



# TOWN OF EAST WINDSOR

## Planning & Zoning Commission

11 RYE STREET, BROAD BROOK, CT 06016

Tel.: (860) 623-6030

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### Commission Overview:

The East Windsor Planning & Zoning Commission (PZC) reviews and acts on land use applications for commercial and residential development as well as proposed amendments to the Zoning Regulations or Zoning Map. The PZC is also responsible for preparation, revision, adoption, and administration of the Town's Zoning Regulations, Subdivision Regulations, Plan of Conservation and Development (POCD) and Zoning Map. The Commission also occasionally review or propose changes to the Zoning Regulations or Zoning Map to provide greater consistency with the (POCD). The Commission meets on the second and fourth Tuesday of each month (unless otherwise posted). The PZC consists of five regular members and three alternate members who are appointed by the Board of Selectmen for five-year, staggered terms. The PZC is staffed through the Planning & Development Department.

### Meeting Information:

#### Meeting Location:

Regular meetings of the PZC are generally held on the second and fourth Tuesday of each month, in the Town Hall Meeting Room at [11 Rye Street, Broad Brook CT](#). Regular meetings begin at 6:30pm unless otherwise noted on the meeting agenda. If there is a conflict that prevents the Commission from meeting in this location or on the specified date, an alternate meeting time and/or location will be posted on the meeting agenda. The Commission meetings are also hosted virtually, with information on how to join each meeting posted on the meeting agenda. Following the meeting, the recordings may be viewed on the [Town's YouTube page](#).

#### Meeting Notice:

A meeting agenda is filed with the Town Clerk at least twenty-four hours prior to each meeting. Meeting agendas are also posted on the [Town's website](#). Anyone interested may also [subscribe via the Town's website](#) to receive an email notification each time an agenda is posted. A limited number of agenda copies are also made available in the meeting room at each meeting.

#### Meeting Agendas:

Meeting agendas serve as the public's notice of an upcoming meeting and establish the order by which the Commission will conduct business during that meeting. Each item that is planned for consideration by the Commission will be included on the agenda. Occasionally, items are received after the publication of the agenda. In these circumstances, provided it is not during the Special Meeting, the Commission is permitted to modify the agenda to include these additional items by a two-thirds vote. The PZC generally conducts their meetings using [Roberts Rules of Order](#) as a guide to provide the structure for conducting the meetings and maintaining order. At the discretion of the Chair, these rules may be relaxed or strictly adhered to as needed depending on the item up for consideration or action being taken.

#### Commission Business:

Copies of all applications submitted to the Commission and other PZC business are maintained and available for inspection in the Planning & Development Office. Any members of the public may visit the Town Hall and request to review the materials of any application before the Commission. Copies of any and all application materials may also be purchased at Town Hall. Meeting materials are also posted publicly on the [Town's website](#).

## **Meeting Order of Business**

Each Commission meeting will be conducted by the Chair, or Vice Chair in the absence of the Chair and will follow the order of business as outlined on the agenda. On rare occasions, the Commission may vote to review agenda items out of order to accommodate an applicant or resident's needs.

### **Establish Quorum:**

The PZC is comprised of five (5) full members and three (3) alternate members. To conduct a meeting, a majority of the PZC must be present.

### **Added Agenda Items:**

As described above, occasionally, items which must be considered by the Commission are received by the Planning & Development Department after the filing of the agenda. In these cases, staff will brief the PZC on these items and if the Commission chooses, they may add these items to the meeting agenda if it is a regular meeting. Please note that Public Hearing items cannot be added to the agenda, and no items can be added to the agenda for a Special or Emergency Meeting.

### **Legal Notices:**

For any item which requires the Commission to hold a public hearing, a legal notice advertising the date, time, and purpose of the public hearing must be published in a newspaper with substantial circulation in East Windsor two times prior to the date of the public hearing. The PZC publishes these legal notices in the [Journal Inquirer](#). These notices will be read publicly at the meeting during this agenda item.

### **Public Participation: (For Items Not Listed on the Agenda)**

At this point in the meeting, any meeting attendee is encouraged to address the Board with any thoughts, suggestions or comments they may have. Speakers will be asked to state their name prior to speaking so their comments can be captured in the meeting minutes. Speakers will also be asked to limit their comments to items which are not otherwise listed on the agenda or up for consideration by the Commission. While some items that the PZC must review and make decisions for do allow the PZC to conduct a public hearing, other items and applications do not.

### **Approval of Minutes:**

In accordance with [Connecticut's Freedom of Information Act](#), any meeting of the Commission requires that meeting minutes be prepared and filed with the Town Clerk. Once filed, minutes are also posted on the [Town's website](#). The Commission will review, make corrections as necessary and then approve meeting minutes at each subsequent meeting. Meeting minutes are intended to capture the date, time and location of the meeting as well as the Commission members in attendance. They will also include a summary of discussions held and any actions taken by the PZC, but they are not intended to be a verbatim transcript of the meeting.

### **Receipt of Applications:**

In Accordance with the requirements of the Connecticut General Statutes, applications submitted to the Planning & Development office between the filing of the Agenda with the Town Clerk and the Commission's meeting are still deemed to be "received". In these cases, Commission staff will outline the application that has been received at this point of the meeting and the item will either be added to the current meeting's agenda for review or placed on a future meeting agenda, as required.

### **Performance Bonds - Actions; Permit Extensions; Road Acceptance:**

The PZC is required to take formal action to reduce or release any bond monies provided to the Town as part of a project approval, to authorize or deny any request to extend the expiration date of a permit or project approval and to deem a road constructed in conjunction with an approved subdivision to be satisfactory prior to the Town's acceptance of such road.

### **Continued Public Hearings:**

Public hearings that are opened but not closed or concluded at the same meeting, will be left open and continued to a subsequent meeting and designated here on the meeting agenda.

### **New Public Hearings:**

In accordance with the Zoning and Subdivisions Regulations, certain projects, applications or activities require the Commission to conduct a public hearing prior to issuing a decision. During a public hearing, members of the public wishing to speak may present verbal or written comments to the Commission.

#### **Public Hearing Format**

Unless a postponement of the public hearing is requested by the applicant and allowed per the statutory time limits specified in the CT General Statutes Section 8-7d, the public hearing will be opened by the Chair.

#### **Applicant Presentation**

The Public Hearing will begin with a presentation made by the applicant, and/or their agents (attorneys, architects, engineers etc.) The applicant may refer to materials submitted with their application or bring materials to the meeting to refer to specifically. During the applicant's presentation, the Chair may recognize other Commissioners or town staff to ask questions of the applicant, but no members of the public are permitted to speak.

#### **Public Comments**

Following the conclusion of the applicant's presentation and any further questions or discussion by the Commissioners or staff, the Chair will open the hearing to members of the public. Any members of the public wishing to address the Commission regarding the application will be provided with the opportunity to do so. Speakers must be recognized by the Chair and will be requested to come forward and speak directly to the PZC at the lectern in the front of the room and to provide their full name for the record. During this portion of the public hearing, speakers must address the Commission directly as a dialog with either the applicant and/or the Commission is not permitted. At the discretion of the Chair, the applicant may be requested to respond to specific questions raised by members of the public if he/she thinks that doing so will expedite the hearing process, otherwise all questions will be answered by the applicant following the conclusion of the public comment portion of the hearing. Speakers may present their own information and are permitted to provide paper copies of their comments or any supporting information to the Commission, which will then be made part of the official record for the application. Members of the public may also submit written comments regarding the application to the Planning & Development office, which will be provided to the Commission for review and made part of the official record for the application.

The Chair will provide an opportunity for any member of the public wishing to speak to do so. At his/her discretion, the Chair may limit the time allowed to all public comments equally, except that he/she may grant additional time to speakers recognized as a spokesperson for members of the audience or other agents employed by citizens presenting evidence in support or opposition to the application. The Chair may further limit the comments of any speaker on the grounds that they are beyond the scope of the hearing, repetitious or previous testimony or not otherwise germane to the subject of the public hearing. All speakers are entitled to the courtesy to proceed without interruption and the Chair will enforce this courtesy if necessary. While the Commission is required to take the comments made by the public into consideration, they are not required to vote in accordance with the majority of those speaking in favor or against an application.

#### **Staff Comments**

Following the public input portion of the public hearing, Town staff will provide input to the Commission pertaining to the application. Staff may summarize the staff review of the application, noting outstanding issues, concerns or highlights, provide context for the Commission with respect to how the application may or may not align with planning policies, regulations or other Commission documents, suggest conditions or modifications to help mitigate concerns raised during the staff review process or public hearing, and to provide a staff recommendation for approval, approval with conditions/modifications, denial or continuation of the public hearing to provide for the opportunity to receive additional information.

#### **Applicant Response**

Following the public and staff comment portion of the public hearing, the applicant will have the opportunity to answer any remaining questions, make any final statements and/or rebut any

comments or statements made by the public during the hearing. At the discretion of the Chair, rebuttal may also be heard from representatives of the opposition on new facts presented during the applicant's response. However, the applicant always has the right to the final response.

### **Closing a Hearing**

When the Commission is satisfied that they have received the information necessary to render a decision on the application, they will vote to close the public hearing. Once a public hearing has been closed, the Commission cannot ask for additional information or clarification from the applicant or members of the public. The Commission may however ask staff for legal, procedural or clarifying information pertaining to the application and information submitted during the public hearing, but they may not begin a new line of questioning which would result in the introduction of new information.

### **Deliberation and Decision**

The Commission may deliberate on the facts of an application at the same meeting following the close of a public hearing or they may table any discussion or decision to a subsequent meeting. The Commission may consider approval, approval with modifications/conditions or denial of an application. In accordance with [CT General Statutes Section 8-7d](#), the PZC must issue a decision within sixty-five (65) days of the close of the public hearing unless an extension is granted by the applicant. Except in the case of a zone change application for which a protest petition has been received, in accordance with the [CT General Statutes](#), a simple majority vote of three (3) seated members of the Commission is required to render a decision on all other applications or Commission matters.

### **Old Business**

Matters that have been heard or reviewed at previous meetings but for which the Commission has not yet rendered a decision will be considered under Old Business. For applications which included a public hearing, the PZC may ask staff for legal, procedural or clarifying information pertaining to the application and information submitted during the public hearing. The Commission cannot receive input from the applicant or members of the public, including any correspondence submitted by the public following the close of the public hearing.

If any item which has been previously heard or reviewed by the Commission is to be considered for a decision under this portion of the agenda, all seated Commissioners must have been present during the hearing or review of such application or otherwise have had the opportunity to familiarize themselves with the public hearing record and application materials. In the event that this is not the case, an alternate member who was present during the hearing or review may be seated for such deliberation.

In the consideration of a decision, the Commission may choose to approve, approve with modifications/conditions or deny. If an application included a public hearing, in accordance with [CT General Statutes 8-7d](#), the Commission must issue a decision within sixty-five days of the close of the public hearing, if an application did not include a public hearing, the Commission must issue a decision within sixty-five days of their receipt of an application. These timeframes may be extended, provided such extension is granted by the applicant.

### **New Business**

Matters which require a decision or deliberation by the Commission but do not include or otherwise require a public hearing will be reviewed initially as a new business matter. Applications which are reviewed under this agenda item will include a presentation of the application or request by the applicant or applicant's representative but the Commission cannot receive input or comments from members of the public. The PZC may also ask staff for legal, procedural or clarifying information in their review of an application.

In the consideration of a decision, the Commission may choose to approve, approve with modifications/conditions or deny. in accordance with [CT General Statutes 8-7d](#), the Commission must issue a decision within sixty-five days of their receipt of the application, however these timeframes may be extended, provided such extension is granted by the applicant.

Any New Business matter which is not decided upon by the Commission will be included on subsequent

agendas as an Old Business item as described above.

### **Other Business**

Occasionally, other matters to be discussed or reviewed by the Commission may be raised by staff or by PZC members as Other Business. These items do not include official applications submitted to the Commission for review and do not include or involve public hearings.

### **Correspondence**

Any communications received by a member of the Commission or by staff on behalf of the Commission which does not pertain to a specific agenda item or pending application will be reviewed and discussed at this point during the meeting.

### **Business Meeting**

Occasionally, the Commission will have reason to discuss matters which do not pertain to other items on the agenda. This could include various commission initiatives, the review of bylaws or other organizational documents or the establishment of a subcommittee or working group. When necessary, these items will be discussed by the PZC at this point in the meeting.

### **Executive Session**

In accordance with the [Freedom of Information Act](#), Executive Sessions are closed to the public and are not otherwise recorded. The PZC's meeting minutes will also not reflect discussions held during an Executive Session. During an Executive Session, the Commission may ask members of the public to temporarily exit the meeting room or may relocate to a separate room within Town Hall or discuss matters of pending litigation, personnel or other items as provided for by the [Freedom of Information Act](#). No actions may be taken during the Executive Session and the Commission will resume the recording of the meeting following the closure of the session.

### **Adjournment**

Following the conclusion of all agenda items, the Chair will call for a motion to adjourn the meeting. In accordance with the Commission Bylaws, all meetings must adjourn by 10:30pm unless this rule is waived by a unanimous vote of the members present. If during the review, deliberation, presentation or public hearing portion of an application a matter is not concluded by 10:30pm, the PZC may vote to extend the adjournment time, or postpone or table the matter to a subsequent meeting as appropriate. Following adjournment of the meeting, the Commission cannot discuss any pending applications with members of the public.