

**SPECIAL MEETING MINUTES
TOWN PLANNING AND ZONING COMMISSION
MARCH 18, 2025
7:00 P.M. HYBRID MEETING
275 BROAD STREET, WINDSOR, CT**

Present: Commissioners Mips (arrived at 7:11 p.m.), DeCarlo, Levine, Jaggon and Jepsen and Alternate Commissioner Harvey (was seated until Commissioner Mips arrived)

Absent: Alternate Commissioners Hallowell and Tetteh

Also Present: Town Planner Todd Sealy, Assistant Town Planner Mitchell Vye and Secretary Andrea Marcavitch

I. NEW BUSINESS

Commissioner Jepsen opened the meeting at 7 p.m.

- A. Public Communications and Petitions (five-minute time limit per person) – None**
- B. Communications and Petitions from the Town Planning and Zoning Commission – None**
- C. Zoning Enforcement Officer's Report – None**
- D. C.G.S. §8-24 Referral Requests – None**
- E. Pre-Application Scrutiny**

- 1. Special Use – 50 Wilton Road, Section 4.5.11, Bed and Breakfast Establishments, R10 Zone, .25 acres, Reault**

Owner Sandra Reault was present and discussed the plans for a Bed and Breakfast. She hoped to provide two rooms for families coming into town for events where they can participate in a walkable way. She said she had spoken to her neighbors and received positive feedback.

Commissioner Levine asked if they would serve just breakfast and Ms. Reault replied yes, just breakfast. She said it would be a three-course gourmet breakfast.

Commissioner Levine said she assumed the Health Department will have an overview of that. Ms. Reault stated that she had been in the food service industry for a little bit and is ServSafe certified. She said she would comply with all standards.

Commissioner Jepsen asked if she had ample parking and Ms. Reault replied that they do. She said they have a long driveway that opens up to a wide expanse. She said the previous owners added an attached in-law apartment to the house and that is where she and her husband live. She said they will always be on the property to manage any issue that might come up. She said there is also off-street parking and parking in the backyard and that the rest of the backyard is fenced in, so neighbors will be able to maintain their privacy.

Commissioner Levine asked if there was a pool and Ms. Reault replied no.

Commissioner Jepsen asked Town Planner Todd Sealy if there were any staff comments for this. Mr. Sealy replied not at this point, but noted that a Bed and Breakfast is permitted by special use in a residential zone and is required by zoning regulations to be built before 1940 and to be on an arterial street, unless otherwise specified by the Planning and Zoning Commission. He said the regulations appear to give the Commission some discretion to determine locations that might be appropriate for it. He said he suggested that Ms. Reault put together a summary and come to the Commission for a pre-application scrutiny to get feedback.

Commissioner Levine asked why the year 1940 had been chosen. Mr. Sealy said he thought it was to limit it to certain locations like in our historic district or in Windsor Center, where you have some larger homes. He thought the requirement to be on an arterial road was to have less traffic impact on the single family neighborhoods.

Commissioner DeCarlo asked if Ms. Reault's neighbors would have to be notified. Mr. Sealy said if she was to apply for a special use permit, she would be required to notify neighbors within a 100 feet of the property.

Commissioner Jaggon asked who else would be preparing the breakfast. Ms. Reault responded that she would be the only cook and that it would be her and her husband running the business.

Commissioner Jaggon asked what would happen if she was to get sick. Ms. Reault said that she does not have to take a guest and can refuse a booking.

Commissioner Jaggon asked if she was ServSafe certified and Ms. Reault said yes.

Commissioner DeCarlo asked how the in-law apartment was connected to the house. Ms. Reault said it is connected at the French doors in the living room. She said there is no exterior wall in that space.

Commissioner DeCarlo asked if renters would stay in the front/original part of the home and Ms. Reault said yes.

Commissioner DeCarlo asked if they had access to a kitchen and bathrooms and Ms. Reault replied that they would have access to bathrooms but not to the kitchen. She said they will have access to the bedrooms, bathroom and a lounge upstairs where they can relax and watch TV.

Ms. Reault thanked the Commissioners for their time.

Mr. Sealy stated that if anyone was attending the meeting for 27 Sinclair Street that the application had been postponed to the April 8th meeting.

Commissioner Mips arrived and was seated.

F. Re-Approvals/Revisions/Extensions

1. **3.9 SP Revision – 1075 Kennedy Road**, Drive Up Stalls, PUD Zone, 21.87 acres, Kimley-Horn and Associates
2. **3.9 SP Revision – 100 Helmsford Way**, EV charging stations, I Zone, 24.02 acres, Madonia
3. **3.9 SP Revision – 1701 Poquonock Avenue**, Welch Park rehabilitation and courts, NZ Zone, 9.61 acres, TOW
4. **3.9 Revision to an Approved Subdivision – 28 Cook Hill Road**, Add groundwater removal system, O'Neill

Assistant Town Planner Mitchell Vye reviewed the applications.

G. Site Plans

1. **Site Plan – 300 Lamberton Road**, Parking lot and loading dock modifications, I Zone, 4 acres, Alford Associates, Inc.
 - i.). Request for waiver of zoning regulations Section 3.3.3E, Feeder Drives, requiring feeder drives that are longer than 45 feet to provide continuous directional circulation.

Professional Engineer and Land Surveyor Christian Alford of Alford Associates, Inc. and Michael Richards were present. Mr. Alford said they are seeking approval of a revision to the site plan at 300 Lamberton Road and he gave a description of the property. He said they are seeking a waiver from Section 3.3.3E, Feeder drives, as there is adequate area for onsite circulation at both the north and south end of the property.

Commissioner Mips asked if there would be enough turnaround with the trucks to come back out. Mr. Alford replied yes and said that they will be able to bring in a large truck, turn it around and back it in there. He explained that most of the trucks are smaller, 30-foot box trucks.

Commissioner Levine asked if fire apparatus would have ample room and Mr. Alford replied yes.

Commissioner DeCarlo asked if it had been reviewed by the Fire Marshal and asked if he had semis coming into the site and Mr. Richards replied no, they only have 26-foot straight trucks.

Commissioner DeCarlo said his concern was would they be able to get in if they had a full load.

Commissioner Mips said there were no comments from the Fire Marshal.

Mr. Sealy said there were no comments from the Fire Marshal and said there was some staff discussion at the Development Team meeting. The Engineering Department provided some comments and a memo dated March 18, 2025 and put together a drawing showing what improvements could be made for the fire apparatus to back up.

Mr. Sealy said this is not a site plan revision that would warrant going to the Commission but that the waiver required commission approval. He said staff recommended approval subject to final staff review.

Motion: Commissioner Levine moved approval for the waiver concerning 300 Lamberton Road, Section 3.3.3E, Feeder drives.

Commissioner Jepsen seconded the motion and it passed 5-0-0.

Motion: Commissioner Levine moved approval of the site plan for 300 Lamberton Road, pending resolution of the outstanding issues with the town staff.

Commissioner Jepsen seconded the motion and it passed 5-0-0.

H. Minutes

1. February 11, 2025

Motion: Commissioner Levine moved to approve the draft minutes of February 11, 2025 as presented.

Commissioner Jepsen seconded the motion and it passed 5-0-0.

II. MISCELLANEOUS – None

III. PLANNER’S REPORT

A. Update on recent development

Mr. Sealy reported that the first public Plan of Conservation and Development (POCD) workshop was held at town hall where about 50 people took part and were able to give feedback on the three topics that interested them. He reported that they will be looking to hold a focus group meeting over the next couple of weeks on different topics related to housing, transportation, open space, historic and cultural resources, economic development, and quality of life. He said they are working on a schedule now and will share the dates.

Mr. Sealy reported that they are still looking for more responses to the POCD survey. The survey can be filled out online at www.plan.windsorct.com. He also highlighted the Town Manager’s proposed budget meeting on March 27 at 6:30 p.m. in the Council Chambers at town hall and there will also be a public information meeting on the Day Hill Corporate Area Study on March 25 at 7 p.m. in the Council Chambers where the consultant will present its recommendations for the corridor.

Mr. Sealy reported that the restaurant, “Salts”, at Dudleytown Brewing is anticipated to open in the next couple of weeks and the Friends of Northwest Park will hold their 38th annual Pancake Breakfast on Saturday, March 22 from 8-11 a.m.

Mr. Sealy also reported that Dan Volovski had been hired as our new Fire Marshal and that he served as the Deputy Fire Marshal at the University of Connecticut for the past nine years. He also stated that construction will pick up significantly in the next few weeks at Wilson Park and that the apartments at Dunfey Lane have just finalized their OSTA (Office of the State Traffic Administration) approval. He believed there are some minor outstanding comments but would anticipate seeing some activity in that area soon.

Mr. Sealy continued the discussion from a previous meeting regarding Federal Firearms License (FFL) and distributed three options to the Commission for a text amendment application. The options to operate an FFL as a home-based business were not permitted, permitted by right or permitted by a

special use. He reported that a number of towns that responded to his inquiry do allow FFLs as a home-based business by right or by ZEO (Zoning Enforcement Officer) certificate. He also said no one reported any issues because of the oversight and background checks are done by the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) He stated some concerns that allowing it by right would be setting a precedent to allow it in all residential properties and zones and we would have to be prepared to accept that anyone living in Windsor would be eligible regardless if it's a single-family, multifamily or if there is a daycare or school nearby. Another concern was that there would be no effective means of regulating it. He gave a brief overview of the options he presented and recommended either option one or two – not permitted or permitted by special use, which would give the Commission some discretion. He asked the Commission how they would like to proceed with this.

Commissioner Levine stated that she knew an applicant is waiting for them to make a decision, but that she would personally like some time to digest the information to make a thoughtful determination.

Commissioner DeCarlo asked what the current regulations are for FFLs and stated that there are existing FFLs in town. Mr. Sealy replied that there are two commercial properties listed as FFLs – one industrial property and one retail property – and one residential property.

Commissioner DeCarlo asked if they have any restriction on them right now, and if they are retail sales, gunsmithing or just transfers. He also asked if they would be grandfathered in if the Commission was to require a special use. Commissioner Mips said that would be her question as well. Mr. Sealy replied that they would be grandfathered in and said his understanding of the existing residential FFL is limited to transfers and that it is also for collectors of restoration of antique firearms. He said there was no zoning conditions or approval that was done on that.

Commissioner Mips asked if the special use would go with the applicant or with the address because she would not want it to go with the address. Mr. Sealy replied that it was a good question.

Commissioner DeCarlo said he thought the applicant had to first have zoning approval from the town before any background checks or anything else was done. He asked for clarification on that from Mr. Sealy. Commissioner DeCarlo also asked to have more information on what the ATF requires of an FFL holder, and if we were to limit the FFL to just transfers, how would we know that is what is happening? Would there be any way to regulate it? Would the ATF take over regulating it?

Commissioner DeCarlo questioned if the Commission had the right to say FFLs are not a permitted use. Mr. Sealy replied that he believed the Commission could say no to operating a FFL as a home-based business and that it did not limit someone's ability to own or purchase guns, but it could limit where an FFL could be located.

Commissioner DeCarlo said the existing FFLs should be grandfathered in as they've been here for several years and seem to have a good track record. He thought the FFL holders had to come back and renew every few years and said he would feel comfortable allowing them to be grandfathered in.

Commissioner Mips said she did not remember any of them coming before the Commission and that she had never seen an FFL application come before them.

Commissioner Jepsen said if current FFLs were grandfathered in before there were any restrictions, they would not have to come before the Commission.

Commissioner Levine commented on the changes happening at the Federal level and that even more bureaucracy could be involved in the future. She thought it could be a slippery slope.

Commissioner Mips stated that she did not like option 3 and that option 1 would knock it out. With more information, she said option 2 might work but that the special use would have to be applied to the applicant and not the address.

Commissioner DeCarlo agreed and liked option 2.

Commissioner Mips said that they need some more information on the whole business.

Mr. Sealy said he had come across some of the questions that Commissioner DeCarlo asked but that he would go back and do more research, and reach out to the ATF office.

Commissioner Mips thought it might be helpful for the Commission to see the FFL application form.

Mr. Sealy stated that he would research if a special use could be attached to a person and not an address.

Commissioner Jepsen said that he did not know how you would zone a person.

The Commissioners all agreed that there were more questions that they did not have the answers to.

Commissioner Levine asked who monitors the FFL holder after it is approved. Mr. Sealy replied that the ATF monitored them but was not sure how often they check in.

Commissioner Levine said she would like to understand all of those mechanics.

Commissioner Mips said that Mr. Sealy had all of their questions and that they would follow up at the next meeting.

IV. BUSINESS MEETING

A. Application Acceptance

- 1. Special Use – 55 Palisado Avenue**, Section 5.2.6D(1)(c), Limited-Service Restaurants, B2 Zone, 1.19 acres, Brault
- 2. Design Development Concept Plan – 1 and 10 Targeting Centre & 465 Bloomfield Avenue**, Mixed-use development, RC & B2 Zone, 11.81 acres, Alford Associates, Inc.
- 3. Special Use – 159 Broad Street, Section 5.2.6J**, Conversion of existing buildings to residential units, B2 Zone, .36 acres, Bowin

V. PUBLIC HEARINGS

Commissioner Levine read the legal notice into the record.

A. Special Use – 27 Sinclair Street, Section 4.5.7B, Group Homes, R8 Zone, .25 acres, Myers – *recessed from February 11, 2025 meeting*

Applicant requested to postpone to April 8, 2025 meeting.

B. Special Use Re-approval – 130 Deerfield Road, Section 15.1.9, Family Center, A Zone, 3.70 acres, Carmon

Owner John Carmon was present and requested that the special use be granted permanently. He reported that the “Lodge” had held over a thousand memorial gatherings and listed all of the events and ways that the space had been used over the last 10 years.

Commissioner Levine asked if the Commission can grant a special use indefinitely and Commissioner Mips replied yes.

Public Comment: None

Commissioner Mips asked if there were any comments from staff and Mr. Sealy replied no, and said that staff recommended approval.

Motion: Commissioner Levine moved approval of the special use re-approval for 130 Deerfield Road with no time limit.

Commissioner Jaggon seconded the motion and it passed 5-0-0.

C. Text Amendment – Sections 13.2.10A(2)(b) & 13.2.10C(2), Highway Transitional Design Development, Goman + York Property Advisors

Don Poland of Goman + York Property Advisors in East Hartford was present and reviewed the application. He stated that this is a technical amendment to the provisions of the Highway Transitional Design Development zone. He said there was some ambiguity within the regulations and they hoped to provide more clarity.

Commissioner Mips asked if this application would apply to the Univac building with residential backing on two sides. Mr. Sealy replied that it would apply to the highway commercial development area around exit 37.

Commissioner Mips shared concerns that residents in that area were very upset around the Univac parking and thought there may be a problem.

Commissioner Mips asked if the text amendment would apply to any interstate access and entrance and Mr. Sealy replied no, that it would only apply to exit 37 and the overlay district for the highway development zone. He explained that this was the regulation that the Dunfey Lane apartments were approved under.

Commissioner DeCarlo asked if this would apply to anything on Bloomfield Avenue or if we were targeting this one area.

Commissioner Mips replied that this is the only area that we have left.

Commissioner DeCarlo asked if we have existing buildings there.

Commissioner Mips replied that there is a big monstrous building there and the other corners are already taken either by the State of Connecticut or by businesses that are in existence doing exactly this.

Commissioner Jepsen asked which corner was being discussed. Mr. Sealy handed him a map and explained that the text amendment would be limited to the highway design district area.

Commissioner Mips said we are talking about the southwest side.

Commissioner Jepsen asked if it was the southwest side that backs up to Mountain Road and Commissioner Mips said yes.

Commissioner Levine asked if the text amendment would apply to an area close to a highway and Mr. Sealy replied no and that it was specific to exit 37.

Mr. Poland asked if he could remark or answer any questions.

Commissioner Mips asked if they were going to take a portion of that property to the front. Mr. Poland replied that they are proposing to redevelop the two existing buildings. He said he believed the intent of the highway zone was to facilitate the redevelopment of properties in that area. He said the idea is to combine parcels there to have frontage at 1 Targeting Centre. He stated that the uses permitted through the highway zone are already permitted in this location and what they are dealing with are technical amendments to clarify some of the regulatory provision specifically related to the encroachment lines that are imposed by Department of Transportation (DOT) in relationship to the access to a highway, as they prevent direct access from any frontage parcels onto Bloomfield Avenue. He stated that there is already access through the signalized private Targeting Centre Drive. He said this is clarifying that deeded access through the Targeting Centre properties can be utilized to provide access to Bloomfield Avenue itself, which is the most advantageous access, as it is a signalized intersection, and it is the point furthest away from the access ramps on I-91 there.

Commissioner DeCarlo asked if everything underlined in the text amendment is an addition to the zoning regulations and Mr. Poland said yes.

Commissioner DeCarlo said that they are modifying the text amendment and asking to put in a building with a drive-through and changing the yardages to put in either a drive-through or a restaurant or something like that. He asked if that was correct. Mr. Poland said not exactly. He said the addition of a restaurant there is underlined right now as the regulation reads retail, commercial and service facilities are allowed and the town's regulations define, retail and restaurant. He said in general, from a use perspective, restaurants are viewed as retail. He said they wanted to clarify since the Town has the individual definitions that restaurants are clearly allowed as a retail use. He said he believed the drive-through windows were already allowed within that zone, but the carryover provisions from the B2 Zone

kick in some increase in standards, related to the fast food use category that would create problems from the minimum lot size, even though this lot is in excess of the minimum lot size required within the B2 Zone. He said it is that specific regulatory provision.

Mr. Sealy added that the amendment is permitted by special use and does give the Commission some discretion on determining appropriateness.

Commissioner Mips said she realized that they would have to apply for a special use permit for the drive-through but she wanted to make sure that they understood that it was a dubious one for her.

Commissioner Jepsen asked if the State would enter into this application and if they would have to get a traffic survey from them and Mr. Poland said yes and acknowledged that they are going beyond the text amendment but that the existing one at 1 and at 10 Targeting Centre have a prior STC – the old OSTA (Office of the State Traffic Administration) designation certificates. He said any change in activity at that site will require to go back to OSTA for amended certificates.

Mr. Poland said that the repurposing of existing office space, which has been harmed greatly since the pandemic is extremely challenging from a space configuration perspective and from a market perspective and cost, so this kind of mixed-use/adaptive reuse of this site appears to be a viable way to getting these buildings back into a productive use category.

Commissioner Mips replied that she could understand that but was concerned about the drive-through section of it and acknowledged it would require a special use permit.

Public Comment: None

Commissioner Levine read a Capitol Region Council of Governments (CRCOG) letter dated March 12, 2025 into the record.

Mr. Sealy stated that staff have been working with the applicant to tailor the regulation to match some of our zoning regulations. He said a lot of the amendments were to clarify the previous regulation. He said they wanted to clarify minimum lot size, area building lot width, etc. He noted the additions, as mentioned by Commissioner DeCarlo, were the drive-through windows to be permitted by special use, and then giving the Fire Marshal the discretion to determine if an additional point of access is needed. He said the Commission can already authorize parking reductions under Section 15.2.7, provided that they produce a parking study and evidence showing an off peak or offset uses. He also mentioned the clarification for converting commercial buildings to residential within 150 feet of the limited access line or its highway entrance and exit ramps. He mentioned the previous application at Dunfey Lane and that some of those properties fell within 150 feet of that, so that was one of the things they were looking to do, and limiting it to existing facilities with this text amendment.

Mr. Sealy said that the Commission will have discretion as the application will come in and by that point the town will have the findings from the Day Hill Corridor Study. He hoped the findings can help inform the Commission on any kind of applications that come forward for any property in this corridor.

Commissioner Levine asked if this particular area will be included in the Day Hill Road Study and Mr. Sealy said yes, this area was added to the Study.

Commissioner Jepsen asked if Mr. Poland had any objections to the edits the town suggested and Mr. Poland said no, and that they had been going back and forth for quite a long time tweaking the language. He said he was thankful for Mr. Sealy and his staff for their recommendations on this.

Motion: Commissioner Levine moved approval of the text amendment pertaining to Sections 13.2.10A(2)(b) & 13.2.10C(2), Highway Transitional Design Development, as was described by staff.

Commissioner Jepsen seconded the motion and it passed 5-0-0.

Commissioner Levine urged residents to provide input on the POCD update, and explained that it will give direction and ideas about what the town is going to look like in the next 10 years. She said the more input they have the better the Plan will be.

VI. PUBLIC COMMUNICATIONS AND PETITIONS – None

VII. ADJOURNMENT

Motion: Commissioner Levine moved to adjourn the meeting at 8:11 p.m.

Commissioner Jepsen seconded the motion and it passed 5-0-0.

Respectfully submitted, _____, Andrea D. Marcavitch, Recording Secretary on
March 18, 2025.

Jill Levine, Secretary