

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

**Meeting #1613
June 12, 2012**

*******Draft Document – Subject to Commission Review*******

The Meeting was called to order in the Cafeteria at the Broad Brook Elementary School, 14 Rye Street, Broad Brook, CT. at 7:00 P. M. by Chairman Ouellette.

ESTABLISHMENT OF QUORUM:

A quorum was established as three Regular Members (Devanney, Ouellette, and Sullivan) and one Alternate Member (Zhigailo) were present. Regular Members Gowdy and Thurz were absent. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening; Alternate Member Zhigailo would also join the Board regarding discussion and action on all Items of Business this evening as well.

Also present was Assistant Town Planner Newton.

GUESTS: Alan Baker, Board of Selectmen Liaison to the Planning and Zoning Commission; Kathy Pippin, Board of Finance.

LEGAL NOTICE: None

ADDED AGENDA ITEMS: None

PUBLIC PARTICIPATION: No one requested to speak.

APPROVAL OF MINUTES/May 22, 2012:

MOTION: To APPROVE the Minutes of Regular Meeting #1612 dated May 22, 2012 as written.

Sullivan moved/Zhigailo seconded/

VOTE: In Favor: Ouellette/Sullivan/Zhigailo
Opposed: No one
Abstained: Devanney

RECEIPT OF APPLICATIONS: None

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE: Mansions at Canyon Ridge – Request from Sumner L. Chapman for final release of the landscaping bond for Phase 2 of the Mansions at Canyon Ridge:

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Chairman Ouellette read the description of this Item of Business. He noted receipt of the following:

- Letter dated 5/18/2012 from Mr. Chapman requesting release of the landscaping bond.
- Memo from Staff indicating they have no objections to the request.

MOTION: To RELEASE the remaining \$6,000 landscaping bond for Phase 2 for the Mansions at Canyon Ridge.

Devanney moved/Sullivan seconded/

**VOTE: In Favor: Devanney/Ouellette/Sullivan/Zhigailo
No one was opposed/no one abstained**

CONTINUED PUBLIC HEARINGS: Mary L. Pepin and Marie T. Morris - 1-lot resubdivision of property located at 50 Barber Hill Road. [A-1 zone; Map 19, Block 68, Lot 13-41] (*Deadline to close hearing 6/26/2012*):

Chairman Ouellette read the Hearing description. Present to participate in the discussion were Mary L. Pepin and Marie T. Morris.

Chairman Ouellette recalled that at the previous Meeting the Commission suggested the Applicants meet with Town Planner Whitten regarding how the current Conservation Easement relates to previous Applications, the subdivisions granted under those Applications, and to this resubdivision. Town Planner Whitten indicated the Applicants did meet with her. She reviewed all the previous subdivisions, which included 2 phases of Lindsay Lane and Sunview Drive. Town Planner Whitten referenced the plan, noting the Conservation Easement related to “all of this” area; the Applicants have come in for another cut and have decided they want to pay a Fee-in-Lieu of Open Space in the amount of \$2,000 because they want to keep one lot within the family. Town Planner Whitten noted the Commission hasn’t the right to waive the additional fee, however, if the lot is subsequently sold the buyer would be responsible for payment of the fee. *that were*

Chairman Ouellette clarified that the Applicants are not proposing any additional Open Space over and above the current Conservation Easement at this time; they would then need to pay the \$2,000 Fee-in-Lieu of Open Space. Chairman Ouellette suggested the Applicant can also have the plans redrawn; Mary Pepin indicated they didn’t want to revise the plans, but are willing to pay the Fee-in-Lieu of Open Space with the caveat explained by Town Planner Whitten.

Chairman Ouellette noted a previous memo dated 5/15/2012 from Town Engineer Norton which references 4 comments; have those comments been addressed? Town Planner Whitten reviewed the subject comments, noting they would all be covered by standard approval conditions. Chairman Ouellette noted there have been no plan revisions which would trigger a new memo; Town Planner Whitten concurred.

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

MOTION: To **CLOSE** the Public Hearing on the Application of **Mary L. Pepin and Marie T. Morris** for a 1-lot resubdivision of property located at **50 Barber Hill Road**. [A-1 zone; Map 19, Block 68, Lot 13-41].

Devanney moved/Zhigailo seconded/

VOTE: In Favor: **Devanney/Ouellette/Sullivan/Zhigailo**
No one was opposed/no one abstained

MOTION TO APPROVE the following waivers:

1. **Section 6.3 (sidewalks)** No sidewalks to be provided, as none exist in proximity of the subject parcel. A fee in lieu of can be required.
2. **Section 6.5 (street lights).**

DISCUSSION: None.

Devanney moved/Sullivan seconded/

VOTE: In Favor: **Devanney/Ouellette/Sullivan/Zhigailo**
No one was opposed/no one abstained

MOTION: To **APPROVE** the Fee-in-lieu of Open Space which is to be paid by the buyer of the approved lot at the time of development.

DISCUSSION: Commissioner Sullivan questioned who pays the fee, is it the buyer of the lot or the person who actually constructs the dwelling? Town Planner Whitten indicated that theoretically the Applicant can also be the developer, or they can sell the lot to someone else. Whoever owns the lot will pay the fee.

Devanney moved/Sullivan seconded/

VOTE: In Favor: **Devanney/Ouellette/Sullivan/Zhigailo**
No one was opposed/no one abstained

MOTION TO APPROVE the application of owners **Mary L. Pepin and Marie T. Morris** for a 1 lot re-subdivision of property located at **50 Barber Hill Road** [A-1 Zone, Map 19, Block 68, Lot 13-39] (as may be modified by the Commission) and the following conditions:

Referenced Plans:

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Sheet 1/4 Re-subdivision Plan prepared for Mary L. Pepin & Marie T. Morris, 50 Barber Hill road, East Windsor CT Map 19, Block 68, Lot 13-39 , prepared by Gary B. LeClair, LLc 57 Acorn Dr, Windsor Locks, CT 06096, 860/627-8200 dated 3/16/12, scale 1" = 60'

Sheet 2/4 Topographic Plan scale 1" = 40'
Sheet 3/4 Topographic Plan scale 1" = 40'
Sheet 4/4 Key Map & Details

Conditions that must be met prior to signing of mylars:

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 final mylars shall contain the street numbers assigned by the East Windsor Assessor's Departments and the Map, Block and Lot numbers assigned by the Assessor's Office.
4. The applicant shall provide two street trees on each lot and have them shown on the final plan.
5. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this approval 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:

6. The lots shall comply with the requirements of the North Central District Health Department requirements for on-site septic systems and wells.
7. 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 mylars, shall be filed with the town clerk by the applicant, no later **than 90 days after the 15-day appeal period from publication of decision has elapsed** or this approval shall be considered null and void unless an extension is granted by the Commission. One full set shall be filed in the Planning and Zoning Department.
8. A detailed sediment and erosion control plan shall be submitted for each lot at the time of application for Zoning Permits.
9. A cash (escrow) or passbook bond shall be submitted for sedimentation and erosion control maintenance and site restoration during the **construction of the project**.

Any funds that may be withdrawn by the Town for such maintenance or restoration shall be replaced within five (5) days or this permit shall be rendered null and void. The applicant's engineer shall submit an estimated cost of the E & S controls to the Town Engineer and the final amount of said bond shall be determined by the Town Engineer. (This bond covers public improvements, not individual lots.)

Conditions which must be met prior to certificates of compliance:

10. Iron pins must be in place at all lot corners and angle points.
11. Final Health District approval of the drinking water supply and the installation of the septic system must be demonstrated.
12. The driveway must have a 15' paved apron or a bond for such submitted.
13. Final grading and seeding shall be in place or a bond for the unfinished work submitted.
14. Final as-built survey showing all structures, pins, driveways and final floor elevations as well as spot grades and required landscaping shall be submitted.
15. All required landscaping shall be in place, or if weather does not permit, a bond for the required plantings shall be submitted

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 been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

General Conditions:

16. This re-subdivision approval shall expire **five years from date of approval.** Failure to complete all required improvements within that time shall invalidate the re-subdivision. The developer may request an extension of time to complete the re-subdivision improvements from the Commission. Such extension shall not exceed the time limits as provided for in the Connecticut General Statutes, Section 8-26c, as amended. The Commission shall require proper bonding be in place prior to the approval of any such extension.
17. A Zoning Permit shall be obtained prior to the commencement of any site work.
18. This project shall be constructed and maintained in accordance with the referenced plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.

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19. Any modifications to the proposed drainage or grading for the re-subdivision is subject to the approval of the town engineer.
20. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
21. 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.
22. 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(s) may be released.

DISCUSSION: Chairman Ouellette questioned if there was a need to include as additional conditions the comments made under Town Engineer Norton's memo dated 5/15/2012? Town Planner Whitten suggested the Commission could add them if they preferred but all comments fall under routine conditions. No additional conditions were added.

Devanney moved/Sullivan seconded/

**VOTE: In Favor: Devanney/Ouellette/Sullivan/Zhigailo
No one was opposed/no one abstained**

NEW HEARINGS: None

OLD BUSINESS: **Armster Reclaimed Lumber Company** - Modification of Approved Site Plan for 232 & 244/246 South Main Street, owned by All American Products Corp., for modification of Phase II wood storage area adding 6 wood storage sheds. [M-1, B-2 & A-2 zones; Map 12, Block 5, Lots 84-1 & 87]
(Deadline for decision 6/28/2012)

Town Planner Whitten reported Mr. Armster has come up with a new proposal, which was just received today. He has been told the Commission would not be able to approve the Application tonight due to the late submission. She noted the Commission also needs to know that the Fire Marshal has signed off on the proposal because the fire lanes have been removed, and, the Commission needs to know that the property owner, James Balch, has signed off on the proposal – and not just signed the Application - as well. Chairman Ouellette cited concerns that if the Commission has comments/questions there will not be time for a response prior to the deadline expiration. Town Planner Whitten noted she had asked for updated plans before this Meeting but has just received the revised plans today. She noted Mr. Armster's engineer, Mr. Ussery, is present for discussion.

Appearing to discuss the revised Application was Jay Ussery, of J. R. Russo & Associates, LLC. Mr. Ussery indicated this really is more or less what was discussed previously; it's back to a storage area screened with a fence. Mr. Armster has reconsidered using the buildings, as he

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has no long term lease on this property. He is now keeping the storage area screened with the fence. Phase I is on the left hand side of the plan; the difference from what was originally approved for a storage area in the front and where the fence is actually located is about 40'. Mr. Armster would like to add a 40' x 300' area, and add an area for off-loading materials. Mr. Armster is now proposing square box planters 25' off center in front of the fence; arborvitae will be planted in the boxes. On the other side - going behind Hotcakes - they are adding a 7' high fence wrapping around "this" side; arborvitae will be planted in boxes in front of the fence. Mr. Ussery indicated they would have to revise the 7' fence to a 6' fence as they are not allowed to stack higher than 6' in a B-1 Zone. Mr. Armster would strip off the topsoil and put down gravel. He is no longer proposing the office, nor the storage under a roof, nor the buildings proposed at the last meeting; all that is now gone.

Town Planner Whitten advised the Commission the previous approval on "that" side is now void; there are no longer any current approvals on the Balch site. Town Planner Whitten also noted the Citing Council (for the cell tower) has no concerns if the proposal is not within their box/area.

Commissioner Sullivan requested clarification regarding the area beyond the fence. Mr. Ussery reported Mr. Armster is beyond the originally approved area by 40'; his materials are stored 40' closer to the road. Commissioner Sullivan questioned that the Commission would be approving Mr. Armster's non-compliance with the Regulations; Town Planner Whitten clarified the non-compliance is with the approved Site Plan. Commissioner Sullivan questioned where Mr. Armster's excess storage was? Mr. Ussery indicated he has no excess storage area left. Commissioner Zhigailo questioned if there was a limit to the amount of material Mr. Armster can actually accept; there has to be a saturation level that he can't take any more. Town Planner Whitten indicated that was her suggestion to Mr. Armster – stop taking in material. He is continually in non-compliance. She suggested the Commission can require a bond on Phase II. Mr. Ussery suggested Mr. Armster was considering another site in Manchester but that fell through; Town Planner Whitten suggested that fell through before Mr. Armster made this Application to the Commission.

The Commission discussed the benefit of requiring a bond, which would give the Town funds to clean up the site should the Applicant walk away from the operation. They discussed various types of bonds

Commissioner Zhigailo suggested it makes her nervous with that much material onsite. Town Planner Whitten suggested the Fire Marshal shares her concern with the lack of compliance on the site; every time Mr. Armster gets another delivery he becomes more non-compliant.

Town Planner Whitten considered the Commission could approve this proposal, but not until Mr. Armster is compliant in Phase I. Chairman Ouellette noted Mr. Armster would have to take down the fence and move everything back to be compliant. Commissioner Sullivan questioned the amount of the area. Mr. Ussery indicted the 3200 square feet isn't large enough; he needs to extend the fence and wrap it around. Mr. Armster is taking deliveries in front of the fence; that material then sits there. Commissioner Sullivan questioned if Mr. Balch is aware of the situation? Mr. Ussery replied affirmatively.

Chairman Ouellette questioned the 15' alternate right-of-way on the plan; is it dedicated to Phase II? Mr. Ussery suggested it would have to be removed as it wouldn't be accessible; it

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in attendance to assist with the presentation: Peter LaMontagne, of Centerline; Derek Creaser, of Hudson Design Group, LLC; and Daniel Goulet, of C Squared System.

Mr. Laub reported the Applications are all for existing AT&T facilities located on existing water towers. The proposals are to install additional antennas and equipment as part of AT&T's Long Term Evolution "LTE" for upgrading services for network subscribers to better serve their needs. Mr. Laub introduced Mr. Creaser to discuss the proposal.

Mr. Creaser reported that 6 antenna are currently installed within 3 sectors at this location. They are proposing to install 3 new LTE antennas to be located between the existing antennas. Six remote radio head units will be installed behind the antennas. A GPS antenna will be installed to the existing equipment shelter. Mr. Creaser indicated the new installations will be below the existing antenna; everything will be the same color as the existing equipment.

Chairman Ouellette questioned if they plan to install a back-up generator? Mr. Creaser replied they do NOT; they have a backup battery instead. Commissioner Devanney questioned if the back-up generator might help for situations like the recent October storm in which service went down? Mr. Creaser indicated that is actually a separate project for AT&T. They can't install generators at all sites due to the cost, but will be adding them to sites where they experienced problems. Mr. Laub reported AT&T does have portable generators that they can bring to sites as necessary.

Chairman Ouellette queried Town Planner Whitten for questions; Town Planner Whitten indicated she had no problems with the proposal.

MOTION TO APPROVE the Application of New Cingular Wireless, PCS and owner plantation Properties, LLC, requesting a site plan approval for upgrade to wireless communications antennas per Chapter 804, to be located on existing water tank, with associated equipment sheds and improvements, located at 50 Plantation Road, East Windsor, CT. [Assessors Map 16, Block 50, Lot 001C] M-1 zone. This approval is granted subject to conformance with the referenced plans (as may be modified by the conditions) and the following conditions:

Referenced Plans:

- | | |
|------|--|
| T-1 | Title Sheet with location map – AT&T Site Number: CT1140, Site Name: East Windsor Water Tower, 50 Plantation Road, East Windsor, CT 06016 Hartford County, prepared by Hudson Design Group, 1600 Osgood St., Building 20 North, Ste 2-101, N. Andover MA 01845 978/557-5553 and NexLink 800 Marshall Phelps Rd, Unit #2A, Windsor CT 06095, dated 3/6/12, revised 4/6/12 |
| GN-1 | General Notes |
| A-1 | Equipment & Compound Plan |
| A-2 | Elevation Plan |
| A-3 | Antenna Plan |

- A-4 Details
- G-1 Plumbing Diagram & Grounding Details

Conditions that must be met prior to signing of mylars:

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. One set of mylars shall be submitted to the Commission for signature. All plans shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans. (One paper set of the structural plans shall be submitted for signature.)
3. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this approval 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. A Zoning Permit for site work, inclusive of sheds/cabinets, must be applied for and approved prior to the start of construction. Two sets of the final approved plans shall be submitted at this time.
5. A detailed sediment and erosion control plan for the entire development shall be submitted at the time of application for the site improvement Zoning Permit.
6. Additional requirements and procedures may be implemented by the Town Planner.

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

7. Site improvements must be completed or bonding in place.
8. Final grading, seeding, landscaping shall be in place or the E&S bond will not be released or reduced.
9. Additional bonding may be required by the Planning Department.
10. All state inspection fees must be paid.

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

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NEW BUSINESS: New Cingular Wireless PCS, LLC – Site Plan approval to install additional telecommunications antennas and equipment on existing water tower located 104 Prospect Hill Road, owned by Connecticut Water Company. [B-1 zone; Map 102, Block 17, Lot 38] (*Deadline for decision 8/16/2012*):

Chairman Ouellette read the description of this Item of Business. Appearing to discuss this proposal was Daniel Laub, of Cuddy & Feder, LLP. Mr. Laub indicated the following individuals were also in attendance to assist with the presentation: Peter LaMontagne, of Centerline; Derek Creaser, of Hudson Design Group, LLC;, and Daniel Goulet, of C Squared System.

Mr. Creaser indicated this location is similar to the previous Application. At this location there are currently 9 existing antennae located within 3 sectors; they are proposing to install 3 new LTE antennas - one within each sector. They are proposing to add 6 remote radio head units behind the existing antenna. One GPS antenna will be installed to the existing equipment shed. Mr. Creaser noted that this water tower is owned by the Connecticut Water Company; they have requested that the antennas be repainted.

Commissioner Sullivan questioned that the Applicant didn't expect the new installations to interfere with the Town's antenna for police and emergency services? Mr. Dan Goulet, of C Squared System, stepped forward. He indicated that the Town's tower is 50' away from the closest antenna on the water tank. He reported there is sufficient isolation between the antennas on the water tank and the Town's antenna to prevent problems. He spoke with Sergeant Andrusko of the Police Department, who said they have never had any problems because AT&T's frequencies are so far outside the band used by the Town. They don't foresee a problem; they feel it is very unlikely there would be a significant catastrophe. Commissioner Sullivan questioned the response if there was a problem? Mr. Goulet suggested the response would require only a phone call; AT&T would have to shut their antennas down.

Mr. Goulet gave a description of the "order of hits" at the request of Commissioner Zhigailo. See report on file in the Planning Office for specifics.

Chairman Ouellette queried Town Planner Whitten for questions; Town Planner Whitten indicated she had no problems with the proposal.

MOTION TO APPROVE the Application of New Cingular Wireless P CS, LLC, and owner Connecticut Water Co., requesting a site plan approval for upgrade of wireless communications antennas per Section 804, to be located on existing water tank, along with associated equipment and ground improvements, located at 104 Prospect Hill Road, East Windsor, CT. [Assessors Map 102, Block 17, Lot 38] R-3 zone. This approval is granted subject to conformance with the referenced plans (as may be modified by the conditions) and the following conditions:

Referenced Plans:

T-1 Title Sheet with location map – AT&T Site Number: CT5192, Site Name: East Windsor Locks - North , 104 Prospect Hill Rd, East Windsor, CT 06088 Hartford County, prepared by Hudson Design Group, 1600 Osgood St., Building 20 North, Ste 2-101, N. Andover MA 01845 978/557-5553 and NexLink 800

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Marshall Phelps Rd, Unit #2A, Windsor CT 06095, dated 3/08/12, revised
4/26/12

GN-1	General Notes
A-1	Equipment & Compound Plan
A-2	Elevation Plan
A-3	Antenna Layout
A-4	Details
S-1	Structural Details & Modification Plan
G-1	Plumbing Diagram & Grounding Details

Conditions that must be met prior to signing of mylars:

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. One set of mylars shall be submitted to the Commission for signature. All plans shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans. (One paper set of the structural plans shall be submitted for signature.)
3. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this approval 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. A Zoning Permit for all site work, inclusive of grading and placement of concrete pad and cabinets, must be applied for and approved prior to the start of construction. Two sets of the final approved plans shall be submitted at this time.
5. A detailed sediment and erosion control plan for the entire development shall be submitted at the time of application for the site improvement Zoning Permit. The plan shall include the engineers estimated costs for E&S controls. The Town Engineer will review the plan and cost estimates and will set the E&S bond amount.
6. Additional requirements and procedures may be implemented by the Town Planner.

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

7. Site improvements must be completed or bonding in place.
8. Final grading, seeding, landscaping shall be in place or the E&S bond will not be released or reduced.
9. Additional bonding may be required by the Planning Department.
10. All state inspection fees must be paid.

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Chairman Ouellette read the description of this Item of Business. Appearing to discuss this proposal was Daniel Laub, of Cuddy & Feder, LLP. Mr. Laub indicated the following individuals were also in attendance to assist with the presentation: Peter LaMontagne, of Centerline; Derek Creaser, of Hudson Design Group, LLC; and Daniel Goulet, of C Squared System.

Mr. Creaser reported that at this location there are currently 3 existing antenna. They are proposing to install 3 new LTE antennas next to the existing antennas. They are proposing to add 6 remote radio head units behind the existing antennas. One GPS antenna will be installed to the existing equipment shed. Mr. Creaser indicated they took note of comments regarding the height of the proposed installation – “the pictorial representation of the antenna appears to show the antenna higher than the tank which doesn’t promote camouflaging of the antenna.” Mr. Goulet, of C Squared System, indicated they recognize the concern; the new antenna will now be installed lower than the existing antennas. Town Planner Whitten questioned if the new location would affect service? Mr. Goulet suggested “a little bit”; it isn’t ideal but he understood the problem. If it makes a visual difference it can be done. Town Planner Whitten requested clarification that they would be lowering the height 2’ to match the height of the existing antenna? Mr. Creaser and Mr. Goulet responded affirmatively.

Mr. Creaser noted they also ran an analysis and determined the structural load is around 400 pounds which will be added to the façade of the tank.

Chairman Ouellette recalled discussion during a previous application. Town Planner Whitten suggested it was a concern with accessibility with a neighbor. Chairman Ouellette questioned if that easement with the neighbor is now a non-issue? Town Planner Whitten responded affirmatively. Commissioner Devanney questioned if there were any comments from the neighbors; Town Planner Whitten replied negatively.

Chairman Ouellette queried the Commissioners for comments. Commissioner Sullivan suggested he didn’t see a problem with the installation at the height originally proposed. Town Planner Whitten clarified that the idea of the regulation is to camouflage the antennas as much as possible. Chairman Ouellette suggested they shouldn’t be any higher than the other carriers. Town Planner Whitten questioned if the other Commissioners were agreeable to the 2’ reduction? Chairman Ouellette reiterated the antenna shouldn’t be visible. The height reduction will be added as an additional condition.

MOTION TO APPROVE the Application of New Cingular Wireless, PCS and owner plantation Properties, LLC, requesting a site plan approval for upgrade to wireless communications antennas per Chapter 804, to be located on existing water tank, with associated equipment sheds and improvements, located at 41 Depot Street, East Windsor, CT. [Assessors Map 98, Block 44, Lot 35] B-1 and R-2 Zone. This approval is granted subject to conformance with the referenced plans (as may be modified by the conditions) and the following conditions:

Referenced Plans:

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- T-1 Title Sheet with location map – AT&T Site Number: CT5395, Site Name: East Windsor Central, 41 Depot Street, East Windsor, CT 06016 Hartford County, prepared by Hudson Design Group, 1600 Osgood St., Building 20 North, Ste 2-101, N. Andover MA 01845 978/557-5553 and NexLink 800 Marshall Phelps Rd, Unit #2A, Windsor CT 06095, dated 3/20/12, revised 4/26/12
- GN-1 General Notes
- A-1 Equipment & Compound Plan
- A-2 Elevation Plan
- A-3 Antenna Plan
- A-4 Details
- S-1 Structural Details & Modification Plan
- S-2 Structural Details & Modification Plan
- G-1 Plumbing Diagram & Grounding Details

Conditions that must be met prior to signing of mylars:

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. One set of mylars shall be submitted to the Commission for signature. All plans shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans. (One paper set of the structural plans shall be submitted for signature.)
3. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this approval 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. A Zoning Permit for site work, inclusive of sheds/cabinets, must be applied for and approved prior to the start of construction. Two sets of the final approved plans shall be submitted at this time.
5. A detailed sediment and erosion control plan for the entire development shall be submitted at the time of application for the site improvement Zoning Permit.
6. Additional requirements and procedures may be implemented by the Town Planner.

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

7. Site improvements must be completed or bonding in place.
8. Final grading, seeding, landscaping shall be in place or the E&S bond will not be released or reduced.
9. Additional bonding may be required by the Planning Department.
10. All state inspection fees must be paid.

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

11. A paper copy of the final as-built survey showing all structures, pins, roads, walks, driveways, drainage systems, and final floor elevations as well as spot grades shall be submitted and approved by the Town Planner.
12. A final as-built mylar shall be submitted and signed by the Commission.
13. 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 been completed, the Zoning Official may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

General Conditions:

14. This site plan approval shall expire **five years from date of approval**. Failure to complete all required improvements within that time shall invalidate the approval. The developer may request an extension of time to complete the improvements from the Commission, in accordance the Connecticut General Statutes. The Commission shall require proper bonding be in place prior to the approval of any such extension.
15. This project shall be constructed and maintained in accordance with the referenced plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.
16. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
17. All improvements and development must be performed in accordance with the East Windsor Zoning Regulations and applicable Town policies.
18. 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

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1613 – June 12, 2012**

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upon the subject property for the purpose of determining compliance with the terms of this approval.

Additional Condition:

19. Antenna height to be lowered to height of existing antennas, and height to be shone on mylars.

DISCUSSION: None.

Devanney moved/Sullivan seconded/

**VOTE: In Favor: Devanney/Ouellette/Sullivan/Zhigailo
No one was opposed/no one abstained**

OTHER BUSINESS: None

BUSINESS MEETING/(1) Correspondence:

Town Planner Whitten reminded the Commission the Stakeholders Meeting for the Route 140 Business Corridor development is being held tomorrow evening at 6:00 p.m. at the Golden Gavel. The purpose of the event is to hear from the stakeholders. The facilitator will give a summary of the rezone.

BUSINESS MEETING/(2) Staff Reports: None

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

Motions:

- DMD Family Realty Limited Partnership – 7 Dempsey Road
- Gaetan Letourneau – 2 lot resudvisions at 12 Hayfield Lane.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:20 p.m.

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

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission
(6603)