

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION**  
Town Hall, 11 Rye Street, Broad Brook, CT 06016 Tel: 860-623-6030

**REGULAR MEETING  
OF  
May 12, 2020  
NOTICE OF ACTIONS**

**APPROVED, with conditions:**

- 1) **Zone Change Application (PZ-2020-04) – MMCT Venture, LLC** for parcels located at 113, 115, and 119 Prospect Hill Road for a zone change from R-2 to B-1 (residential to business), Assessor parcel ID numbers (Map, Block, Lot numbers): 112-14-005, 112-14-004, 112-14-003.(Effective date May 30, 2020)
- 2) **Michael Fioretti (PZ-2020-06) Zone Change Application** for a parcel located at 202 Main Street for a zone change from M-1 to R-2 (manufacturing to residential), Assessor parcel ID number (Map, Block, Lot number): 101-12-030. (Effective date May 30, 2020)
- 3) **Michael Fioretti (PZ-2020-06) Zone Change Application** for a parcel located at 202 Main Street for a zone change from M-1 to R-2 (manufacturing to residential), Assessor parcel ID number (Map, Block, Lot number): 101-12-030. (Effective date May 30, 2020)
- 4) **Text Amendment Application from East Windsor Planning and Zoning Commission (PZ-2020-08)** - for text amendments related to Alcohol Sales, including amendments to section 203 (definition of Alcohol Sales), 502 (permitted uses in Business and Industrial Districts), 504.7 (Alcohol Sales in the HIZ) and 805 (general requirements for Alcohol Sales). The changes requested would remove certain distance requirements for the sale of alcohol from other uses such as places of worship, charitable institutions, hospitals, convalescent homes, cemeteries, libraries, public playgrounds or municipal buildings. (Effective date May 30, 2020)

**Joseph Ouellette, Chairman**  
**East Windsor Planning & Zoning Commission**

**For Publication: JOURNAL INQUIRER: May 15, 2020**

Cc: Joanne Slater, Town Clerk  
Dorian Famiglietti, Kahan, Karensky & Capossela, LLP  
Joe Ussery, J. R. Russo & Associates  
Michael Fioretti  
Diane Whitney, Pullman & Comley, LLC  
Jason Bowsza, First Selectman  
Helen Tetz, Assessor  
Rand Stanley, Building Official

- The East Windsor Subdivision Regulations.
- The State Building Code, as amended.
- The Connecticut General Statutes, as amended.
- "A Planners Dictionary" (Planning Advisory Service, American Planning Association, Chicago, IL, 2004).
- A comprehensive general dictionary, i.e. Webster's Dictionary.

## 203. DEFINITIONS (Amended August 1, 2011; July 28, 2014)

**ACRE:** Forty-three thousand, five hundred sixty (43,560) square feet.

**ACCESSORY:** Customarily and actually incidental and subordinate to a principal use, building, or structure which is located on the same lot.

**ACCESSORY APARTMENT:** A separate living unit, containing both a bathroom with a sink, toilet and tub or shower and a kitchen with a stove, sink and refrigerator, accessory to a single family residential dwelling.

**ACCESSORY USE OR BUILDING:** A use or building customarily and actually incidental and subordinate to the principal use or building which is located on the same lot as such principal use or building.

**ADULT ORIENTED ESTABLISHMENT:** Shall include, without limitation, adult bookstores, adult motion picture theaters, adult mini-motion picture theaters and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, adult cabaret, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An adult-oriented establishment further includes, any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, entertainer studio, sensitivity studio, modeling studio or any other form of like import.

**AGRICULTURE:** The growing of crops; raising of livestock; and the storing, processing and sale of agricultural and horticultural products and commodities, including those defined in CQS 1-14 as may be amended, as incidental to agricultural operations. (Added - Effective 8/1/2011)

**AGRICULTURAL BUILDINGS OR STRUCTURES:** Buildings or structures, including greenhouses, barns, and animal shelters, used in connection with agriculture, not to be used for human habitation unless approved as a field hand quarters. (Added - Effective 8/1/2011)

**ALCOHOL SALES:** The sale or manufacture of alcoholic beverages at wholesale or retail for consumption either on or off the premises.

**APARTMENT:** Is a one-family dwelling unit contained in a multi-family structure owned in fee simply by an owner, which is rented for the purpose of maintaining a household.

**ANIMAL SHELTER:** Any structure, roof, tarp, lean-to, or similar type of shelter utilized for the protection of animals from weather. (Added - Effective 8/1/2011)

**ANTENNA:** Any device used to collect or transmit telecommunications or radio signals. Examples include but are not limited to parabolic, whip and dish antennas.

(added/Effective 7/28/14)

|                                                         | B-1 | B-2 | M-1   | HIZ      | TZS | IS*      |
|---------------------------------------------------------|-----|-----|-------|----------|-----|----------|
| <b>Automotive Uses</b>                                  |     |     |       |          |     |          |
| Automotive - Auto Body Repair Shop                      |     | SUP | SUP   |          |     |          |
| Automotive - Repair Establishment                       |     | P   | P     |          | SUP |          |
| Automotive - New & Used Car Dealer                      |     | P   | P     |          | SUP |          |
| Inventory Holding Area (7) (Amended - effective 1/8/09) |     | P   | P     |          | SUP |          |
| Automotive - Car Wash                                   |     | P   | P     |          |     |          |
| Automotive - Filling or Re-Energizing Station           |     | SUP |       | SUP (12) |     | SUP (10) |
| Automotive - Retail                                     |     | P   |       |          | SUP |          |
| Truck, Equipment, & Recreational Vehicle Sales          |     | P   | P     |          |     |          |
| <b>Other Uses</b>                                       |     |     |       |          |     |          |
| Commercial Remission                                    | SUP | SUP | SUP   | SUP      | SUP | SUP (11) |
| *Commercial and Trade Schools, and classrooms           | P   | P   | P (1) |          | SUP | SUP      |
| Alcohol Sales (2) Sales (2)                             | SUP | SUP | SUP   | SUP      |     | SUP      |
| Adult Oriented Establishments                           |     |     | SUP   |          |     |          |
| Drive Thru                                              | SUP | SUP |       |          |     | SUP      |
| Drive Thru for non-residential uses                     |     |     |       |          |     | SUP      |
| Dog/Pet Daycare/Training/T/O/G                          | SUP | SUP | SUP   |          | SUP | SUP      |
| Hotel/Kennel/Boarding                                   |     |     |       |          |     |          |
| Dog/Pet Grooming/Pet shop/Retail, Veterinarian (3)      | P   | P   | P (5) |          | SUP | SUP      |
| Residential (6)                                         | SUP | SUP |       | SUP (13) |     | SUP      |
| Yards (See Chapter 305) (Amended Effective 3/1/2011)    | P   | P   | P     | P        | P   |          |
| Museum                                                  |     |     |       |          |     | SUP      |
| Live Theater                                            |     |     |       | SUP      |     | SUP      |
| Art Gallery or Artist Studio                            |     |     |       | SUP      |     | SUP      |
| Multiple principal uses on one parcel                   |     |     |       | SUP      |     | SUP      |

P = Permitted Use and SUP = Special Use Permit; IS\* - Amended Effective 4/25/2012

**Notes to Permitted Uses in Business & Industrial Districts**

- (1) For Profit educational facilities permitted in M-1 zone
- (2) See Chapter VIII
- (3) Liquor is an associated use with hotel; recreational use and catering permitted with special use permit and may be limited to beer & wine.
- (4) Animal retail or service establishment (tenant space must be separated by at least one other tenant space from any existing restaurant or food service establishment.
- (5) Restaurant or food service establishment must be separated by at least one other tenant space from any existing animal retail or service establishment.
- (6) Pet shop not permitted in M-1 zone

#### 504.7 ALCOHOLIC BEVERAGE SALES PLACES

Buildings and premises used for hotels, conference centers, eating establishments, commercial recreation (especially including, without limitation, golfing), and restaurants may be used for the sale of alcoholic beverages for on-premises consumption in accordance with Section 305 except that such proposed uses in the HIZ shall be exempt from the dimensional requirements set forth therein.

#### 504.8 APPLICATION PROCEDURES & REQUIREMENTS

- a. **Pre-Application Conference:** Applicants are encouraged to initiate a pre-application conference with the Commission to discuss the conceptual aspects of the proposed development and to prepare and present a conceptual plan, for informal consideration by the Commission. Neither the pre-application conference, the informal review of the concept plan, nor the Commission's suggestions shall be deemed to constitute approval or denial of any portion of the application.
- b. **Application for General Development Plan (GDP) via Special Permit:** Applicants with interests in property within the boundaries as referenced on HIZ Map (Page 551) may apply for HIZ designation. In accordance with the requirements set forth in this district and in Section 900.6 of these regulations, the applicant shall file an application for a GDP Special Permit for all of the property located within the proposed HIZ. The bulk & area requirements for the subject parcel shall be as described on the approved GDP (immediately effective 7/28/14). If the application is approved, the establishment of the HIZ shall permit the applicant to proceed with completion of the development as set forth in the GDP, subject to obtaining site plan approval in accordance with Section 900.2 and 900.3 for the specific uses approved in the GDP.
- c. **Site Plan Approval:** After the approval of the GDP special permit, no permits shall be issued for uses permitted therein until the Commission has reviewed and approved site plans for the uses approved in the GDP.
- d. **Subdivision Application:** If the GDP depicts the division of the subject property so as to create a subdivision or re-subdivision, an application shall be required prior to any conveyance of land requiring approval pursuant to such regulations.

#### 504.9 GENERAL DEVELOPMENT PLAN (GDP)

The GDP shall consist of one or more maps at a scale of not less than 1" = 100', prepared by a certified design professional and accompanying documents, and shall show or indicate:

- a. Existing structures, existing topography at two foot contours, existing roads and paths, major topographic features, slopes of greater than ten percent grade and the location points of septic inlets, and wooded and open areas, and any environmental constraints such as floodplain and regulated wetlands areas.
- b. The location of adjoining properties, the names of the owners of such properties as they appear on the latest records in the office of the Assessor; and the existing structures and land uses within 500 feet of the boundaries of the proposed development.
- c. Present and proposed land uses within the boundaries of the entire proposed development, whether commercial, service, buffers, landscaping, or green space and the acreage assigned to each. Proposed square footages of building on floor area for all proposed uses shall be shown and detailed in sufficient detail to clearly indicate the nature and scale of the proposed uses. The proposed footages as shown shall establish the maximum building sizes and height and the areas within which it will be permitted to construct such buildings.

- g. No proposed wireless telecommunication site shall be designed, located or operated as to interfere with existing or proposed public safety communications.
- h. The design of all wireless telecommunication sites shall comply with the standards promulgated by the FCC for non-ionizing electromagnetic emissions.
- i. All utilities proposed to serve a wireless telecommunication site shall be installed underground unless otherwise approved by the Commission.
- j. All generators installed in conjunction with any wireless telecommunication site shall comply with State and local noise regulations.

#### 805 ALCOHOLIC SALES/BEVERAGES

**Alcohol sales.** The sale or manufacture of alcoholic beverages at wholesale or retail for consumption either upon or off the premises, shall be permitted only by Special Permit per Section 502 subject to the following regulations:

- a. No alcohol related sales shall be permitted within 500 feet of any public or private school (defined as the instruction of children under 18 years of age and giving instruction at least 3 days a week for 8 or more months a year), day care center, public place of worship, charitable institution, hospital, convalescent home, cemetery, library, public playground, or any municipal building.
- b. Daycare centers are exempt from the above requirement in relation to full service restaurants, provided they are not located within the same structure.
- c. The required minimum distance shall be determined by the two nearest main entrance points of both properties as measured on the Town Assessor's Map.
- d. Restaurant permits for the sale of beer, wine, or spirituous liquors, to be consumed on the premises, shall be permitted only when such sales are incidental to the operation of a restaurant, hotel, motel, bowling alley, restaurant, or private club, shall be permitted only in B-1, B-2, and B-3 zones. Liquor sales may be permitted by special use permit in the M-1 zone when associated with an approved hotel, recreational or catering facility. (Amended effective 12/1/01)
- e. Package store and cottage permits shall be permitted in B-1, B-2, and B-3 zones. (Amended effective 12/1/01)
- f. Gift permits shall be permitted only in B-2 and B-3 zones. (Amended effective 12/1/01)
- g. Wholesale shall be permitted only in B-2 and M-1 zones.
- h. All live or amplified entertainment/music must be approved for the site with the special use permit to ensure that noise pollution is avoided. jukeboxes may be permitted provided that noise does not disturb the neighborhood. (Amended effective 12/1/01)
- i. All sales of alcoholic beverages are subject to the provisions of the Liquor Control Act of the State of Connecticut.
- j. Temporary liquor permits for non-profit or non-commercial organizations may be granted by the PZC Commission as a zoning permit, providing the sales are limited to no more than 4 calendar days per year for the organization and that all other applicable zoning, building, fire, state and other codes are satisfied. Once a site has been approved, permits may be granted administratively. Should the property change ownership, a new permit must be sought. (Amended effective 12/1/01)

Formatted: Numbered + Level: 1 + Numbered Style: a, b, c  
+ Start at: 1 + Alignment: Left + Spaced at: 0" + Indent: 0.25"

Formatted: Font Not Italic

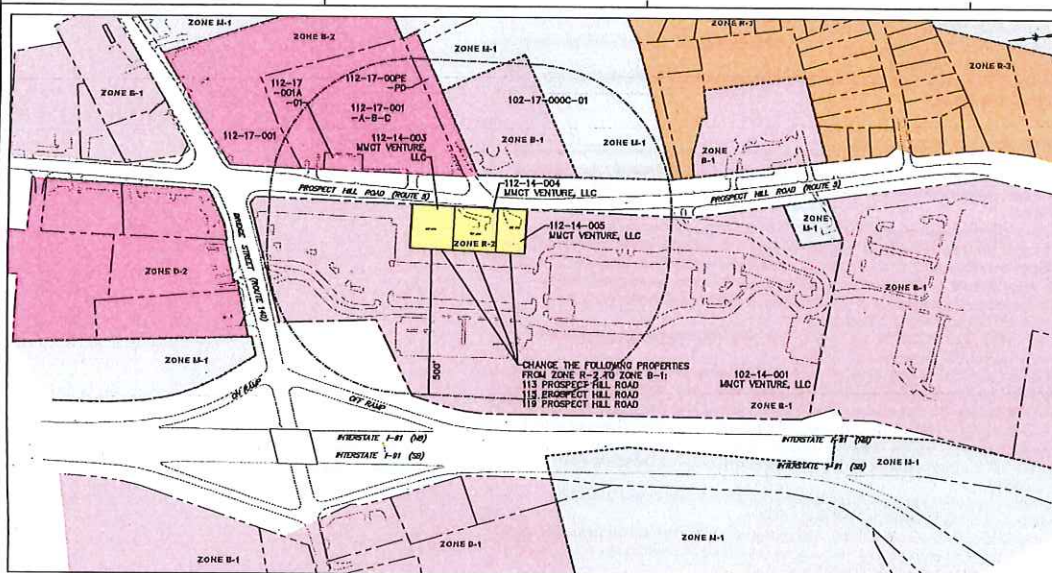
Formatted: Font Not Italic

Formatted: Numbered + Level: 1 + Numbered Style: a, b, c  
+ Start at: 1 + Alignment: Left + Spaced at: 0" + Indent: 0.25"

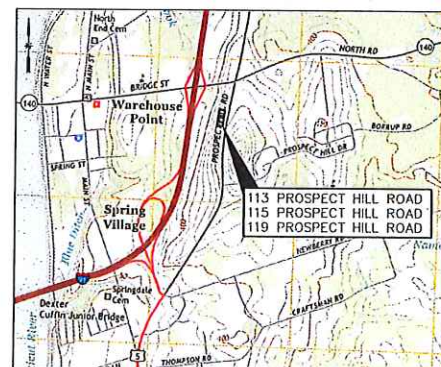
#### 806 SOLID WASTE FACILITIES

##### 806.1 SPECIAL PERMIT REQUIRED

Solid waste facilities may be allowed by special permit in an M-2 zone in accordance with these regulations:



PARCEL MAP  
SCALE 1"=100'



LOCATION MAP  
SCALE 1"=1000'

**ZONING LEGEND**

|                    |          |
|--------------------|----------|
| [Pink Box]         | ZONE B-1 |
| [Light Pink Box]   | ZONE B-2 |
| [Light Blue Box]   | ZONE B-3 |
| [Yellow Box]       | ZONE R-1 |
| [Orange Box]       | ZONE R-2 |
| [Light Orange Box] | ZONE R-3 |

CHANGE THE FOLLOWING PROPERTIES  
FROM ZONE R-2 TO ZONE B-1:  
113 PROSPECT HILL ROAD  
115 PROSPECT HILL ROAD  
119 PROSPECT HILL ROAD

APPLICANT:  
MUCT VENTURE, LLC  
C/O WOOD AND DANA  
20 CHURCH STREET  
HARTFORD, CT 06103

OWNER:  
MUCT VENTURE, LLC  
C/O WOOD AND DANA  
20 CHURCH STREET  
HARTFORD, CT 06103

**MMCT CASINO**

113 PROSPECT HILL ROAD  
EAST WINDSOR, CT 06026

115 PROSPECT HILL ROAD  
EAST WINDSOR, CT 06026

119 PROSPECT HILL ROAD  
EAST WINDSOR, CT 06026

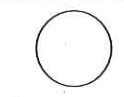
**JCA ARCHITECTURE**

100 HAYDOCK AVENUE  
SUITE 400  
HARTFORD, CT 06106  
860.247.2725

©2018 JCA Architecture

CONTRACT NO. 18-001  
DATE: 10/01/2018  
PROJECT: 113 PROSPECT HILL ROAD  
115 PROSPECT HILL ROAD  
119 PROSPECT HILL ROAD  
EAST WINDSOR, CT 06026  
PREPARED BY: JCA ARCHITECTURE  
DESIGNED BY: JCA ARCHITECTURE  
CHECKED BY: JCA ARCHITECTURE  
APPROVED BY: JCA ARCHITECTURE  
DATE: 10/01/2018

**ZONE CHANGE APPLICATION**  
APRIL 13, 2020



PAC: \_\_\_\_\_ L.A.: \_\_\_\_\_  
PAK: \_\_\_\_\_ PA: \_\_\_\_\_  
REV: \_\_\_\_\_  
JOB: \_\_\_\_\_  
DATE: \_\_\_\_\_  
SCALE: 1"=100'

APPROVED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

**ZONE CHANGE PLAN**

C-001

