

## **Town of Willington Planning and Zoning Commission**

### **Meeting Minutes July 19, 2022 – 7:30 PM**

**Note: This hybrid meeting was conducted at Hall Memorial School Gymnasium, 111 River Rd and was also available via Zoom.**

#### **A. Call to Order**

W. Parsell called the meeting to order at 7:34 PM

#### **B. Roll Call/ Seating of Alternates**

##### **Members present:**

##### **In Person:**

Walter Parsell  
Bob Shabot  
Andy Marco  
Rebecca Sinosky

##### **Virtual:**

John Tehan  
Joe Hall

#### **C. Applications for Receipt**

**a. PZ-22-11:** Special Permit for Home Occupation per Section 11.01 for Propane Delivery. 163 Ruby Rd. Owner/Applicant: David Lytwyn

M. D'Amato added that there was also an additional application to be received. Application PZ-22-13 for a text amendment to section 12.15.

#### **D. Public Hearing**

**a. PZ-22-10:** Zone Change Application: R80 to SDZ related to a Zone Change and Concept Plan application per Section 12.15.4(b). 0 River Rd (MBL 34 009-0A, 34 009-0B, 34 009- 0C). Owner: Barnini Circle Associates LLC (1/3) & Perleon LLC (1/3) Alsyd LLC (1/6) Breng LLC 1/6 Applicant: Thomas Cody

Applicant Thomas Cody from Robinson and Cole introduced himself and explained this application was a joint effort between Hillwood and the New Haven Group. T. Cody explained that legal notices were sent out via certified mail on July 6<sup>th</sup>. He added that signs were posted along the property on July 8<sup>th</sup>. He added that the team hosted a community meeting on July 13<sup>th</sup>. T. Cody Introduced the project team. He introduced Gary Frederick of Hillwood.

G. Frederick introduced himself. He acknowledged an incident in which a former member of the project team responsible for community outreach made decisions for how to go about the outreach process which were not vetted or approved by Hillwood. He gave Hillwood's background and explained they build logistics and distribution centers. He explained the background of the company and its owners. He noted that the 1.5 million sq ft. building was a maximum threshold for size and its possible that it could be smaller. He explained that once they knew a tenant, they would build to suit the tenant and wouldn't know exact details until that time. He explained that they have recently expanded into New England, and

they have a building in North Haven as well as North Andover Massachusetts. He explained the supply chain process and the need for these facilities in close proximity to the consumer base.

T. Cody spoke about the SDZ Regulations and explained the background of how they got here. He explained that this application would fall under the proactive process of the regulations. He explained that this is a bit different than a traditional zone change. The difference being that they as the applicant had to provide more details than they would have to provide for a typical zone change. He explained that the concept plan was one of these things that they had to provide and that this was not a final site plan. This was a preliminary site plan and that if the commission approves the zone change than they would have to come in for a special permit. He added that if wetlands was required than they would have to apply for a wetlands permit. He noted that there were several other state level permits that they would have to obtain from DEEP and DOT etc. He explained they had a long way to go before they could build. He noted that according to the SDZ regulations that the applicant was required to provide a full site plan within a year otherwise the SDZ zone would expire and revert to R-80 Zoning.

T. Cody continued his presentation. He explained that the use was a warehouse use which was permitted in the SDZ regulations. He explained the specifics of the zone change. He pulled up a map depicting the zone change and explained it. He explained that there are three parcels involved in the zone change. He noted that the applicant had no intention of including the parcel with the gas station in the special permit but it would be included in the zone change. T. Cody noted the Plan of Conservation and Development. He explained that he felt the project fits the POCD nicely. He cited the POCD which calls out the area of these parcels as possible area for evaluating Business potential. He concluded that this project is in alignment with the POCD. He explained that the applicant asked Goman & York to do an Anticipated Municipal Fiscal Impact Study. He explained that the annual tax revenue would be between 3.3 and 3.8 million Dollars. He explained that net tax revenue was estimated to be 2.4 and 2.7 million Dollars. He added that development fees were estimated to be between \$735,000 and \$848,000.

T. Cody turned the floor to Jeff Fitzgerald to explain the conceptual site design. J. Fitzgerald introduced himself and began his presentation. He began by pulling up a map and orienting viewers with the site. He explained the 1.5 Million square foot building and that this was conceptual and there were several configurations that a potential building could take. He noted that this was not a retail establishment and didn't need to be highly visible like a truck stop would be. He explained that they intended to maintain a wooded buffer surrounding the site to mitigate visual impacts. He explained the road design and its purpose. He continued to explain the conceptual parking lot and added that the intent is that from River Road someone viewing the property would experiencing very little of what goes on the site. He explained that they would need to create septic and well systems to serve the site which would require DEEP permitting. He explained that the well development would require hydrological and geological studies to determine well location. He added that propane tanks and water tanks for domestic and fire suppression would be required. He added that the exact locations would be provided when the applicant applied for a special permit. He spoke about stormwater management and its implications on the site. He explained that stormwater would need to be put back into the ground in several areas. He explained the process of how they would do so. He pointed out the series of stormwater management techniques depicted on the concept plan.

Coleen Burn introduced herself as a Road Safety Professional from Solli Engineering. She went on to introduce the preliminary traffic assessment. She oriented the viewers with a map shown on the screen. She explained that there was an industry standard used to produce data for trip and traffic generation. She explained the process for determining this data. She noted that the number of expected trips the project would generate which includes entrance and exit trips. She explained that they also look into where these

trips will go. She explained the process for determining this and noted the proximity to the highway. She added that they also expected passenger traffic to utilize I84 as well as River Road and surrounding streets. She added that they expected trucks to come to and from the highway to access the site. She explained that they would prepare a comprehensive traffic impact study as a part of any future application which would include a safety evaluation of the area among other things. She spoke to the design of the driveway and lot from the conceptual plan related to traffic. She added that this study would go through the CT Department of Transportation for state review and final say on required improvements.

T. Cody spoke again to summarize the presentation. He concluded that the project would become an economic development anchor. He added based on the study by Goman & York he believed this would be the biggest taxpayer in the town. He noted how this development would be better than strip type development. He explained the next steps. He said that they hoped the commission would approve this zone change. He explained this would allow the team to further their research and studies on the project. He noted that more public hearings would be required. He added that the commission could do their own third-party review. He again pointed out that other studies would be necessary moving forward if the zone change was approved including air quality, fiscal, traffic, lighting, site line, storm water management, wetlands, subsurface sewage disposal. He noted many of the anticipated concerns from the public and noted that they would be addressed in the next steps. He wrapped up his presentation and asked the commission for comments and questions.

W. Parsell asked how long ago the company approached the town with this project.

T. Cody indicated approximately 6 months.

W. Parsell asked what the thinking was behind a member of the project knocking on citizen's doors. T. Cody said that Hillwood was not aware. They did not authorize this. It was a mistake, and they apologized for it.

E. Wiczenski followed up and asked how the residents can be assured that this tactic will not be employed in the future. T. Cody again reiterated these tactics were not known by Hillwood and not authorized and that the old public relations team was fired for this incident. He added that a new PR company was hired, and he assured the public that this wouldn't happen again.

Joanne Teraskiewicz asked if the zone change had to be for the entire parcel. She asked if this was a good idea and asked if we should think more about this. She asked who would be constructing the building. G. Frederick said that they were the developer. W. Parsell said that we couldn't have a back-and-forth dialogue. J. Teraskiewicz noted her concerns with the state of the economy and many similar projects being abandoned. She went on to reference a letter from a resident who is a geologist and stated some concerns with the geology. She explained concerns she had regarding the creation of a well and wastewater system. She referenced a book called The Pink House.

Harold E. Klei stated that Willington as a town is fortunate to have this project. He next stated that there has to be something in this project for the town of Willington. He noted that there is an aging population in Willington. He said this provides the town of a lot of taxes. He noted the projected tax income to the town. He stated that he would rather have this development than houses which would demand more services which would raise taxes.

Kathy Blessing spoke to the presentation and stated that this project would be detrimental to the town and asked the Commission to oppose the zone change.

Paul Carbonneau stated that he's reviewed many of the documents and liked some of what was in the regulations. He spoke to the SDZ regulations. He spoke to the POCD map. He spoke of the size requirement of the SDZ zone and added that this would make his abutting property difficult to sell as he doesn't have five acres. He spoke about the sightlines and stated that this would have a detrimental effect on the scenery. He spoke against the driveway location citing its close proximity to his home and well. He concluded that a smaller approach would be more appropriate for a small town.

Mary Newman, she spoke to the applicant's presentation and noted her disagreements with it. She spoke to the travel routes and her concerns with traffic. She added her concerns with frontage and truck traffic.

Aileen Devens spoke of the scenery of the town. She spoke to the litter left behind by trucks and traffic.

Melissa Miller noted the need for economic development but asked the commission to consider why the population was shrinking. She stated her concerns with the size of the proposed warehouse and the traffic it would generate. She stated concerns with the size and designs of the roads in town. She spoke to her concerns the impact on wildlife and other potential impacts. She cited recommendations for new businesses. She stated that job creation and new business should have the local community in mind. She spoke to her concerns with quality of life in town and spoke about infrastructure in town. She emphasized investing in small town. She concluded and stated her concerns with the project and added that she made copies of her letter for the commission along with sources for her information.

Eugene Demaio said that he didn't want to see Willington become the truck capitol of CT. He stated his concerns with how this would affect houses and ability to sell houses. He urged the commission to vote no on the zone change.

David Krivanec stated that he was in favor of this project. He spoke to the implications of this project vs using this space for housing.

Cari Donaldson noted that Route 74 was not included in the traffic assessment and felt it should have been. She asked if the Commission had looked at warehouses of similar size. She spoke to the size of the warehouse in comparison to other facilities. She asked about the ability of the towns infrastructure to handle a building of this size. She asked why Willington was being chosen for this project.

Matt Pelletier stated that he was opposed to the project. He spoke about the community and the impact this project would have. He asked the commission not to make Willington a place to live but to keep it a home.

Tim Paul stated he was opposed to this application.

Patricia Barclay stated that she chose the town because the way it is now and doesn't want it to change. She stated this project would be a detriment and spoke of her concerns with the projects effect on wildlife

Thomas L. Fox stated that he abutted the property. He stated that he was upslope from the site and was concerned his well would be drained into the project site. He stated his concerns with his well in relation to the project. He stated his concerns with lighting and sightlines. He stated further concerns with traffic and noise impacts. He spoke of concerns with the environment and wildlife. He noted his concerns with the applicant's PR team.

Nicholas Tella spoke of his concerns with the job market and with traffic and driveway design. He further spoke to concerns with water usage. He stated that he spoke to people in Arizona which is home one of the largest warehouses in the country, he noted their concerns with traffic impacts. He referenced the

economic development commissions development guide. He referenced other citizens letters and concerns.

Kerry Bagley spoke to concerns with similar projects and cited other towns like South Windsor. She noted the tax benefits to the town and asked about tax abatement. She spoke of concerns with traffic and noise and stated its impossible to regulate. She asked how Willington could handle these issues. She noted her concerns with job creation and job turnover. Spoke of demographics in town and noted the population decrease. She spoke of her concerns with traffic and other impacts of this project. She concluded by stating that she does not support the project.

Jim Bulick spoke against the project. He noted his love for the town and its rural nature. He spoke of concerns with sightlines and the impact to the natural landscape. He urged the commission to take a look at the POCD and make sure it is addressed. He noted that he was speaking as a citizen not as a member of any board.

W. Parsell addressed questions from attendees regarding the continuation of the public hearing.

W. Parsell stated that the public hearing would be continued at the next meeting, which was August 16<sup>th</sup>

W. Parsell stated that there would be a 5-minute recess.

## **E. New Business**

None

## **F. Unfinished Business**

**a. PZ-22-9:** Text Amendment Application pertaining to the Regulation of Cannabis Establishments.  
Applicant: Willington Planning & Zoning Commission (action possible but not required)

M. D'Amato explained that at the last meeting concerns were brought up relating to separating distances and proximity of uses to the highway. He noted that a denial of the proposed regulation did not constitute a prohibition of the use altogether. He explained that he also drafted regulations to prohibit Cannabis Establishments and sent the language to CRCOG so that they could schedule a public hearing if the Commission chose to do so. He reminded the Commission that if there are no regulations in place that an application would be treated as a similar use. M D'Amato explained the changes he made to the proposed regulations to allow cannabis establishments in response to the Commission's comments. He prepared suggested language to add a 1000-foot buffer surrounding I84. He explained that staff created buffer maps showing what these separating distances could look like. He explained that the Commission could increase separating distances effectively creating a prohibition in certain areas of town. M. D'Amato explained the map which depicted a 1000 ft buffer around the highway in which cannabis would be prohibited. He also showed and explained a 750-foot buffer map from a daycare facility as an example of the buffer being used to regulate cannabis in certain areas. M. D'Amato said that we had a public planned for the next meeting on August 16th, and it could be pushed back if needed. He suggested the Commission could adopt regulations in the interim and then move forward with the prohibition.

A Marco asked if the Commission runs a risk of legal trouble if they limit it to much with the buffering distance. M. D'Amato stated that he discussed this with Ken Slater the PZC's attorney and his interpretation was that as long as it was allowed to go somewhere then they were compliant. K. Slater confirmed this. A discussion was held on the matter. A Marco asked a question regarding procedure. R. Sinosky said that her understanding was that they should adopt something to have something on the books and then consider the potential prohibition. K. Slater stated that yes, his recommendation would be

to have something on the books in the interim. M. D'Amato stated that he didn't want the Commission to feel pressured to make a decision that night and asked K. Slater if he had any insight on the statutory deadlines. A further discussion was held on what should be done. R. Sinosky asked what the process would be as it stands K. Slater stated that under the Statutes any application that comes prior to Cannabis regulations being in place, it would have to be treated as similar use. He explained that staff would have to examine the zoning regulations and determine what kind of use the application aligned with. There was further discussion on this matter.

J. Tehan moved to approve the regulations as written.

R. Sinosky said she would rather have something in place.

B. Shabot asked if they voted on this would they be voting on the changes proposed?

B. Shabot moved to adopt the regulations with the changes striking proposed 3.3A(2). J. Tehan Seconded.

**W. Parsell and R. Sinosky voted no. J. Tehan, Joe Hall, A. Marco and B. Shabot voted yes. Motion Passed.**

W. Parsell said we would still have a public hearing on the prohibition but thought it should be pushed until after the next meeting. A discussion was held on when to have the hearing and there was agreement to not conduct this hearing at the August meeting.

**b. Commission Discussion:** Proposed Regulations Pertaining to the Prohibition of Cannabis Establishments

## **G. Approval of Minutes**

a. July 5, 2022

W. Parsell Motioned to approve the minutes.

**All in Favor, Joe Hall abstained. Motions Passed.**

## **H. Correspondence**

None

## **I. Public Participation (for items not in the agenda):**

A. Marco stated that M. D'Amato was not the person to direct complaints at and the Commission is not bound to what he suggests. He didn't think it was right for the Land Use staff to be targeted.

K. Demers noted that the conditions of approval on Loves Travel Stop was that quarterly water reports were supposed to be provided and she did not feel they were quarterly.

James Marshall thanked the Commission and stated that he appreciated Mr. D'Amato's attentiveness. He asked a question about statutory timeline requirements. M D'Amato answered. He asked if we could schedule an earlier public hearing. W. Parsell commented on this. J. Marshall voiced his concerns with technology and the publics ability to share items and the limitations of the hybrid format.

N. Tella spoke to his concerns with something being federal law. He stated concerns with files being on the server of a private company. He voiced his concerns with M. D'Amato and him being a contractor rather than a town employee.

R. Parizech stated that he had some observations for PZ-22-10 W. Parsell said he can't speak about them now. He said he would attend the next meeting.

Stephanie Summers asked questions about the process. She asked how many people were left on the list to speak. She asked where she could find the meeting materials. W. Parsell told her that it was linked to the agenda.

Sarah Smith requested that everyone use the microphone going forward.

Jessica Uziemblo asked what was voted on regarding Cannabis. W. Parsell told her that the regulations as presented last meeting were voted on.

Art Christensen asked how he could contact the commission. W. Parsell explained how the commission could be contacted.

Ralph Tulis stated that in the past agendas were more detailed in terms of dates and deadlines. He asked if that could be reinstated.

### **J. Staff Report/Discussion**

a. Next Meeting Date: Aug 16

A. Marco made a statement regarding the public sharing documents. He asked why someone would be prohibited from sharing something in person. M D'Amato explained what the statutes require for hybrid meetings.

James Marshall asked questions regarding to the publics ability to share things.

### **K. Adjournment**

W.Parsell adjourned the meeting at 10:50pm