

**MEETING MINUTES
TOWN PLANNING AND ZONING COMMISSION
APRIL 8, 2025
7:00 P.M. HYBRID MEETING
275 BROAD STREET, WINDSOR, CT**

Present: Commissioners Mips, Levine, Jaggon and Jepsen and Alternate Commissioners Hallowell (via Zoom), Harvey (was seated for Commissioner DeCarlo), and Tetteh

Absent: Commissioner DeCarlo

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

I. NEW BUSINESS

Commissioner Mips 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

Commissioner Jaggon shared that he attended the Connecticut Federation of Planning and Zoning Agencies annual conference on Thursday, March 27th at Aqua Turf Country Club where they discussed affordable housing and cited case laws.

C. Zoning Enforcement Officer's Report – None

D. C.G.S. §8-24 Referral Requests – None

E. Pre-Application Scrutiny – None

F. Re-Approvals/Revisions/Extensions – None

G. Site Plans – None

H. Minutes

1. March 18, 2025

Motion: Commissioner Levine moved to approve the draft minutes of March 18, 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 town will be receiving the findings from the Day Hill Corridor Study and are tentatively planning to have a presentation at a special meeting on Thursday, April 24th at 6:30 or 7 p.m. The Commission was amiable to the date and time. He said there would be time during the presentation for the public to comment and noted that the study will require text amendments to amend the zoning regulations. Mr. Sealy said that the report would be published on the town's website for public access.

Mr. Sealy also reported that they will be scheduling some focus groups for the Plan of Conservation and Development (POCD) and will send out notices once it is scheduled with the consultant. He said the focus group would select topics like open space, housing, environmental sustainability and transportation to discuss. He noted that they will have their second pop up event at the Shad Derby with the consultant and will make a final push for residents to complete the survey. He also noted another engagement effort by the Public Relations (PR) Department is to distribute sunflower seed packets at the town hall and throughout the community. He said the QR code on the packets will quickly bring residents to the online survey. Residents are also encouraged to take photos of their sprouts and flowers and submit them to be included for a drawing to win Windsor swag. Any questions can be directed to the Planning Department or the PR Department.

Mr. Sealy discussed short-term rentals, also known as Airbnb, and the need to revise our regulations based on a recent court case decision. Our regulations will need to either expressly prohibit or permit them by a special use. He also mention that there are tools that can be applied to limit the scope and the impact of short-term rentals.

Commissioner Mips stated that there was an article in last Saturday's Journal Inquirer about towns that are considering making revisions and she recommended looking to see what others are doing. Mr. Sealy replied that there are a number of communities that have made revisions to their regulations and named Simsbury as an example. He recommended that the Commission revise the regulations for short-term rentals before making a determination on the pre-application scrutiny the Commission heard last month for a Bed and Breakfast.

Commissioner Mips stated that it made sense and that they did not want to set a precedence in a residential area where it could explode.

Commissioner Levine asked about the term Airbnb and Mr. Sealy said Airbnb is a company and that the general term used is short-term rentals.

Commissioner Levine asked if Bed and Breakfasts were another category and Mr. Sealy replied yes, it would be a separate category.

Mr. Sealy hoped to have draft regulation for them in May. He also noted that he did receive a response to some of the questions raised at the last meeting regarding Federal Firearms License (FFL) and intended to have some materials prepared for the May meeting.

IV. BUSINESS MEETING

A. Application Acceptance

1. **Special Use – 1 & 10 Targeting Centre and 465 & 475 Bloomfield Avenue**, Sections 15.2.6, Shared required parking and 15.2.7 Reduced parking requirements, B2 & RC Zones, Alford Associations, Inc.
2. **Special Use – 475 Bloomfield Avenue**, Section 5.1.6A, Establishments with drive-through windows, B2 & RC Zones, Alford Associates, Inc.
3. **Special Use – 465 Bloomfield Avenue**, Section 5.1.6A, Establishments with drive-through windows, B2 & RC Zones, Alford Associates, Inc.

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*

Commissioner Mips stated that the applicant requested postponement of the application to the next meeting on May 20, 2025.

- B. Special Use – 159 Broad Street**, Section 5.2.6J, Conversion of existing buildings to residential units, B2 Zone, .36 acres, Bowin

Architect Bret Bowin of Urform, LLC in West Hartford and owner Gary Dinowitz were present. Mr. Bowin stated that the proposal was for an addition to help separate the building and add a residential unit. He said there is commercial space on the first floor and they plan to add needed storage space for them and then on the upper level there would be a screened porch and above that would be a deck.

Commissioner Mips asked if it was already partially used for residential and Mr. Bowin said yes.

Commissioner Levine asked if it would continue to be a mixed use and Mr. Bowin replied correct and that it would allow another unit to be added, so there will be two units upstairs and the commercial unit on the ground floor.

Commissioner Mips asked if he was adding only one additional unit and Mr. Bowin said correct.

Commissioner Mips stated that there was one comment from the Planning Department and one from the Fire Marshal. Mr. Bowin said he did not have their comments in front of him. He said they would work with the town regarding the comments that he saw this morning from the Planning Department.

Assistant Town Planner Mitchell Vye said that a question had come up about the patio on the northern elevation and how much space that would leave for the drive aisle for vehicles. He also added that the project would require a 3.9 Site Plan Revision application, which is reviewed and approved by town staff.

Commissioner Mips asked if it could be done with a 3.9 if the Commission approves the special use and Mr. Vye said yes.

Public Comment: None

Motion: Commissioner Levine moved approval of the special use for 159 Broad Street pending resolution of any outstanding issues with town staff.

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

C. Special Use – 55 Palisado Avenue, Section 5.2.6D(1)(c), Limited-service restaurants, B2 Zone, 1.19 acres, Brault

Owner and operator of Beer Garden at Barts Paul Brault was present and requested a special use permit for live entertainment. He said it would include small amplified music to be held on Friday, Saturdays and Sundays and that Barts would close at 9 p.m. He stated that the music would finish before 8 p.m. and that they close on Sundays at 6 p.m. He said they would also like to schedule comedians as well. He believed it would be a good addition to Windsor and that they would be upgrading the property by creating more garden beds, striping the parking lot and creating a better look for the environment. He said they are still working with town staff, as well as the State for the exact outline of the beer garden in the back and the configuration.

Commissioner Mips noted that they are still working with the State and town staff and Mr. Brault said that is correct.

Commissioner Levine asked if the state of the platform would be at the rear of the building and Mr. Brault replied that it would be at the rear of the building and on the right-hand side. He said there is a fence there now and that the stage would be an 8'x8' platform directed towards the church that is back there, and that it would not directly affect any houses in the area.

Commissioner Mips asked if that was the area where they had outdoor seating last summer and Mr. Brault said it would be pointed in that direction.

Commissioner Jaggon asked if the stage would be portable or fixed and Mr. Brault said he believed the town allowed them to have it as a fixed object.

Commissioner Jaggon asked if it would not affect church service across the river and Mr. Brault replied that he did not believe so.

Commissioner Jepsen questioned whether the town was allowing a permanent structure as the property is in the floodplain and remembered a time when Barts flooded.

Commissioner Mips said it may have been fixed when they redid the roads.

Commissioner Jepsen said in 1984 it was all underwater and Barts has not moved.

Commissioner Mips replied that it was before they moved the street.

Commissioner Jepsen stated that they are putting the platform on the west-side of the building and was just asking if something changed.

Commissioner Mips thought that they took care of the flooding when they moved Pleasant Street from where it originally was.

Commissioner Levine asked if they would have to go before the Wetland Commission with being so close to the river. Mr. Sealy replied that the site does fall within the 100 year floodplain and falls under our floodplain regulations. He said there are a lot of nuances and caveats to that and that they had to work with the town attorney to define what is deemed a structure and what could be added to the floodplain. He said some of the structures they are looking to add are permanent like fencing.

Commissioner Levine said he said the stage would be permanent and Mr. Sealy said that the stage as he understood it was intended to be portable. He said it could have some fixed elements where it could be removed.

Commissioner Levine said that is not what Mr. Brault just told us and Mr. Sealy said he could be off on that and that he would need to clarify it with the Town Engineer who is the floodplain manager and would have to review and approve anything.

Commissioner Mips said nothing could be approved without full staff approval and Mr. Sealy said that it would certainly require a site plan application, and review and approval by the floodplain manager.

Commissioner Levine asked if the Wetlands Commission would have to get involved and Mr. Sealy said that he would have to touch base with the Wetlands Agent and that there may be a staff level approval.

Commissioner Levine said if that is the case then the Commission cannot vote on this tonight. Mr. Sealy said the Wetlands Agent would have provided comments if it involved a wetland application.

Commissioner Mips stated that there were no comments in the staff memo from the Wetlands Agent.

There was some back and forth on what Mr. Brault meant when he said it would be fixed and then they asked Mr. Brault to clarify. Mr. Brault said originally they were talking about a structure that they were going to have to remove. He said he got an email last week saying that they were approved to have a permanent structure on the stage.

Commissioner Levine asked who wrote the email.

Mr. Sealy clarified that the Commission is only reviewing and approving the special use for indoor/outdoor entertainment and that they will need to do a site plan revision application and the Wetlands Agent can review and give comments at that time.

Commissioner Jepsen said he was glad to hear that they were not going to be on the west wall because occasionally, under the old ownership, they would set up on the north wall and living a mile north he could hear everything. He commented on how Mr. Brault had said slight amplification and asked if it would be really loud. Mr. Brault replied that they are not interested in having a rock concert and that it will be a more comfortable environment to hear local artists.

Commissioner Mips said she would make sure the words 8 p.m. were in the motion.

Commissioner Harvey asked which months the outdoor entertainment would occur and Mr. Brault replied that it would be the beginning of May to the end of October.

Commissioner Levine asked if the beer would be served from the inside and Mr. Brault replied correct.

Public Comment:

Mike Cicero Jr. of 34 Capen Street shared concerns with the noise level and the available parking for those using the boat ramp.

Joseph Cicero of Windsor shared concerns about noise and how sound can travel across town, and the quality of life for neighbors. He hoped there would be an acoustic study done especially because there are houses nearby.

Commissioner Jaggon asked Mr. Brault to explain a little bit more about the portable bar that was mentioned in the application narrative. Mr. Brault said that he retracted that idea and said it was not anything he hoped to do in the future.

Commissioner Levine asked if they would serve just beer and soft drinks and Mr. Brault replied that their permit allows for the sale of beer, wine and cider

Commissioner Levine read a letter of support dated April 8, 2025 from Anthony King of 435 Palisado Ave.

Mr. Sealy reported that the State has recently passed legislation permitting accessory outdoor food and beverage service as a right. He said they are technically allowed outdoor food service until 8 p.m. but as Mr. Brault stated they plan to have outdoor entertainment, which will end at 8 p.m. He said there are outstanding items to be worked out with the site plan and that all items can be worked out at a staff level. He said the use of the space does not remove any required parking and that it does not directly abut any residential properties but there are some residents across the river and up and down the river on both sides. He said emergency services will still have access to the area and that there will be some temporary measures like preparing pavement, the stage, fencing, setting up of tables and chairs and lawn games. He said because of the floodplain structures like a canopy or pavilion would not be approved but they could have tables and umbrellas. He said the Commission could set a time limit on the special use and that staff could work with the applicant on the outdoor dining plan.

Commissioner Levine said that Mr. Brault is the applicant and that the owner is someone different. She asked if the owner should participate in the proceedings because of the updates to the property and Mr. Sealy replied that the owner's signature is on the application and that it implied they know what is going on and approves of the changes.

Mr. Brault said he did some research and watched YouTube videos of previous events and he said what he has planned is nothing like the events he watched. He said it would be toned down much lower than what he saw.

Motion: Commissioner Levine moved approval of the special use for 55 Palisado Avenue for a period of one year, pending resolution of all the outstanding issues with town staff, and that the music that the applicant described end no later than 8 p.m.

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

D. Design Development Concept Plan – 1 & 10 Targeting Centre and 465 Bloomfield Avenue, Mixed-use development, RC & B2 Zones, 11.81 acres, Alford Associates, Inc.

Professional Engineer and Land Surveyor Wilson Alford, Jr. and Developer Mark Greenberg were present. Mr. Alford described the property and its location. He said the proposal is to put in a Starbucks (about 2,200 square feet) and another retail facility. He said they tried to be as far away from the neighbors as they could be. The drive-through is located on the side of the building towards the highway. He said they are also proposing an additional building in a U-shape with underground parking for about 70 cars. He said there would also be a dog area, which would be fenced in to allow dogs to be loose and run. He also noted that there would be a garden area and 10 Targeting Centre would be storage units. He said they plan to have a dog grooming facility, bicycle storage and bench, and he noted that they are located on a bus line.

Mr. Alford said they were there to get feedback from the Commission and plan to work with the staff to incorporate everything. He said he would like a continuation of the public hearing to the next meeting.

Commissioner Mips commented that the plan they have does not include the U-shaped building and Mr. Alford said that is correct and that they made revisions after staff comments were made and they had an opportunity to talk to their architect.

Commissioner Levine asked if the Day Hill Corridor Study had any impact on this project. Mr. Sealy stated that the recommendation from the Study for this parcel was a mixed-use development.

Commissioner Levine commented that they would need a traffic study and Mr. Alford said that they submitted a traffic study to the town. Mr. Sealy confirmed and said that the study was under review by a 3rd party.

Commissioner Levine asked if there were any plans to provide a buffer between the houses and Mr. Alford replied that there is about 50 feet between the driveway and the abutting properties. He said the trees are deciduous and very mature.

Commissioner Levine commented that it would not provide any screening in the winter. Mr. Alford said from May to November it is a very thick buffer but he agreed that the buildings could be seen.

Commissioner Levine asked if the trees were scrubby or landscaped and Mr. Alford said no and explained that the trees were at least 40 years old and were well established.

Commissioner Mips asked about the landscaping around the U-shaped building and Mr. Alford replied that the area would not be too big because they are next to the building and noted that they are close to the woods there and it would be difficult to get anything to grow. He said he would be open to putting in a fence between them and the abutters.

Commissioner Levine asked if the parking spots would have landscaping in them and Mr. Alford replied yes and that there would be a planting for every ten parking spaces and there would be plantings along the building.

Public Comment:

Joseph Cicero of Windsor stated that he was for the project but was concerned that there was only one way in and out of the property. He shared an emergency situation that happened in that area about 10 years ago and urged that there be a second access point.

Bob Mazairz of Windsor stated that he liked the residential aspect of the project but had concerns that the mixed-use would create a traffic burden in the area. He commented that he lives off of Mountain Road and that the stoplight at Bloomfield Avenue to Mountain Road is brutal with trucks running red lights and having to sit through several lights to make it through the intersection.

Estelle Labarre of 116 Mountain Road shared concerns of increased traffic in the area and the series of traffic lights from Mountain Road to the highway that are very confusing. She said there is a traffic problem now and could not imagine what it would look like with 200 additional apartments.

Victoria Kulas of 97 Mountain Road shared concerns of traffic and noise. She stated that the Bloomfield Avenue, Mountain Road and Day Hill Road traffic has become out of control. She shared concerns about all the tractor trailers lined up at exit 37 to take a left-hand turn and forcing traffic to take a right so they do not back up onto the highway.

Mike Cicero of 34 Capen Street shared that he was in favor of the project and that we need the buildings populated to reduce vandalism and increase income for the town. He said his only reservation was ensuring there is a proper in and out on the property.

Commissioner Levine read a letter of support dated April 8, 2025 from Anthony King of 435 Palisado Ave.

Mr. Sealy explained the design development process and that it is a two-step process that starts with the concept plan and then a detailed plan step. He stated that the time for residents to provide public comment is at the concept plan step. He explained with the short turnaround time from the last meeting, it did not give staff enough time to review the concept plan thoroughly and that they thought it was in the best interest to continue the concept plan hearing to the next meeting. He said revisions to the site have been made after staff comments had been reviewed by the applicant and that he believed the project was heading in the right direction. He said there are more improvements they would like to see with the commercial frontage and a reduction in pavement, better traffic flow and shared amenity

spaces. He commented that they will also need to review preliminary architecture plans and elevations on the buildings and that he would work on those comments with the applicant in the next month.

Mr. Sealy reported that town staff want to maintain the high-quality architecture and landscape standards and push for attractive developments that can provide some amenities for the community as they look to having mixed-uses in the Day Hill Road corridor. He commented that staff is hearing from the community that they would like more amenities and more options for retail restaurants and things of that nature as they go through the Day Hill Corridor Study and the POCD. He continued that the applicant is permitted through the design development process to apply under these current regulations and that the Day Hill Road corridor regulations would need to be amended based on the findings of the Study. He said the applicant is allowed 20 units per acre and that 10% of the units would be affordable. He recommended to the Commission that they continue the public hearing to the May meeting and that it would be heard along with the special use applications.

Mr. Alford agreed to the extension to the next meeting on May 20th.

Mr. Sealy addressed some of the concerns raised tonight by saying that the town does have a noise ordinance in place to reduce noise depending on the zone of the sender and receiver. He stated that the Health Department monitors that ordinance. He reported that the traffic study is being reviewed and will take into account the new apartments on Dunfey Lane and improvements being made there. He stated that the Fire Marshal and town staff did review the plan and no concerns were raised regarding emergency access into the site. He thought it was because the intersection or the side entrance to that is wide enough to be able to accommodate a WB 50 emergency vehicle. He said he would work with the Fire Marshal's office to really look at that intersection and see if there are any concerns raised by the Department.

Commissioner Jepsen commented that he remembered hearing a concept that would increase Bloomfield Avenue to four lanes and asked if that was something that was still being considered. Mr. Sealy said that he was familiar with the concept but that he did not know the status of it.

Commissioner Levine said that for as long as she has been serving on commissions that she has heard about that plan and that it has been some time.

Mr. Sealy said that he believed it would require a significant amount of property acquisition to do that but that he was not aware that it was active at this point.

Commissioner Mips liked the idea to recess the concept plan and liked the idea that residential was going in there instead of other things that could go in that zone. She said the Commission needed to hear about the traffic report and get more information and answers.

Commissioner Levine stated that area is a very busy section of Bloomfield Avenue and a lot of these issues were raised with the Dunfey Lane apartments as well. Mr. Sealy said it will be helpful to hear from the consultant on the traffic study.

Commissioner Harvey asked if the traffic study would include cumulative impacts from both and Mr. Sealy replied correct and Mr. Alford added that their traffic engineer got the previous traffic report and incorporated it into the report, so it will be the sum of both reports.

Commissioner Harvey asked if the study would look at the vehicular and pedestrian circulation within the property and asked who looks at the internal traffic. Mr. Sealy replied that generally the town's development service's staff look at traffic flow and patterns and that the Town Engineer takes a lead on that. He also commented that one and two bedroom apartments do not usually generate many additional kids into the school system and he did not anticipate that it would generate a lot of school bus traffic.

Motion: Commissioner Levine moved to continue the design development concept plan for 1 & 10 Targeting Centre and 465 Bloomfield Avenue until the May meeting.
Commissioner Jaggon seconded the motion and it passed 5-0-0.

VI. PUBLIC COMMUNICATIONS AND PETITIONS – None

VII. ADJOURNMENT

Motion: Commissioner Levine moved to adjourn the meeting at 8:28 p.m.
Commissioner Jaggon seconded the motion and it passed 5-0-0.

Respectfully submitted, _____, Andrea D. Marcavitch, Recording Secretary on April 8, 2025.

Jill Levine, Secretary