

WINDHAM PLANNING & ZONING COMMISSION
Regular Meeting

*REVISED

DATE: September 23, 2010

TIME: 7:00 PM

PLACE: Windham Town Hall, 979 Main St., Willimantic

A G E N D A

I. **Call to Order**

II. **Approval of Minutes** - August 26th, and September 9, 2010

III. **New Business** – DISCUSSION/POSSIBLE ACTION

1. **Public Hearing - Windham Medical Associates LLC**– seeking a **Special Permit to establish a 30,000± sq. ft. professional medical office building** with related accessory uses located behind the Hospital owned by Windham Community Memorial Hospital/Hatch Hospital Corp. with an address of 605 Valley Street, but more commonly known as **112 Mansfield Ave.**, Willimantic in an R-6 (RPO) District in accordance with Section 26.3.2 of the Windham Zoning Regulations.
2. **Windham Medical Associates LLC**– Final Site Development Plan for **30,000± sq. ft. professional medical office building** with related accessory uses located behind the Hospital owned by Windham Community Memorial Hospital/Hatch Hospital Corp. with an address of 605 Valley Street, but more commonly known as **112 Mansfield Ave.** – Take receipt.
3. *Recommendation to Town Council on the Ordinances regarding sidewalks

IV. **Old Business** – DISCUSSION/POSSIBLE ACTION

1. Revisions to Zoning Regulations

V. **Routine Business** - DISCUSSION/POSSIBLE ACTION

1. Correspondence
2. Miscellaneous

VI. **Adjourn**

Paula Stahl Chair

Town of Windham

MEMORANDUM

TO: Planning & Zoning Commission
FROM: James Finger, Town Planner
DATE: September 20, 2010
SUBJ: Planner's Report for next meeting

*Please note if you are not coming to the meeting.
Please call 465-3041 to let us know. Thank You!*

New Business

Public Hearing - Windham Medical Associates LLC– this is the formal application that was originally presented earlier this year. Now we have the proposal seeking a Special Permit to establish a 30,000± sq. ft. professional medical office building with related accessory uses. The new building will be located behind the Hospital owned by Windham Community Memorial Hospital/Hatch Hospital Corp. this is a separate parcel of land and has an address of 605 Valley Street, but the property is more commonly known as **112 Mansfield Ave.**, Willimantic. The bulk of this property is located in an R-6 (RPO) District, and is permitted as a Special Permit in accordance with Section 26.3.2 of the Windham Zoning Regulations.

They are hoping to get approval of a few construction items. One is to move the entrance to the existing parking lot to avoid having traffic congestions on the tight 'S' turn that exists now and to create a separate entrance for their construction vehicles. The second one is to create a separate haul road off the west end of the parking lot so that the big trucks can enter and exist away from the bulk of patient/patron traffic.

So with these things in mind, I would suggest that the PZC could approve the Special Permit for the Use with conditions: 1- separate the construction traffic from the patient/patron parking areas, and 2 - return to the PZC with the final site development plan for approval.

SECTION 26 - RESIDENCE R-6 DISTRICT (RPO)

26.1 **PURPOSE AND INTENT:** The purpose and intent of this District is to provide an area for an intensity of development similar to that of the R-5 District. In addition, office uses may be permitted under special circumstances where they will not impair the residential character of the District. (amended 06/10/96)

26.2 **PERMITTED USES:** Those uses permitted in Section 24.2 of the R-4 Residence District.

26.2.1 Accessory uses and structures as specified in the R-4 District. (added 06/10/96)

26.2.2 For hospitals, health care institutions, and educational institutions after site plan approval(added 06/10/96):

- | | |
|--|-----------------------------------|
| a. staff quarters; | f. heating plants; |
| b. laundry, incidental to principal use; | g. off-street parking facilities; |
| c. cafeteria; | h. classrooms; |
| d. day care facilities; | i. dormitories; |
| e. office and conference centers; | j. fraternity & sorority houses; |
| | k. library. |

26.3 SPECIAL USES: (entire Section amended 06/10/96) The following uses are approved by the Zoning Commission: (amended 11/22/02)

26.3.1 Uses permitted by Special Permit as detailed in Section 25.3 of the R-5 Residence District and clustered multi-family developments as specified in the R-5 District under Section 25.3.

26.3.2 **PROFESSIONAL OFFICES provided the following special requirements are met:**

- a. The minimum lot size shall be 20,000 square feet. The Commission may permit the use of an existing lot having an area less than 20,000 square feet for office use provided the lot was legally in existence on or before January 1, 1979, and further provided that, in the opinion of the Commission, it can be developed for office use without impairing the residential character of adjacent lots. (amended 06/10/96)
- b. The location of parking facilities, access drives and other uses necessary to the development of a lot for office use shall be so located as to minimize any adverse impact on adjacent residential properties. (amended 06/10/96)
- c. All required setback yards shall be suitably landscaped and maintained in a slightly manner. (amended 06/10/96)
- d. Use of any lot for offices shall not substantially alter the residential appearance of the lot or substantially impair the residential use and character of the surrounding neighborhood.

26.4 **THE GENERAL PROVISIONS** for lot area, shape, frontage and minimum floor area shall be as specified in the R-5 District. The provisions for accessory uses, structures and setbacks, height, coverage and bulk shall be as specified in the R-4 District. (amended 06/10/96)

Windham Medical Associates LLC– This is an application for approval of the Final Site Development Plan for **30,000± sq. ft. professional medical office building** with related accessory uses located behind the Hospital owned by Windham Community Memorial Hospital/Hatch Hospital Corp. on a separate parcel of land with an address of 605 Valley Street, but more commonly known as **112 Mansfield Ave.** The plans are not complete at this writing because they are still trying to finalize the drainage plan, and this affects the layout of the parking areas, lighting and landscaping.

Therefore, the Commission will only be taking receipt of the application in progress, but no final action is expected on this.

Recommendation to Town Council on the Ordinances regarding sidewalks

The following are the two sections I (Jean Chaine?) looked at as a result of the request for input from Chairman Jerry Iazzetta's Public Safety, Recreation and Public Works Subcommittee committee. Specifically 13-161 (b) Upon construction of.....(c)...There can be o waiver.....

Sec. 13-161. Sidewalks required; width; specifications for construction. (a) Each fifty-foot street constructed in the City of Willimantic shall consist of two (2) eight-foot sidewalks and a thirty-four-foot traveled way. The thirty-four-foot traveled way shall be constructed of gravel twelve (12) inches thick after any spongy or otherwise unsatisfactory materials have been removed from the subgrade. These twelve (12) inches of gravel shall be placed in two (2) layers each six (6) inches thick upon the previously crowned subgrade. The first six-inch layer shall have a maximum four-inch stone size and the second six-inch layer shall have a maximum two-inch stone size. Before any gravel is used in the traveled way, the gravel shall be approved by the superintendent of streets. The sidewalks shall be shaped with suitable material over the full eight-foot width. These sidewalks shall be brought to the final grade of the streets so that the sidewalk material forms the curbing, which regulates the flow of water on the streets.

(b) Upon construction of any building or change in land use of any property abutting any street in the City of Willimantic, there shall be constructed curbs and sidewalks in accordance with the then current regulation.

(c) There can be no waiver of the requirements of subsection (b) of this section. (Ord. of 5-10-71; Ord. of 3-8-83)

Sec. 13-166. Assessment for new sidewalk construction. The City of Willimantic may authorize a contract for the construction of sidewalks, curbs and drive ramps in any area of the City of Willimantic where same have not previously existed. The owner of the property shall be responsible for two-thirds of the cost of construction of the sidewalk, two-thirds of the cost of the construction of the drive ramp and one-third of the cost of the construction of the curbs, and shall be assessed for same. The assessment shall be made annually by the common council and shall be due and payable by the owner within thirty (30) days of the assessment date. Interest on unpaid assessments shall accrue at the rate of one (1) percent per month on the unpaid balance. Any assessment not paid within one (1) year of the assessment date shall result in a lien being placed against the property. All assessments, interest and lien fees shall be paid into the revolving fund for sidewalk construction as created by the Charter.

It seems to me that no waivers while a laudable goal to sidewalk property for pedestrian safety etc., that in areas where no sidewalks exist on the street or road on which that lot exists, and only one single home lot size property is changing the land use for construction of a single family home, that some accommodation should be available for relief from the 13-161 (b) and (c).

I am suggesting the following using 13-166 as a model for this suggestion.

(c) There can be no waiver of the requirements of subsection (b) of this section. (Ord. of 5-10-71; Ord. of 3-8-83) unless (d) applies.

(d) When a change in land use for the purpose of construction of a single family home on a lot that abuts a street or road in the City of Willimantic, where that street or road currently does not have sidewalks or curbs on either side of said property, that in lieu of fulfilling Sec 13-161, a waiver will be considered to apply Sec 13-166 assessment fee. That fee will exempt this property from future assessments that may be applied for construction of sidewalks, curbs and drive ramps authorized by the City of Willimantic.