

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

REGULAR Meeting #1655 – June 10, 2014

MEETING MINUTES

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

The Meeting was called to order in the Community Room, 1-A Park Hill, Broad Brook, CT. at 7:00 P. M. by Chairman Ouellette.

PRESENT: **Regular Members:** Joe Ouellette, Chairman; Lorry Devanney, Frank Gowdy, Dick Sullivan, and Jim Thurz.

Alternate Members: Robert Slate.

ABSENT: **Regular Members:** All Regular members present.

Alternate Members: Marti Zhigailo

Also present was Town Planner Whitten.

GUESTS: Deputy Selectman Jason Bowsza, Board of Selectmen Liaison to the Planning and Zoning Commission; John Pagini, and Teri Hahn, of LADA Consultants.

ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members and one Alternate Member were present. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening.

LEGAL NOTICE:

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, May 29, 2014, and Thursday, June 5, 2014, was read by Chairman Ouellette:

1. Application of Thomas Kuhns for a Special Use Permit (per Section 408) to establish a rear lot at 270 Rye Street, owned by Lesa Kuhns. [A-2 & R-3 Zones; Map 25, Block 42, Lot 22].

ADDED AGENDA ITEMS:

This is a Special Meeting due to change of location; no Added Agenda Items allowed via FOI.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

2

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/May 27, 2014:

MOTION: To APPROVE the Minutes of Special Meeting #1654 dated May 27, 2014 as written.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)

RECEIPT OF APPLICATIONS:

The following new Applications were acknowledged by Chairman Ouellette:

1. Application of Olender Family Limited Partnership for Modification of Approved Site Plan to allow construction of a 4,868 square foot addition to existing building at 1 Shoham Road. [M-1 Zone; Map 113, Block 17, Lot S1].
2. Application of Styles Brook Storage LLC for Site Plan Approval to allow construction of two 9,000 square foot buildings for use as contractor's offices at 22 Wagner Lane, owned by TJJ Investment Trust LLC. [M-1 Zone; Map 81, Block 11, Lot 3].

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD

ACCEPTANCE: Saxton Lane – Approval to call the erosion control bond to take care of drainage and erosion problems before acceptance as a Town Road.

Chairman Ouellette read the description of this Item of Business.

Town Planner Whitten noted that Saxton Lane has been ready for acceptance as a town road for some time. She reported that Town Engineer Norton had noted there are a couple of minor issues which need to be addressed, but the Planning Department has not received any response from the applicant regarding these completing these adjustments. Town Planner Whitten felt the Applicant has had significant time to address these issues; she is requesting to call the \$15,000 bond to complete the road for acceptance.

The Commission concurred, noting the problems will only get worse.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

3

MOTION TO APPROVE the calling of the \$15,000 bond in order to complete improvements at Saxton Lane – Rye Springs subdivision.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS: Thomas Kuhns - Special Use Permit (per Section 408) to establish a rear lot at 270 Rye Street, owned by Lesa Kuhns. [A-2 & R-3 Zones; Map 25, Block 42, Lot 22] (*Deadline to close hearing 7/15/2014*)

Chairman Ouellette read the Hearing description. Appearing to discuss this Application was Marek/Mark Kement representing Anchor Engineering. Also present in the audience was the Applicant, Thomas Kuhns.

Chairman Ouellette advised the Commission the Applicant's engineer is his neighbor but he has no issues with that; Chairman Ouellette noted he will be voting on the Application before the Commission.

Mr. Kement reported this parcel contains 31+/- acres and is located on the west side of Rye Street. The parcel is bisected by two zones – A-2 to the west and R-3 to the front towards Rye Street. The primary area of development will be within the R-3 Zone facing Rye Street. The entire property is encumbered by flood plain, wetlands, and terrace escarpment slopes; the only developable area is 2+/- acres along Rye Street. The parcel previously contained an old potato barn which has been torn down; the slab remains and the flooring will be used as part of the house.

Mr. Kement reported they have received approval from the North Central Health District for an on-site septic system, and have recently received a permit from the Inland Wetlands Commission.

Town Planner Whitten reported this proposal is for a straight forward rear lot, which meets the regulations. She noted the file includes a memo dated 6/4/2014 from Town Engineer Norton noting the plans have been revised to address his comments of 5/22/2014 to Mr. Kement.

It was noted that in 2004 this Commission approved the front lot, which is currently vacant; one of the requirements for a rear lot is screening, which has been planted over a year ago. Town Planner Whitten noted that almost the entire property is encumbered by some feature as noted earlier, any of which would prohibit further development.

Discussion followed regarding access to the Scantic River. Mr. Kuhns reported the entire back boundary of this parcel is the Scantic River; access to the river is possible through walking trails but the property is bounded by property owned by other parties. Commissioner Sullivan questioned if Mr. Kuhns would consider allowing access to the river if access to the Scantic could

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

4

be granted through O'Melia or Ellsworth Roads? Mr. Kuhns suggested he didn't know presently because of liability issues. He noted he has spoken with representatives of the American Heritage River Commission but the river is obstructed with many fallen trees. Mr. Kement questioned the benefit, as people would have to park in the Applicant's front yard to gain access to the river.

Chairman Ouellette suggested it wouldn't be practical to move the driveway location but he noted the location requires caution entering and exiting the site, as the sight line left and right is difficult. Mr. Kuhns concurred; he suggested working at the site over the past year has made him aware of the sightline issues. He noted the house would be occupied by family members rather than being built for sale.

Chairman Ouellette queried the Commissioners for questions or concerns. Commissioner Gowdy questioned the use of galleries rather than trenches for the septic system. Mr. Kement explained the rationale for his design. Mr. Pippin, speaking from the audience, noted he installed other septic systems on this street; he concurred with Mr. Kement's design choice.

Chairman Ouellette queried the audience for comments; no one requested to speak other than Mr. Pippin offering his previous comments

MOTION: To CLOSE the Public Hearing on the Application of Thomas Kuhns for a Special Use Permit (per Section 408) to establish a rear lot at 270 Rye Street, owned by Lesa Kuhns. [A-2 & R-3 Zones; Map 25, Block 42, Lot 22].

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)

MOTION TO APPROVE the Application of Thomas Kuhns and owner Lesa Kuhns requesting a one lot Re-Subdivision/ Special Use Permit for one rear lot per Chapter 408, at 270 Rye Street [Map #25, Blk. 42, Lot 22] in the A-2 and R-3 Zones.

This approval is granted subject to conformance with the referenced plans (as may be modified by the conditions) and the following conditions of approval:

Referenced Plans:

Sheet 1 of 2: Special Use Permit for a Rear Lot prepared for Thomas Kuhns, 270 Rye Street, East Windsor CT, prepared by Anchor Engineering Services, Inc. 41 Sequin Dr. Glastonbury CT 060333 860/633-8770 www.anchorengr.com Key map scale 1" = 200' dated 5/9/14

2 of 2: Site Development Plan with notes prepared 5/9/14 rev 6/2/14

Conditions which must be met prior to signing of mylars:

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

5

1. The applicant shall submit a paper copy of the final approved plans to the Town Planner for review and comment prior to the submission of the final mylars.
2. All mylars submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
3. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this motion shall be filed in the land records prior to the signing of the final mylars.

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

4. Two sets of final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. One set of signed fixed line mylars, including re-subdivision/special use permit rear lot, shall be filed with the Town Clerk by the applicant **no later than 90 days after the 15 day appeal period from date of publication of decision has elapsed** or this approval shall be considered null and void, unless an extension is granted by the Commission. One set of mylars shall be filed in the Planning and Zoning Department.

Conditions which must be met prior to certificates of compliance:

5. Iron pins must be in place at all lot corners and angle points.
6. The driveway must have a 15' paved apron or if weather does not permit, a bond for such submitted.
7. Final grading and seeding shall be in place, or if weather does not permit, a bond for the unfinished work be submitted.
8. All required landscaping shall be in place, or if weather does not permit, a bond for the required plantings shall be submitted.
9. Final as-built survey showing all structures, pins, driveways, final floor elevations, landscaping and grading must be submitted.
10. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have not been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.
11. Conservation Easements must be filed on the land records and medallions demarcating the easement must be in the field.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

6

General Conditions:

12. This re-subdivision/rear lot SUP approval shall expire (**five years form the date of approval**). Failure to complete all required improvements within that time shall invalidate the subdivision. The developer may request an extension of time to complete the subdivision improvements from the Planning and Zoning Commission. Such extension shall not exceed the time limits as provided for in the Connecticut General Statutes, Section 8-26 as may be amended from time to time. The Commission shall require proper bonding be in place prior to approval of any such extension.
13. A Zoning Permit shall be obtained prior to any the commencement of any site work.
14. This project shall be constructed and maintained in accordance with the referenced plans. Minor modifications to the approved plans which results in lesser impacts may be allowed subject to staff review and approval.
15. Any modifications to the proposed drainage or grading of the subdivision is subject to the approval of the Town Engineer.
16. Additional erosion control measures are to be installed as directed by Town Staff if field conditions necessitate.
17. 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.
18. Should the property transfer ownership before all work is completed, or before a certificate of completeness is issued, the new owner must place new bonds in their name, at which time the original bond may be released.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)

MOTION: To TAKE A FIVE MINUTE BREAK.

Devanney moved/Sullivan seconded/VOTE: In Favor: Unanimous

The Commission RECESSED at 7:20 p.m. and RECONVENED at 7:31 p.m.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

7

OTHER BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

BUSINESS MEETING/(1) Plan of Conservation & Development 2014 – Workshop with Consultants:

Joining the Commission were John Pagini, and Teri Hahn, of LADA Consultants. Mr. Pagini opened discussion by advising the Commission he has been working to develop the background demographic information for LADA's assistance with the 2014 POCD revision; he has been contacting realtors and banks to develop the sales information. Reviewing various graphs for the period 1986 through the first quarter of 2014 Mr. Pagini noted that sales peaked in East Windsor in 2005 and then cooled off until they really dropped off in 2007 and 2008. Mr. Pagini noted there was a dip virtually everywhere in the country after 911.

Mr. Pagini offered the Commission the following findings:

- East Windsor is almost in locked-step with the State with regard to owner-occupied vs renter-occupied dwellings, although East Windsor is slightly higher for owner-occupied units.
- The cost of rental units in East Windsor ranges from \$750 to \$1,249; the cost of these rental units would be considered in the high range.
- Affordable units, including Section 8 units, comprise 14.3% of all units.
- With regard to Assessed Values of property in East Windsor most of the value contained in the Grand List is represented by residential units; 9.1% are commercial units, and 4.1% is vacant land.
- With regard to zoning districts, Mr. Pagini reviewed the existing districts, noting the Bulk and area requirements and density allowances for each. Mr. Pagini noted the primary locations of each zoning district is as follows:
 - Most of the R-1 zoned land lies in Warehouse Point and Broad Brook
 - R-2 zoned land surrounds Broad Brook and is also located south and east of Warehouse Point.
 - R-3 zoned land is also found around Broad Brook and the southern part of Warehouse Point along Route 5
 - Most of the A-1 zoned land is located to the east of Route 5, and to the west of Scantic and the Scantic River.
 - Most of the A-2 zoned land is located along the Scantic River and includes State and Town owned parcels. Mr. Pagini suggested the intent of this zone is to preserve the flood plains. Town Planner Whitten noted there is some A-2 zoned land along the Connecticut River as well.
 - B-1, B-2, and B-3 are strictly commercially zoned land.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

8

- Mr. Pagini also reviewed Age Restricted Housing Districts, Active Adult Housing Developments, Planned Residential Developments, and Multi-Family Development Districts regarding purpose and density potential.

Discussion returned to the slides regarding sales analysis for East Windsor relative to surrounding towns, such as Enfield, Windsor, South Windsor, Ellington, and Windsor Locks. The time period encompassed in the graphs ranged from 1987 to first quarter 2014. In general:

- East Windsor experienced fewer sales of single family dwellings than the surrounding towns noted above.
- East Windsor did better with regard to sales of condominiums.
- For calendar year 2009 the median sales price was \$225,000 for single family dwellings, and was \$215,000 for condominiums. Mr. Pagini suggested that in regard to median sales price East Windsor was comparable to the surrounding towns referenced.
- For calendar year 2013 the median sales price was \$201,000 for single family dwellings, and was \$155,000 for condominiums

Mr. Pagini suggested the median household income for East Windsor is \$66,659.

Mr. Pagini then referenced mortgage scenarios for single family homes, condominiums, and multi-family dwellings.

Mr. Pagini then discussed the CRCOG Plan of Conservation and Development (Capitol Region Council of Governments) with regard to their intentions/recommendations for local development/growth. Compliance with the CRCOG POCD is required for local municipalities to qualify for funding for transportation and open space grants.

- They have designated Warehouse Point, Broad Brook, and areas along the Scantic River for preservation.
- Broad Brook is designated to be developed as a village district
- Areas designated by a large circle indicate areas which are habitats for endangered species, although they don't identify which species.

Discussion continued regarding CRCOG's proposal for Transit Oriented Development, which is based on residential and business development along, and also within a specified radius, of existing rail lines. As the radius includes areas of Warehouse Point discussion included limiting factors – such as flood plains – and the potential for re-use/redevelopment of existing structures within the area which could be considered for TOD.

MOTION: To TAKE A FIVE MINUTE BREAK.

Gowdy moved/Thurz seconded/VOTE: In Favor: Unanimous

The Commission RECESSED at 8:45 p.m. and RECONVENED at 8:53 p.m.

Discussion continued regarding continued review of various scenarios to offer the public during the June 24th Housing Workshop. Based on previous discussion with the Commission of architectural styles and streetscapes Ms. Hahn presented revised housing styles/scenarios for consideration. Discussion continued for some time.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1655 – June 10, 2014
MEETING MINUTES**

9

Ms. Hahn and Mr. Pagini concluded their discussion by explaining the process for the June 24th Housing Workshop.

BUSINESS MEETING/(2) Signing of Mylars/Plans, Motions:

Mylars/Plans:

- **John Burnham** - Special Use Permit (per Section 408) to allow a rear lot at 2 Rye Street. [R-2 & B-2 zones; Map 88, Block 38, Lot 11]
- **Chris LeFleur – 222 North Road**
- **River Valley Fellowship Church** - Special Use Permit (per Section 304) to allow a church at 2 North Road, owned by Sofia's Plazas, LLC. [B-2 zone; Map 112, Block 17, Lot 1].

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 9:25 p.m.

Devanney moved/Gowdy seconded/VOTE: In Favor: Unanimous

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission
(2891)