

**WINDHAM PLANNING AND ZONING COMMISSION**  
**June 26, 2014 MINUTES**

The Windham Planning & Zoning Commission held its meeting on June 26, 2014 in the Meeting Room, Town Hall. Chair Paula Stahl called the meeting to order at 7:00 P.M. Members present were Edward Pelletier, Jean Chaine, Michael Graf, Dan Lein, Claire Lary and Paula Stahl. Scott Lambeck was excused. Also present was Town Planner James Finger. Zoning Enforcement Officer Matthew Vertefeuille was away on vacation.

**I) Approval of Minutes**

a) The **minutes of March 27, 2014** were approved. Motion made by Dan Lein and seconded by Claire Lary. Voting in favor of the motion were Dan Lein, Claire Lary, Ed Pelletier, Jean Chaine and Paula Stahl. Michael Graf abstained. The motion carried.

b) The **minutes of April 24, 2014** were approved. Motion by Claire Lary and seconded by Jean Chaine. The motion carried unanimously. Michael Graf corrected the spelling of his last name to Graf and not Graff.

c) The **minutes of May 8, 2014** were approved. Motion by Jean Chaine and seconded by Dan Lein. Voting in favor of the motion were Jean Chaine, Dan Lein, Claire Lary, Michael Graf and Paula Stahl. Ed Pelletier abstained. The motion carried.

d) Ed Pelletier made a motion to add the May 22, 2014 minutes to the agenda and Dan Lein seconded the motion. The motion carried unanimously.

e) Action on the **minutes of May 22, 2014** was deferred to the next meeting as members had just received them.

**II) New Business**

Chair Paula Stahl said there are 12 public hearings listed on the agenda, but explained that she wanted to postpone the hearings on the last two items relating to changes to the subdivision regulations. She explained that we are looking at changes that impact future subdivision and needed more time to reflect on them. Therefore, she asked the members if they could postpone these hearings to allow time for her to meet with Town staff to study the impact of some of these changes.

Dan Lein made a motion to postpone the public hearings on the proposed changes to the subdivision regulations until the next meeting on July 24, 2014. Jean Chaine seconded the motion. The motion carried unanimously.

**I) Public Hearing for Frog Bridge Gymnastics** for property located at 730 Windham Road, South Windham, CT (Assessors Map 5-9/207/2) – Special Permit application to establish a retail service operation in an M-1 District in accordance with Section 41.2.7a of the regulations. Their application falls under the existing regulations, said Stahl.

Diane Hirsch, owner of Frog Bridge Gymnastics, said we are here to address any concerns the commission may have.

Chair Stahl addressed Mr. Morin, the property owner, and asked if he had considered the suggestion the Commission made at last month's meeting to look at the proposed Section 42 to see if this would meet your long-term needs, or if the C-2 (an adjacent zone) might better fit your business's needs.

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Because of your property's location, and the fact that it is scheduled to be re-zoned later this evening, you are in a unique position. Discussion ensued.

Ms. Hirsch explained they presently have two months left in an emergency temporary lease. She said this is the plan of what we would like to do. We have things lined up so that if we get your approval, and sign the lease on the 1<sup>st</sup> we could have a grand opening on September 7<sup>th</sup> or 8<sup>th</sup>. We need the exception to move things forward.

She said we normally have between 250 and 300 students. We have three groups of classes which have 21 children and some staff. With the facility that we envision there, it will not be a necessity to schedule group classes at the same time.

Chair Stahl said you have a lot of people coming and going. Ms. Hirsch said the classes are scheduled so that they do not overlap. Chair Stahl said her concern is the on-site conflict between mothers with kids in the car dropping off or picking up students and future manufacturing-related tractor trailer trucks. Because the building is vacant, and zoned as manufacturing, the vehicular intensity of other uses of the building is not known.

Jerry Morin, the new property owner explained his background. He said he is the facility manager for Rogers Corp. now, and has managed their facilities for over twenty years. He referred to the map showing the layout of the driveway. Frog Bridge will have the entire north end of the building with their own entrance and plenty of parking. He said he did not foresee a problem with traffic movement. As far as the railroad crossing, he said it has flashing lights both ways, and when you are pulling into our driveway you are doing 10 or 15 miles per hour. He said he received a print from Joe Boucher of Towne Engineering which shows the sight line visibility going north over 2,000 feet and to the south it is 1,100 feet. The train usually comes by around 7:30PM. It is made up of 6-10 cars which are traveling 15 miles per hour.

A general discussion ensued.

Commissioner Jean Chaine said that changing zoning classification to a commercial use, may allow this specific use, but may eliminate some manufacturing uses. Chair Stahl said this is complicated because we are in the middle of changing all the regulations that involve that area. Our proposed changes would list this particular property as M-2 which is light manufacturing. Ed Pelletier suggested changing the Rogers property to C-2 Zone as this would make it simpler and would still allow manufacturing by special permit. Some discussion ensued, and Dan Lein made a motion to table this discussion until later in the meeting and Ed Pelletier seconded the motion. The motion carried unanimously.

**A) Public Hearing on Revisions to the Town's Zoning Regulations as follows:**

Chair Paula Stahl opened the public hearings for items 2, 3, 4 & 5: She said the goal is to encourage light manufacturing, develop regulations that are more flexible, and limit the number of applications that need to come before the commission.

The Chair read into the minutes a letter from WINCOG that stated that the proposed Manufacturing zoning text changes simplify and standardize the language, and the map changes are not anticipated to create negative intermunicipal impacts. Both proposals are generally consistent with the goals of the Windham Region Land Use Plan 2010.

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The Chair read into the minutes a letter from the Southeastern CT Council of Governments. The letter states that the Regional Planning Commission has reviewed the proposed changes and finds that the revisions are consistent with the goals and vision of the Windham Region Land Use Plan 2010.

The Chair also read into the minutes a letter from the Town of Franklin encouraging Windham to utilize best management practices in the Business Park and Light Manufacturing District M-2 to protect ground and surface water quality.

**2) Complete revision of Section 41 Manufacturing District M-1** and zoning district boundary changes to include properties at 194, 202, 204R and 206 Boston Post Road, 325 & 375 Tuckie Road, and properties on both sides of Club Road including 116, 134, 134R, 148, and 184 & 185 for the Windham Golf Course.

**3) Complete revision of Section 42 Business Park & Light Manufacturing District M-2** along with boundary changes to include properties 730, 826,854, & 860 Windham Road., 167R, 199,255,316R 330R & 338 Plains Road, then 249A, 324-348, 848 and part of 55 Windham Center Road; also including the Railroad ROW

**4) Complete Revision of Section 43 Neighborhood (M-3)**

**5) Complete revision of Section 44 – Manufacturing/Industrial District M-4** along with boundary changes to include odd numbered properties along Boston Post Road as 63-83, 87-AR&BR, 107R, 181-189 Boston Post Road

Public Comments: Tom DeVivo spoke regarding the proposed changes. He said he appreciated the commission's efforts in making these revisions and in accepting the recommendation for changing the approval process for accessory uses. He made reference to Section 44.7 – setbacks and parking 25 feet to the property line and encouraged the members to consider narrower front parking setbacks.

Chair Stahl also read Joseph Boucher's comments into the record as he was not able to attend the meeting. His comments had been addressed in the drafts presented tonight.

The Chair asked Mr. Morin if he had made a decision on how he would like his property at 730 Windham Road zoned. He indicated that he would like his property to be rezoned as a C-2 property.

As there were no more public comments, the public hearings on items 2, 3, 4 and 5 were closed.

Paula Stahl made a **motion** to approve items 2, 3, 4 and 5 as presented with the exception that 730 Windham Rd be rezoned to C-2 ; Dan Lein **seconded the motion**. All members were in favor of adopting these zoning regulations. The motion carried unanimously.

**I) Public Hearing for Frog Bridge Gymnastics** The Chair reopened the public hearing. Because the use is permitted in the C-2 zone, and the property was just rezoned to C-2, Frog Bridge Gymnastics withdrew its application for a Special Permit.

Chair Paula Stahl opened the public hearings for items 6,7,8, 9 & 10.  
As there were no comments from the public, the Chair closed the hearing.

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Ed Pelletier made a motion to adopt items 6,7,8,9 & 10 as follows:

- 6) **Rezone properties** along Crystal Road from Commercial M-1 to Commercial C-2
- 7) **Rezone properties at** 325 North Windham & 190 Windham Center Road from Manufacturing to R-1 Residential.
- 8) **Rezone properties** from 974-1008 Windham Road, South Windham from Manufacturing to R-3 Residential.
- 9) **Rezone properties** at 297 Windham Center Road, 29 & 80 Old Boston Post Road, 512 Boston Post Road, 43r & 45 Stonegate Drive from Manufacturing to Reserved Land RL zone.
- 10) **Rezone Section 53 – Reserved Land District – RL** to allow all municipal uses

Jean Chaine seconded the motion. Members were in favor of adopting these zoning revisions. The motion carried unanimously.

**III) Correspondence** - none

**IV) Report from Zoning Officer** – The Chair had sent an email to the Zoning Officer asking if he had seen positive or negative results from the PZC’s efforts in revising the regulations. She read his response that stated he has seen a tremendous uptick in interest in development in town. He felt the regulation changes have had a very positive result.

**V) Section 8-24 Referral for property at 356 Jackson Street and 9 Bolivia Street.**

Dan Lein read the following **Resolution** and Claire Lary seconded the motion:

Be it hereby **Resolved** pursuant to the Connecticut General Statutes Section 8-24, that the Windham Planning & Zoning Commission recommends that the Town of Windham dispose of the property located at 356 Jackson Street and 9 Bolivia Street acquired through tax foreclosures.

It is consistent with the Town Plan of Conservation & Development as it will return property to private property for development. Those present voted unanimously in favor.

The meeting was adjourned at 8:25 P.M. Motion to adjourn made by Ed Pelletier and seconded by Claire Lary. The motion carried unanimously.

Respectfully submitted,

Lillian Murray, Clerk