of walking to the store. So from an operational standpoint, they wouldn't want to make it inconvenient for customers.

Chair Stahl asked if a square building was their only proto-type foot print, or do they have a rectangle building that might fit the lot better? Mr. Solli responded that they do have a rectangle, but when they looked at the site, they wouldn't be able to meet the company's desired parking spaces, and it creates other issues with circulation for their delivery vehicles. There isn't a lot of room on the lot to move the building forward as you wouldn't have enough parking, and you can't squeeze in another row without having the cars right up to the sidewalk on Windham St.

Commissioner Pelletier asked about the status of their CONN DOT Permit.

Mr. Solli said they've had some conversations with DOT, but they haven't gotten anything back; but he added that they already have an access drive onto Main St., and would be widening it.

Commissioner Pelletier commented that for Commercial sites, the DOT has the final say, and they may deny the access, and then you may have to come in off of Windham St. He said he didn't see how the Commission could make a decision on the site plan without hearing from the DOT, and asked Mr. Solli if O'Reilly's would grant an extension so they could get the DOT's comments.

Chair Stahl agreed, and felt DOT might not approve the planned entry/exit on the Main Street side. Some discussion ensued about the parking layout to make it diagonal along the easterly property line abutting Dunkin Donuts.

Commissioner Pelletier asked about showing the typical delivery vehicle in the loading area on the plan to see how it looked. Mr. Solli said their delivery vehicles typically have a 67 foot wheelbase, and sometimes they have smaller box trucks, but sometimes they may have smaller tractor trailers come through at off-hours

Chair Stahl asked if they would consider granting an extension to the statutory time limits until they get the DOT comments, as their decision could substantially change the layout. Mr. Solli said he understood that the Commission wanted to hear from the DOT, and agreed to grant a 65 day extension, and will come back with this as soon as they have the answer. The Chair asked if we could continue to discuss the project tonight, so that once the DOT approval is received the Commission could ask quickly.

ZEO Matt Vertefeuille asked Mr. Solli if O'Reilly's has a time line for the project. Mr. Solli said O'Reilly's is working on the architectural plans for the building permit, and hopes to have their permits in place in the next few months so they can start construction in the spring.

Commissioner Chaine asked about the notes for the salt tolerant plants, as the notes say that it requires a one year warranty. He argued that it should be longer than one year as they won't know if the plants will survive in only one year after planting. The Chair commented that not all the plants are considered salt-tolerant, Mr. Solli said he would verify with their Landscape Architect. ZEO Matt Vertefeuille said our regulations require a two year warranty. Mr. Solli replied that there isn't a version of a Rhododendron that is specifically salt tolerant, so they selected specific plants materials for this front landscaped area that are salt tolerant; and the list was changed from what was originally presented.

Chair Stahl said that she would like to see a note saying that the plants will be replenished as needed as the landscaping should be maintained throughout their (O'Reilly's) occupancy.

Commissioner Chaine asked about the dumpster enclosure, and wanted to make sure that it was a commercial grade metal that is used. He said the 16 gauge metal appears to be what was originally proposed. Mr. Solli said that the enclosure would be a six foot high commercial grade chain-linked fence with the privacy slats that screens the dumpster.

Chair Stahl asked if the the sides(of the dumpster) facing Main St. and Dunkin Donuts be the same material as the building. The back is screened with a buffer, so you won't see it as well, and the fourth side is the gate.

Commissioner Chaine said that they originally proposed to weave colored slats in between the chain-linked fencing. Chair Stahl said it (the weaving in a chain-linked fencing) wouldn't stand up to the wear its likely to get after awhile with vehicles banging it - or backing into it.

Mr. Chaine asked about moving the dumpster into the buffer area. Mr. Solli responded that they could do that but it reduces the landscaped area, and would create additional impervious area; plus they interpreted the request to move the dumpster was related to providing access to Dunkin Donuts - which they don't see the need to do. ZEO Matt Vertefeuille commented that it (moving the dumpster) could be a problem for the truck that empties the dumpster, as they want to come straight in to pick it up, empty it, and then leave. If it's off-set, it would be harder for them to do that. Mr. Solli agreed that it (moving the dumpster) could be done, but it would be more challenging to do for the truck driver, and would likely cause damage to the enclosure.

Chair Stahl asked again about the material for the dumpster enclosure, if it could be the same material as the building for the side facing Main St. and Dunkin Donuts because it is so visible; if it was tucked behind the building, it might not be so visible from Main St. Mr. Solli said that they could use a horizontal wooden fence and asked if that was look that would be acceptable. Members concurred.

Commissioner Chaine said that at the previous meeting he reported concern about the landscaping next to the (ECSU) dormitories in the rear, and that it should include a visual barrier as well as landscaping. The Chair asked the ZEO for his opinion. ZEO Matt Vertefeuille said that they changed the landscaping to include some blue spruce trees which should fill in, and the existing trees along the back wall - belong to Eastern (ECSU).

Mr. Solli answered that there is currently paving all the way up to the property line, and the Maples are pretty good size on Eastern's property. So providing another row of Evergreens would enhance the area. ZEO Matt Vertefeuille said that he felt the blue spruce would be adequate.

The Chair asked if there were any other questions of comments. Hearing none, action was postponed until comments from DOT could be provided.

V. Report from Zoning Enforcement Officer–

The Zoning Office reported that he issued a cease and desist order to Abracadabra located at 600 Main St for operating a bar and nightclub without a permit and in violation of their restaurant permit. He explained some of the Police incidents, and complaints of loud music, and that they were not serving food as required for the type of liquor permit they have.

Next he reported that Horizons in South Windham has started work on its new driveway (at 103 Babcock Hill Rd)that will provide improved access to the site, and will avoid having headlights shining into neighbors' homes.

VI. Routine Business

1. **Correspondence- Annual regular meeting schedule** - The Chair reported that the Town Clerk has requested the annual meeting schedule for the next year as required by law. The Commission agreed to continue its regular meeting schedule of the second and fourth Thursdays of the month - except November and December when they will meet on the second and third Thursdays - all meetings will be at 7 PM in the Town Hall where space is available.
2. **Miscellaneous** -The Chair alerted the members to the announcement from the CT Conference of Municipalities of the **CCM Annual conference** which will be held at the Foxwoods Casino on Nov. 15, 2016.

VII. Adjourn - The Commission adjourned at 8:25 PM

Respectfully submitted by

James Finger, Town Planner