

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION**

REGULAR Meeting #1682 – October 13, 2015

MEETING MINUTES

********Draft Document Subject to Commission Review/Approval********

The Meeting was called to order in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT. at 6:30 P. M. by Chairman Ouellette.

PRESENT: **Regular Members:** Joe Ouellette (Chairman), Lorry Devanney, Jim Thurz, and Dick Sullivan.

Alternate Members: Michael Kowalski, and Marti Zhigailo.

ABSENT: **Regular Members:** Frank Gowdy,

Alternate Members: Bob Slate,

Also present was Town Planner Whitten.

GUESTS: Deputy Selectman Jason Bowsza, Board of Selectmen Liaison to the Planning and Zoning Commission; First Selectman Denise Menard.

ESTABLISHMENT OF QUORUM:

A quorum was established as four Regular Members were present at the Call to Order. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening. Following in accordance with the service rotation schedule Alternate Member Kowalski would also join the Board regarding discussion and action on all Items of Business this evening as well.

LEGAL NOTICE:

Chairman Ouellette read the following Legal Notice, which appeared in the Journal Inquirer on Thursday, September

ADDED AGENDA ITEMS: None

PUBLIC PARTICIPATION:

Chairman Ouellette queried the audience for comments regarding items/issues not posted on the Agenda. No one requested to speak.

APPROVAL OF MINUTES/September 22, 2015:

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MOTION: To APPROVE the Minutes of Regular Meeting #1681 dated September 22, 2015 as written.

Devanney moved/Thurz seconded/DISCUSSION: None.

VOTE: In Favor: Ouellette/Sullivan/Thurz/Kowalski
Opposed: No one
Abstained: Devanney (absent)

RECEIPT OF APPLICATIONS:

Chairman Ouellette acknowledged receipt of the following new applications:

1. Application of Harken's Landscape Supply & Garden Center, LLC.. Modification of Approved Site Plan regarding material storage and display reconfiguration. Property located at 284 South Main Street. [Map 02, Block 23, Lots 54, 38, 55, & 56].
2. Application of STP, LLC, applicant Michael V. Rock. Special Use Permit for Unit F at Bassdale Plaza, 142 North Road. Change of Use of previous bank into restaurant serving pizza and sandwiches, and also utilizing a take-out window. Property owned by Walter Bass, Jr. Map 124, Block 24, Lot 015.

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE :

Nothing presented this evening under this Agenda item.

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS – Nick Vamvilis - Special Use Permit [in accordance with Section 805] to allow expansion of liquor permit and to allow live music in connection with proposed 2,100 sq. ft. addition to Maine Fish Market Restaurant located at 60 Bridge Street. (B-1 zone; Map 111, Block 1, Lots 40, 41 & 42) (*Deadline to close hearing 11/17/2015*):

Chairman Ouellette read the description of this Item of Business. Appearing to discuss this Application was Nick Vamvilis, owner of Maine Fish Market.

Mr. Vamvilis explained his intent is to expand the bar area to make it a little larger than it is now, and to maybe add light live music in the new addition. In that regard, Mr. Vamvilis questioned the language of proposed Condition of Approval #6, which currently restricts the use of entertainment outside of the building. Mr. Vamvilis noted they are proposing the patio with some outdoor seating; the doors

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would be open sometimes during the day during nice weather and in the evening. He questioned the closing of the doors – is it just the inside doors or the outside doors as well? He is keeping his options open; the music would be one or two piece bands, nothing crazy. Mr. Vamvilis reported he is a restaurant which also has a bar, not a bar with a restaurant. He would like to open the doors from time to time so people could sit outside. He is located in a commercially zoned area; residential housing is some distance away. He would like to change that condition.

The Commissioners and Town Planner Whitten raised the following questions:

Commissioner Devanney questioned **how Mr. Vamvilis planned to controls bugs from getting into the restaurant?** Mr. Vamvilis suggested the doors would probably be closed 80% of the time but are designed to be closed quickly. The patio addition will be at the far end of the building. He agreed that being located near the river there might be bugs from time to time.

Town Planner Whitten questioned the **hours of operation?** Mr. Vamvilis suggested he is a family style restaurant catering to a middle-aged crowd; he indicated he might keep the patio open to 10 at night. His current hours are Friday and Saturday – 10:00 p.m.; other days – 9:00 p.m. Mr. Vamvilis suggested he might extend the other nights to 10:00 p.m. during the summer. He is allowed to stay open more but he doesn't want to do that.

Commissioner Kowalski **questioned if the music would be on the patio?** Mr. Vamvilis reiterated he keeping his options open, if he puts music inside it would be loud in the restaurant.

Commissioner Sullivan questioned **if the music would be amplified?** Mr. Vamvilis indicated he is not putting speakers outside the building, although there will be some speakers for the music.

Chairman Ouellette questioned **if people would be going outside to smoke?** Mr. Vamvilis suggested he doesn't feel people should be smoking close to the building; he will be posting signs - "no smoking within 25' of the building". Mr. Vamvilis also indicated he will be putting cigarette butt holders outside.

Chairman Ouellette addressed the history regarding proposed Condition of Approval #6, he feels it's left over from another application and the Commission was cautious because of the complaints received (associated with the other application). Chairman Ouellette noted he can appreciate Mr. Vamvilis' wanting to keep his options open. He questioned the Commission's flexibility under the under the Special Use Permit process. Town Planner Whitten suggested she – would rather add a condition that the noise couldn't carry outside. She noted they did check the police incidents for this location but they were all accidents or health

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issues. Mr. Vamvilis suggested he also wants to think about the customers inside and if you put the bands inside it gets loud, or if you have tvs on. Commissioner Devanney questioned if tvs would be put in the patio area? Mr. Vamvilis replied negatively

Chairman Ouellette queried the audience for comments; no one requested to speak.

Chairman Ouellette returned discussion to the outside music. He queried the Commissioners for their opinions. Commissioner Devanney cited it's a restaurant; she didn't think they would get loud bands. The remainder of the Commission agreed.

Chairman Ouellette queried the audience again; no one requested to speak again.

MOTION: To CLOSE the Public Hearing on the Application of Nick Vamvilis for a Special Use Permit [in accordance with Section 805] to allow expansion of liquor permit and to allow live music in connection with proposed 2,100 sq. ft. addition to Maine Fish Market Restaurant located at 60 Bridge Street. (B-1 zone; Map 111, Block 1, Lots 40, 41 & 42).

Devanney moved/Thurz seconded/DISCUSSION: None.

**VOTE: In Favor: Unanimous (Ouellette/Sullivan/Thurz/Kowalski)
No one opposed/No one abstained.**

MOTION TO APPROVE the Application of owner Nick Vamvilas requesting an expansion of a liquor permit and to have live music per Ch 805.g at Maine Fish Market located at 60 Bridge Street. Zoned B-1, Assessors Map 111 Block 1, Lot 40, 41, and 42. Said permit is subject to the following conditions:

Conditions of Approval:

Conditions that must be met prior to the issuance of any permits:

1. North Central Health District and the East Windsor Water Pollution control Authority shall review and approve the plans.
2. The Fire Marshall shall review and approve the plans. The total occupancy for the restaurant shall be established by the Fire Marshall
3. A copy of the final approved motion shall be filed, by the applicant on the land records.

Conditions that must be met prior to certificates of compliance:

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4. A zoning and Building Permit shall be obtained prior to the commencement of any work.
5. All public Health, safety and building code compliance components of the project must be satisfactorily completed prior to occupancy

General Conditions:

6. No live entertainment or public address system shall be used outside. ~~The door (s) leading out to the patio shall remain closed at all times.~~ Live music should be limited to a small one (1) to three (3) piece band with music not to emanate from the building so as not to become a public disturbance.
7. No exotic dancing or adult entertainment shall be allowed on the premises.
8. Applicant shall be responsible to maintain adequate security on the premises at their own expense.
9. All fire lanes shall be posted as such and no parking shall be permitted in those designated areas.
10. The permit and premises shall be operated in conformance with all applicable State and Local Laws.
11. By acceptance of this approval and conditions, the applicant, owner, and/or their successors and assigns acknowledge the right of Town Staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.
12. This project shall be constructed and maintained in accordance with the referenced plan. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval. The Full Liquor License is permitted as accessory and incidental to the restaurant use.
13. The condition of this approval shall be binding upon the applicant, land owners, and their successors and assigns

Devanney moved/Thurz seconded/

DISCUSSION: Commissioner Sullivan questioned the Commission's ability to restrict music from emanating from the building; he cited the differing levels of tolerance for different individuals. See revised language reflected as italicized underlined text in the approval motion.

VOTE: In Favor: Unanimous (Ouellette/Sullivan/Thurz/Kowalski)
No one opposed/No one abstained.

NEW PUBLIC HEARINGS: **Cross Roads Cathedral** - Zone Change from M-1 to HIFZ for property located at 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lot 10) (*Deadline to close hearing 11/17/2015*) **AND:** **NEW PUBLIC HEARINGS:** **Cross Roads Cathedral:** Special Use Permit for modification to GDP in HIFZ; Special Use Permit for church use; and Site Plan

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Approval to allow construction of a 4-story, 80-room hotel with day spa and use of existing banquet facility as a public place of worship for property located at 53, 55 and 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lots 10, 11 & 12) [In accordance with Section 504] (*Deadline to close hearing 11/17/2015*)

Chairman Ouellette read the Hearing descriptions for both Items of Business associated with the Applications being presented by Cross Roads Cathedral. Chairman Ouellette noted both Applications will be discussed concurrently.

Appearing to discuss the Applications was Frank Borawski, of PDS Engineering & Construction (Bloomfield), Tim Coon, of J. R. Russo & Associates, LLC (East Windsor), and Pastor Sean Wiles. Also speaking later in the presentation was Senior Pastor Terry Wiles.

Mr. Coon reported the Applicants are present to get the plan reapproved for the hotel; the Church would be taking over the banquet facility for services and functions; the hotel would NOT be in church ownership. Mr. Coon indicated there was an application which was previously approved back in 2004; that application has now expired. The location encompasses the 29,000 square foot banquet facility (previously operated as La Renaissance), which is located on the west side of Route 5. The facility, which is served by public water and sewer, includes an existing 292 parking space area. Mr. Coon indicated the General Development Plan (GDP) approved in 2004, which encompassed 49, 53, and 55 Prospect Hill Road, was for a 95 room, 4 story hotel . That approval has expired.

They are no longer using 49 Prospect Hill Road. The present application is for an 80 room hotel and day spa. They have now purchased the parcel at 59 Prospect Hill Road, which was previously occupied as the flower shop; that parcel will be merged into 53 and 55 Prospect Hill Road. The Applicant is asking that 59 Prospect Hill Road be approved as part of the HIFZ (Highway Interchange Floating Zone) . Mr. Coon suggested the proposed hotel layout is identical to the application approved in 2004. They will be using the same footprint as the 95 room hotel but they are now doing the 80 room hotel because of the reduction in parking associated with 49 Prospect Hill Road. They will be using the existing curb cuts. The access includes a dedicated left turn lane after going to DOT in 2005. The parking to serve the hotel is being moved from 49 Prospect Hill Road to 55 Prospect Hill Road, and will be adding an additional 90 parking spaces for a total of 382 parking spaces (available within the complex). They are proposing landscaped islands within the parking areas; the dumpster pad will be located in the rear. The hotel will be served by the same utilities as the banquet facility; they will be adding a fire hydrant within this location. They will be adding full cut off lighting fixtures within the parking lot; the pole height will be 20' Mr. Coon suggested they will be utilizing the same drainage system, with slight

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modifications because of the relocation of the parking lot . Run off will be directed to a treatment structure within a subsurface detention system. Mr. Coon indicated that during the 2005 (DOT) review they were requested to upgrade the swales to the highway. There will be NO untreated discharges

Regarding **signage**, Mr. Coon indicated there will be signage on all 4 sides of the building, a canopy sign, and a sign out near Prospect Hill Road. Town Planner Whitten questioned if that would be an additional sign; Mr. Coon replied affirmatively. Mr. Coon suggested the only change in the signage would be the change of name but they would be continuing the same heights that are presently there.

Regarding **Town Engineer Norton's memo dated 9/28/2015** Mr. Coon indicated he has addressed those recommendations; all were minor comments. Town Planner Whitten noted a follow-up memo from Town Engineer Norton was received Friday afternoon, 10/9/2015.

Mr. Coon suggested he has also received **Town Planner Whitten's memo**; he feels he has addressed all of her comments as well.

Mr. Borawski continued the presentation by noting that Scott Hesketh, of F. A. Hesketh & Associates, Inc., the traffic engineer who prepared the traffic report in 2004, was not able to make it for tonight's presentation. **Mr. Hesketh has offered a letter dated 10/13/2015 (presented at the meeting) which summarizes his present opinion.** Based on the anticipated seating capacity of 750 for church services vs. the 1000 set capacity of the banquet facility, Mr. Hesketh proffers that the trip generation of the two uses would be the same. **Mr. Borawski noted that the left turn lane would not be constructed until the hotel lease/operator constructs the hotel.** Mr. Hesketh continued that " in his opinion the approval of the proposed site plan will not result in an increase of traffic as compared to the current approved site plan."

Pastor Sean Wiles then joined the presentation. Pastor Wiles indicated they are a regional church (Assemblies of God) presently based in East Hartford. They have 4500 "adherents"; some members come from Massachusuetts and Rhode Island. The majority of the members come from a 15 – 20 minute ride on a Sunday. They built their current building, which is currently being used to its capacity, in 2008. They have had East Windsor on their target map for 10 years. They have 2700 members within 25 minutes of East Windsor; 760 members are actively involved in the current facility and many were looking for a facility closer.

Pastor Wiles also noted **the church does "Broadway style musical productions**; they have a musical director who travels throughout the states performing/directing events. The La Renaissance gives them the opportunity to do dinner theater.

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They presently do a lot of really big events throughout the year; they have 3 to 4,000 people coming in on a weekend. Those people would be bringing foot traffic to this area. They usually come early and stay late and would be going to restaurants nearby. Pastor Wiles indicated the (East Hartford) facility is continuously used; they usually don't rent it out. When they have major events they hire local police officers to handle traffic and have volunteers working within the parking lots.

Mr. Borawski reported he participated in the construction of the East Hartford building, which houses 1,000 people. There is less parking at that facility. It was noted **they don't plan to run a restaurant, but would be using local caterers for their functions.**

The Commissioners and Town Planner Whitten raised the following questions:

Commissioner Thurz questioned **that if the banquet facility is occupied as a church then all these functions are tax exempt?** Pastor Wiles replied affirmatively, noting they would be operating as a church. Commissioner Devanney questioned that **the dinner theater would be held in this facility which has 750 seating capacity?** Pastor Wiles suggested La Renaissance drew the number of people they did because they used the spaces differently; they had multiple banquet rooms. Pastor Wiles reiterated the capacity of this facility would be 750.

Commissioner Kowalski questioned **if they would continue to operate the East Hartford facility?** Pastor Wiles suggested they will be out of space soon; they will continue to be in operation and then will have this one. It wouldn't work in their model – of where people travel from – to not have both facilities. Pastor Wiles reported they have 8 to 10 pastors on staff and would expand that. Commissioner Thurz questioned **how they would rent the banquet facility as a church with regard to liquor?** Pastor Wiles indicated that when the banquet facility becomes the church they would control that (the use of liquor). Commissioner Thurz questioned **if you must be a member of the church to rent the facility?** Pastor Wiles suggested you don't have to be a member but you must follow the policies and procedures of the church. Pastor Wiles suggested they wouldn't be proposing to have a wedding and reception at the same facility because they would be using the same space but you could have the wedding in East Hartford and the reception in East Windsor. Commissioner Thurz **referenced services for funerals, he questioned if the church would have a cooler on site?** Pastor Wiles suggested the bodies are brought in the morning of the funeral and people then leave for burial following the service. Chairman Ouellette suggested it seemed like both facilities could be self-sufficient; Mr. Borawski suggested they don't rely on each other. Pastor Wiles reported the hotel is something they have talked about for many years. He reiterated they are a

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regional ministry so if they had a hotel on site..... but they don't need the hotel to operate as a church. When they saw the previous plans it mirrored what they wanted and the hotel gives back tax advantages to the town. Mr. Borawski suggested it helps to sell the hotel chain on this site because the church is giving them so much business. Pastor Wiles reported they intend to have a land lease on the parcel; they are talking to various hotel chains but want to have the approval completed.

Commissioner Kowalski questioned **that in the original proposal the building which is now the parking lot, is it in the same ownership?** Pastor Wiles indicated it's a vacant piece of property which has a land lease on it. Chairman Ouellette suggested that parcel is the bank for which the Commission extended the approval expiration a couple of meetings ago. Commissioner Kowalski questioned if that impacts this use; **if a restaurant wanted to come in could they have a liquor license?** Chairman Ouellette recalled the piece to the left is approved for a bank; they would have to come in for a modification for another use. Town Planner Whitten suggested that if a church exists and someone wants to come in then there is the separation (distance) but if a church comes in then the separation doesn't necessarily apply.

Town Planner Whitten questioned **if there is going to be a bar in the hotel?** Mr. Borawski replied he doesn't know. Chairman Ouellette referenced the material provided for the Commission referenced a lounge; he suggested that might be an issue in the future. Pastor Wiles suggested it wasn't a problem for the church what the people next door wanted to do. Chairman Ouellette noted existing Zoning Regulations which address this issue. Pastor Wiles indicated there are churches who say "don't do this"; they are not looking to limit anyone on what they will be doing. Town Planner Whitten noted that not every hotel has a liquor permit or a lounge; some just have seating areas. **When they (the hotel chain) come in the Commission will need to look at the liquor permit at that time.**

Chairman Ouellette referenced **the parcel for the proposed rezone**, he understands it's critical for the development of the hotel but not the congregation. Mr. Borawski replied affirmatively, noting when the church gets an owner/operator that would be split off as hotel and parking. Pastor Wiles noted it's easier for the talking process if the approval has been granted. Chairman Ouellette noted the rezone (approval) requires a super majority of the commissioners and they need to consider various items. One of the considerations is to make sure it's in character with the POCD (Plan of Conservation and Development). He noted they are taking a taxable property off the tax rolls; he questioned how that was a benefit to the community? Mr. Borawski suggested they would be building a larger building. Chairman Ouellette questioned **why the parking was critical to the rezone?** Mr. Coon suggested changing from the M1 to the HIFZ it's consistent with the POCD. Mr. Borawski also suggested if they were taking that

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back piece and replacing it with the hotel.

Chairman Ouellette suggested, with regard to **the traffic study**, what he heard tonight is much different than the previous application. Chairman Ouellette questioned how much he (Scott Hesketh) updated for the additional use, and, the character of the area is much different than years ago – he cited Walmart is a lot of the existing traffic congestion. Chairman Ouellette suggested they would have to go through the traffic review again; hopefully he (Scott Hesketh) threw away the whole report and started over. Mr. Borawski replied negatively, noting he (Scott Hesketh) just updated the old one. He suggested La Renaissance had major events, he felt the dinner theater is limited to smaller attendance than La Renaissance. Chairman Ouellette questioned **if there is enough capacity on Route 5 to handle this diluted traffic?** Chairman Ouellette noted receipt of Mr. Hesketh's summary letter received at the meeting tonight; the Commission needs time to review the material.

Commissioner Sullivan suggested as an economic development function – he doesn't understand **the banquet facility/musical end of the proposal**. Do you put ads in the paper and do you charge him to come in the door? Pastor Wiles suggested the charge for a production is \$10 for a ticket which helps to control the number of people, they put out ads, most of what they do is word of mouth from person to person and most events are sold out; if not they would put ads in newspapers and put up "billboards" but they haven't had to do that for a number of years because the building is full, anyone can buy a ticket. Commissioner Sullivan – you won't be that different than La Renaissance because you're offering entertainment value but not paying any money to the town, he noted he understood they are a church and are exempt but your activity isn't that different. Pastor Wiles suggested the hotel will use the same property; that will bring back to the tax side and this will bring thousands of people to the area and that will bring in other business. Pastor Wiles suggested "that area should be exploding"; it's a beautiful area; what they would be doing would be beneficial to the town; they are bringing in more business. Mr. Borawski questioned Pastor Wiles regarding the dinner events, how many are there? Pastor Wiles suggested they can have more dinner events; they do the larger productions 3 to 4 times a year and they run for a week at a time. Commissioner Sullivan questioned how many is more (dinner events)? Pastor Wiles suggested that for 30 – 40% of the year they don't have anything, don't the capacity to handle that today. **Chairman Ouellette reiterated the need for the traffic engineer to take into consideration the diluted traffic.** Sometimes a smaller event can be more problematic if it coincides with rush hour. Commissioner Sullivan suggested he can see someone else down the road wanting to build a dinner theater; you would be in competition with them. Pastor Wiles suggested it's the same argument as gas stations regarding competition. Commissioner Sullivan noted the church would have a distinct advantage, especially if you charging \$10 for something that might go for \$50 to \$60. Mr.

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Borawski suggested all the events “have a message they are trying to project”. Pastor Wiles suggested it’s not done for entertainment; it’s done to present a message.

Commissioner Thurz questioned **if they proposed any changes to the façade;** would they be installing a big cross outside? Pastor Wiles suggested they would just clean it up. Mr. Coon noted lighting is shown on the plans, but a photometric plan is being prepared. Mr. Coon suggested there will be full cut-off lights; they are looking into LED lighting. **Chairman Ouellette noted they need more details on the photometric plan.**

Commissioner Kowalski questioned the material listed in Town Planner Whitten’s memo regarding the General Development Plan, items a – e, he questioned if these are criteria for requirements for the zone change to be approved? Town Planner Whitten replied affirmatively. Commissioner Kowalski questioned that they were looking to rezone just the flower shop? Town Planner Whitten suggested the General Development Plan encompasses the whole site.

Chairman Ouellette opened discussion to the public.

Senior Pastor Terry Wiles: reported he has been a pastor for 34 years; Senior Pastor Wiles presented a photo of the current facility in East Hartford, indicating it’s a multi-cultural congregation. Their plays are church plays which are very well done – Broadway quality – everything from “The Resurrection” to “The Passion Play” to current issues like alcohol and drug issues and there is a message in them and an invitation in them to make some connection to Christ. There are 600 – 800 volunteers involved, no one is getting paid, any one can come in; it’s for the gospel of Jesus Christ. Some are banquets, others are dinner theater, there is always a message and the message you hear points to hope and life and maybe a better way to live so maybe that helps explain the difference between dinner theaters and their productions.

Also, regarding alcohol, they have a great relationship with the businesses around them, the restaurant across from them has a liquor permit and they have no problem with that.

Kathy Pippin, Woolam Road: Mrs. Pippin suggested it appears the church gets donations, the picture (of the East Hartford) facility is beautiful. Mrs. Pippin felt they should have some tax liability.

No one else requested to speak.

Chairman Ouellette queried Town Planner Whitten for comments. Town Planner Whitten indicated they have had previous discussions regarding the submission of

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these applications; she was aware they would be including the proposal for the hotel which would be a separate entity from the church so there is a tax benefit to the community. She felt there was an opportunity for economic development as they will be bringing in business to other people.

Chairman Ouellette questioned **the pylon sign**. Town Planner Whitten questioned if they were not proposing to have a very high sign so people could see the church from the highway? Mr. Coon suggested there would signs on the building, but the hotel people may want a higher sign. Mr. Coon referenced the sign packet provided for the Commissioners – he noted there is a parapet around the top of the building where signs would go. He suggested the areas given are what they are proposing at this time and they are proposing signs on the 4 sides of the building. La Renaissance is visible from the highway, there would be some canopy signs and there would be a monument sign “up front”. Chairman Ouellette questioned **if the sign would be a combination of the church and the hotel?** Mr. Coon indicated they are proposing 2 separate signs at this time because they feel the church will be in place before the hotel gets up and running so they may want their own signs. Chairman Ouellette indicated he had a problem with that, noting the concept of the HIFZ is flexibility but he isn't a big fan of the free-standing pylon sign. Mr. Borawski suggested the Pastor said one sign is fine. Town Planner Whitten suggested they would need to submit a new design. Chairman Ouellette indicated he wasn't closing the Public Hearing this evening – they didn't get the traffic study before this meeting and he needs to review that.

Commissioner Thurz questioned use of the banquet facility, **if he is not a member of the church he couldn't rent it, or is it open to the general public?** Pastor Wiles indicated they don't typically rent them because they are used all time. Commissioner Thurz cited a church in Bloomfield which rents their facility to other groups.

Chairman Ouellette suggested another concept of the HIFZ is to minimize curb cuts and the use of interconnections between properties; he questioned **if the topography allows for cross-traffic between the uses?** Mr. Borawski replied affirmatively. Chairman Ouellette questioned what about the larger pieces to the north and south? Mr. Coon suggested it would be a challenge as there are steep slopes and a detention basin in the back which is not associated with this site. He referenced “this” site which is owned by Prospect Hill Properties/Big Y – he felt there was a wetlands through there which would create a challenge, they also have the retaining wall. Chairman Ouellette suggested there are no requirements regarding the interconnections but there is the ability to consider the design regarding interconnectivity. He questioned that to the west of the future hotel there are 3 opportunities? Mr. Coon indicated there are slopes “here” but he suggested they could be overcome with fill and a retaining wall.

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Chairman Ouellette noted **the Commission needs to see a response from the Fire Marshal.** Mr. Coon recalled speaking with the Fire Marshal regarding accessibility but she didn't recall the discussion; he will resend the email.

Chairman Ouellette **questioned the ability for circulation of delivery trucks; he questioned what was the largest size truck that would be able to access the site?** Mr. Coon suggested it would be box trucks. Chairman Ouellette noted **there is a pinchpoint near the hotel;** he noted there is not a structure there today. Mr. Coon will double-check the distance.

Town Planner Whitten questioned **if the hotel will include a restaurant?** Mr. Coon reported there is no restaurant for the hotel now; there probably would be box trucks. Commissioner Kowalski questioned **if the current buildings has a loading dock?** Mr. Coon replied affirmatively.

A member of the audience noted the building is empty, as is the flower shop. He suggested the longer the building remains empty.....; he felt it seemed you would want to have something in there.

Mr. Borawski reported he has looked at this property twice over the years for others and has put the numbers together; it can't work for a banquet facility. Chairman Ouellette noted he isn't opposed to the proposal but the Commission needs answers. He questioned if the traffic engineer talked to the State Traffic people yet; he can start that process before presenting locally. Mr. Borawski felt he had started but suggested that takes some time. Chairman Ouellette reiterated he can start the processes concurrently to save time. Chairman Ouellette **suggested Mr. Hesketh attend the next meeting to answer any questions the Commissioners may have regarding the traffic study.**

Chairman Ouellette questioned **if the Planning Office had received a letter from the Water Company?** Mr. Coon indicated he would be resubmitting the same letter from the previous approval which said there was enough capacity.

Chairman Ouellette questioned **if comments had been received from the WPCA (Water Pollution Control Authority) regarding capacity?** Mr. Coon reported he would be resubmitting the letter received from the WPCA for the previous approval. Town Planner Whitten indicated **the Commission needs a current recommendation from the WPCA.**

The Commissioners had no further questions at this time.

Chairman Ouellette offered a summary of outstanding material necessary for the next Commission meeting:

- Sign details

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- Updated traffic study – submitted prior to the meeting;
Attendance of traffic engineer for discussion
- Information regarding circulation ability of larger vehicles
- Lighting plan/photometric details
- Notice from the Water Company
- Notice from the WPCA
- Notice from the Fire Marshal

MOTION: To CONTINUE THE PUBLIC HEARINGS on the Applications of Cross Roads Cathedral - Zone Change from M-1 to HIFZ for property located at 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lot 10 AND: Cross Roads Cathedral: Special Use Permit for modification to GDP in HIFZ; Special Use Permit for church use; and Site Plan Approval to allow construction of a 4-story, 80- room hotel with day spa and use of existing banquet facility as a public place of worship for property located at 53, 55 and 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lots 10, 11 & 12) [In accordance with Section 504]. PUBLIC HEARINGS CONTINUED TO THE COMMISSION'S REGULARLY SCHEDULED MEETING ON OCTOBER 27, 2015 at 6:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Devanney moved/Sullivan seconded/DISCUSSION: None.

VOTE: In Favor: Unanimous (Ouellette/Sullivan/Thurz/Kowalski)
No one opposed/No one abstained

MOTION: To TAKE A FIVE MINUTE BREAK.

Thurz moved/Sullivan seconded/**VOTE:** Unanimous

The Commission RECESSED at 8:20 and RECONVENED at 8:29 p.m.

OLD BUSINESS: None.

NEW BUSINESS: None.

OTHER BUSINESS: Discussion on Supreme Court decision (Reed vs. Gilbert) re: signage:

Town Planner Whitten introduced this topic by noting that a citizen came in to remind us we can not dictate the criteria of signs based on the owner posting the sign. She clarified

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that sign regulations must be content neutral. She noted we presently allow political signs on private property, while non-profit signs are allowed on private property OR Town/public property. She suggested that the Board of Selectmen (BOS), many years ago, thought it would be good to allow non-profit signs to be posted on the town “greens”, but, if we allow the non-profit signs then we must allow the political signs also. Directional signs noting the way to farm properties are allowed under the Farm Regulations.

Discussion followed. Town Planner Whitten suggested we must treat everyone similarly. The BOS has the authority to allow non-profit signs on Town property; the PZC allows temporary signs and banners under its regulations but there is no reference to posting on Town property. Town Planner Whitten reviewed the registration process for non-profit signs. It was noted there is a limit regarding the number of signs which could be posted in any of the Town owned locations.

Chairman Ouellette suggested the signs actually become a public hazard; they don’t serve the motoring public. He cited the placement of signs in the right-of-way along the sides of roads impact sightlines; the signs actually become a nuisance.

Town Planner Whitten referenced Section 602.8(c) of the Zoning Regulations, which addresses street banners and/or other signs advertising public and non-profit events, if specifically approved by the BOS. The BOS must decide if they want to allow all signs – non-profit and political – or none until a permanent resolution can be determined.

Discussion continued. The consensus of the PZC was that in light of Reed vs. Gilbert the BOS should not allow any signs on Town property.

BUSINESS MEETING/(1) Discussion on Plan of Conservation & Development POCD);

No discussion this evening.

BUSINESS MEETING/(2) Discussion on Status for Warehouse Point Study:

Town Planner Whitten noted Terri Hahn, of LADA, will appear before the Board at 6:30 at the next meeting to continue discussion on the Warehouse Point Study.

BUSINESS MEETING/(3) Signing of Mylars/Plans, Motions:

Nothing presented for signature this evening.

ADJOURNMENT:

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MOTION: To ADJOURN this Meeting at 8:50 p.m.

Devanney moved/Thurz seconded/VOTE: Unanimous

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission
(6115)