

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

REGULAR Meeting #1703 – September 27, 2016

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), Michael Kowalski, and Jim Thurz.

Alternate Members: Tim Moore.

ABSENT: **Regular Members:** Lorry Devanney, and Dick Sullivan.

Alternate Members: Marti Zhigailo.

Also present was Town Planner Whitten.

GUESTS: (Arrived at 7:15 p.m.) Deputy Selectman Richard P. Pippin, Jr., Board of Selectmen Liaison to the Planning and Zoning Commission; Kathy Pippin, Board of Finance; Selectman Jason Bowsza; Selectman Steve Dearborn.

ESTABLISHMENT OF QUORUM:

A quorum was established as three Regular Members and one Alternate Member 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; Alternate Member Moore would also join the Board regarding discussion and action on all Items of Business this evening as well.

LEGAL NOTICE:

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, September 15, 2016, and Thursday, September 22, 2016, was read by Chairman Ouellette:

1. Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility for a Special Use Permit for renewal of earth products removal permit for property located on Wapping Road. (A-1 & M-1 zones; Map 27, Block 65, Lot 31)
2. Application of Carol B. Scott for a 1-lot Re-subdivision and Special Use Permit (in accordance with Section 408 of the Zoning Regulations) to create a rear lot at 19 Phelps Road. (A-1 zone; Map 42, Block 20, Lot 7A)

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ADDED AGENDA ITEMS:

Town Planner Whitten reported she would like to add an update on the Broad Brook Elementary School under the **BUSINESS MEETING.**

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 13, 2016:

MOTION: To ACCEPT the Minutes of Regular Meeting #1702 dated September 13, 2016 as written.

Thurz moved/Kowalski seconded/DISCUSSION: None.

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

RECEIPT OF APPLICATIONS: None.

**PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD
ACCEPTANCE - Mercury Fuel Service** – Request for release of the erosion control bond in the amount of \$11,500.00 for the construction of a convenience store and gas station at 9 South Main Street. (B-2 zone; Map 81, Block 19, Lot 102).

Town Planner Whitten reported she has not yet heard back from the Applicant regarding the status of the clearing of the field drain; she suggested the request should be tabled for this evening.

MOTION: To TABLE the Application of Mercury Fuel Service – Request for release of the erosion control bond in the amount of \$11,500.00 for the construction of a convenience store and gas station at 9 South Main Street. (B-2 zone; Map 81, Block 19, Lot 102).

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS - Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility - Special Use Permit for renewal of earth products

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removal permit for property located on Wapping Road. (A-1 & M-1 zones; Map 27, Block 65, Lot 31) (*Deadline to close hearing 11/1/2016*)

Chairman Ouellette read the Hearing description. Appearing to present this Application was Tim Coon, of J. R. Russo and Associates, LLC, representing Herb Holden Trucking, Inc.

Mr. Coon described the site location on Wapping Road. The site contains 41.9 acres; access is provided via the existing NORCAP driveway. Mr. Coon reported the original permit for this gravel operation was granted in 2008. Phase I of this operation has been completed; they are presently working in Phase IV. The current permit includes screening, and crushing.

Mr. Coon reported they have received favorable comments from Town Engineer Norton.

Mr. Coon noted Town Planner Whitten has summarized the following comments:

- **lack of a Zoning Permit for each phase of the operation:** Mr. Coon suggested the Applicant was not aware of the need for the Zoning Permit.
- **stockpiling of materials:** Mr. Coon suggested stockpile locations are somewhat of a moving target, depending on the vein of material. Mr. Coon agreed there is not a specific topsoil pile
- **bonding:** Town Planner Whitten's memo indicates bonds should be issued for each open phase.
- **contact information:** Mr. Coon suggested the contact information is shown on page 1 of the plan set.
- **Grading in Phase 3 has extended into the buffer:** Mr. Coon indicated the slope will be restored.

Administrative process/phasing/bonding: Chairman Ouellette queried Town Planner Whitten regarding seeking resolution to the outstanding issues. Town Planner Whitten indicated her custom is to work with the applicant ; the goal is compliance rather than issuing violation notices. She noted the Zoning Permit is the trigger to seek the bonding. She also felt the Town was not getting the phase as-builts as required.

Commissioner Moore noted silt fencing is shown on the plans; he questioned if there is any evidence of the fencing? Mr. Coon indicated they are working on the phase referenced by Commissioner Moore. Commissioner Kowalski cited the approval conditions reference specific phasing. Mr. Coon suggested that the actual grain of the gravel in the field often doesn't follow the lines drawn on the plans. Chairman Ouellette suggested if the operation was done as one large phase then they wouldn't have to worry about phasing, or bonding for each phase. Mr. Coon noted one large phase would require a large bond amount; he noted other towns adjust the bond based on the various phases opened.

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Discussion continued regarding the purpose of the phasing requirements. Town Planner Whitten noted the current regulations call for phases to not be more than 7 acres at one time. Chairman Ouellette suggested the purpose of the requirements for phasing and as-builts is to provide oversight for the Town; maybe the regulations should limit operation to no more than 2 open phases at a time.

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

Discussion followed regarding action on this application. Chairman Ouellette noted continuing the Hearing would give Town Planner Whitten time to meet with the Applicant regard bonding, and issuance of the Zoning Permit. The Commission concurred; speaking on the Applicant's behalf Mr. Coon agreed to meet before the next Commission Meeting.

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

MOTION: To CONTINUE the Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility for a Special Use Permit for renewal of earth products removal permit for property located on Wapping Road. (A-1 & M-1 Zones; Map 27, Block 65, Lot 31). Application CONTINUED until the Commission's next regularly scheduled Meeting to be held on October 11, 2016 at 6:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

NEW PUBLIC HEARINGS - Carol B. Scott - 1-lot Re-subdivision and Special Use Permit (in accordance with Section 408 of the Zoning Regulations) to create a rear lot at 19 Phelps Road. (A-1 zone; Map 42, Block 20, Lot 7A) (*Deadline to close hearing 11/1/2016*):

Chairman Ouellette read the description of this item of business. Appearing to present this Application was Tim Coon, of J. R. Russo and Associates, LLC, representing

Mr. Coon gave a description of the property which is located on Phelps Road; the property currently includes a small single family home in the southwest corner. The proposal is to subdivide the property into two lots, one two acre lot containing the existing home and the second lot being the remaining land. Mr. Coon noted the new driveway will be located almost directly across from the Army Reserve driveway. The property is served by public sewer and water. Additional plantings will be installed between the existing house and the rear lot.

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Mr. Coon suggested the proposal meets all requirements for a subdivision. The following administrative issues have been addressed:

- **Town Engineer comments:** They have received a favorable memo from Town Engineer Norton.
- **WPCA capacity letter:** They have received a confirmation letter from the WPCA indicating there is adequate infrastructure to provide service to the new lot.
- **Waivers requests:**
 - **Sidewalks:** as none currently exist on Phelps Road
 - **street lights:** street lights are already in place on Phelps Road
- **Open Space:** They will be offering a Fee-In-Lieu of Open Space.
- **Sightline:** They have addressed Town Engineer Norton's concerns regarding the sightline.

Chairman Ouellette requested review of the regulations regarding the driveway to the rear lot. He noted the bypass lanes are shown as processed stone; he questioned if the bypass lanes should be paved? Town Planner Whitten reviewed, and read an excerpt from the regulations; in summary the driveway must be 12' wide with 3' of crushed stone on each side.

Chairman Ouellette queried the Commissioners for comments; no one raised any concerns at this time.

Chairman Ouellette opened discussion to the public.

Gail and David Dougherty, 21 Phelps Road: Mr. Dougherty reported he lives in front of the subject property; his concern is that the parcel will become a large parking lot for Southern Auto. He also has two wells on the property he is concerned about. Mr. Dougherty said Mrs. Scott says the property line is one thing and the Town says it's another; he wants the property surveyed, and he won't pay for that. Chairman Ouellette requested clarification that Mr. Dougherty's concern was that the property to the back could be used for something other than a house? Mr. Dougherty replied affirmatively; he doesn't want it sold to Southern Auto and they build houses around them. Chairman Ouellette noted the plan for one house is the application being contemplated by the Commission; someone would have to return to the Commission for anything else. Mr. Dougherty reiterated he wants the property surveyed by Mrs. Scott. Chairman Ouellette indicated Mrs. Scott had hired a professional land surveyor to prepare the plans before the Commission.

Mrs. Dougherty cited concerns with the connection to the sewer. She noted she understands the people on South Road are having problems with their sewers; she doesn't want to have problems with their leach field because of this sewer connection. Chairman Ouellette reviewed the plans submitted, and indicated he didn't see the South

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Road property touching the Dougherty property.

Mr. Dougherty suggested they have cleared some of the land. Chairman Ouellette referenced notes on the plan that indicate some clearing lines. Mr. Coon suggested there is an existing pasture that will be the proposed location for the house; there will be clearing for the driveway. Mr. Dougherty reported she (Mrs. Scott) has moved out of state; he feels she'll sell the property and then sell the land separately. He indicated this wraps around his property; he doesn't want his house disturbed. Chairman Ouellette queried Mr. Coon if he foresaw any further disturbance other than what's been discussed? Mr. Coon noted this plan is a conceptual design; if Mrs. Scott sells the land someone else might want to locate the house further to the rear.

Chairman Ouellette queried the audience for additional input; no one else requested to speak.

Chairman Ouellette queried the Commission regarding action on this Application this evening.

MOTION: To CLOSE the Public Hearing on the Application of Carol B. Scott for a 1-lot Re-subdivision and Special Use Permit (in accordance with Section 408 of the Zoning Regulations) to create a rear lot at 19 Phelps Road. (A-1 Zone; Map 42, Block 20, Lot 7A)

Thurz moved/Kowalski seconded/DISCUSSION: None.

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

MOTION TO APPROVE WAIVERS FOR:

- 1. Sidewalks – (Section 6.3) – As none exist in the area. Applicant shall be subject to fee in lieu of sidewalks per Section 6.3.5 of the subdivision regulations.**
- 2. Street Lights – (Section 6.5) –.**
- 3. Acceptance of Fee In Lieu of Open Space**

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

MOTION TO Approve the Application of owner Carol B. Scott, requesting a 1 lot re-subdivision and special use permit for 1 rear lot located at 19 Phelps Road. Map 042 Block 20, Lot 07A in the A-1 zone. 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:

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1/3 - Cover sheet - Resubdivision/Special Permit Rear Lot , 19 Phelps Rd, East Windsor, CT, with key and inset maps, prepared by JR Russo and Assoc, LLC, 1 Shoham Rd, East Windsor CT 06088, scale as shown, dated 9/1/16

2/3 – Resubdivision/Rear Lot Plan

3/3 – Erosion control notes/Details

Conditions which 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. Landscaping details shall be shown on the plans, calling out the number, caliper and spacing of trees.
4. 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.
5. Addresses for each parcel must be placed on the respective lot on the plans. Addresses are assigned by the Tax Assessor.

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

6. 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, shall be filed with the Town Clerk by the applicant no later than 90 days after the decision or this approval shall be considered null and void, unless an extension is granted by the Commission. One full set of mylars, shall be filed in the Planning and Zoning Department.
7. Detailed sedimentation and erosion control plans shall be submitted with the site plan for each parcel at time of application for a zoning permit.
8. Deeds for any conservation easements and/or drainage easement must be approved by the Town and filed on the land records prior to any permits being issued. It is best if these are filed with the mylars.

Conditions which must be met prior to certificates of compliance:

9. Iron pins must be in place at all lot corners and angle points.

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10. Any driveway must have a 15' paved apron or if weather does not permit, a bond for such submitted.
11. Final grading and seeding shall be in place, or if weather does not permit, a bond for the unfinished work be submitted.
12. All required landscaping shall be in place, or if weather does not permit, a bond for the required plantings shall be submitted.
13. Final as-built survey showing all structures, pins, driveways, final floor elevations, and grading must be submitted.
14. 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.
15. Open Space dedication or fee paid in full.

General Conditions:

16. This re-subdivision approval shall expire (five years from 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 at least one month in advance of the expiration date 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.
17. A Zoning Permit shall be obtained prior to any the commencement of any site work. Landscape and erosion control bonds will be required before issuance.
18. 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.
19. Any modifications to the proposed drainage or grading of the 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.

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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 may be released.

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)**

NEW BUSINESS - Dri-Air Industries, Inc. and owner Charda Realty LLC - Site Plan Approval for construction of a 6,100 sq. ft. warehouse addition and construction of a driveway to access parking area at 16 Thompson Road. (M-1 zone; Map 82, Block 19, Lot 108) (*Deadline for decision 11/17/2016*):

Chairman Ouellette read the description of this item of business. Appearing to present this Application was Tim Coon, of J. R. Russo and Associates, LLC, representing the Applicant, Dri-Air Industries, Inc. Also present in the audience were Charlie and Esther Sears of Dri-Air Industries, and Jim Aldrich, of Aldrich Construction, general contractor for the construction project.

Mr. Coon noted the property location at 16 Thompson Road within the East Windsor Industrial Park. The 3.96 acre parcel presently contains a 20,000 square foot industrial building with vehicle access off of Thompson Road. The property is currently served by public water and sewer. The Applicant is proposing a 6,100 square foot addition to the rear of the building; the location of the addition is in an area already paved. The addition will be of metal construction, and will include a loading dock. A second access driveway will be created on the east side of the building to create a separation of visitor and office parking from service vehicles. The proposal includes 48 parking spaces. Mr. Coon reported they meet regulation requirements for impervious and building coverage. Drainage calculations have been provided to Town Engineer Norton; the additional impervious coverage should not have any significant impact on the stormwater collection system.

Mr. Coon reported they have received favorable comments from Town Engineer Norton. They are not proposing any additional lighting or any additional landscaping.

Chairman Ouellette questioned how vehicles circulate the building today? Mr. Sears reported the business is served by 50' and 60' trucks without problems.

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Commissioner Kowalski questioned if additional lighting is proposed on the addition? Mr. Coon indicated they might add lighting to the addition but not the loading dock. Commissioner Thurz felt lighting was needed in the parking lot. Jim Albrich, general contractor for the addition, suggested the need for lighting is usually picked up by the Building Department and is added to the plans at that point.

Town Planner Whitten noted she had advised Warehouse Point Fire District Fire Marshal Delvey that there would no longer be access to the rear of the building but no response was received. Staff felt any objections would have been passed on for this Application. Mr. Coon suggested many industrial buildings are accessed from the side.

MOTION TO APPROVE the Application for Application for Site Plan Approval by Dri-Air Industries, Inc. and owner Charda Realty, LLC for a building addition and associated improvements, located at 16 Thompson Rd, in the M-1 zone. Map 082, Block 19, Lot 108

Referenced Plans:

- **Site Plan** – Sheet 1 of 2 Dri-Air Industries, Inc. 16 Thompson Road, East Windsor, CT, Map 82, Blk 19, Lot 108, Zone M1”, prepared by J.R. Russo & Associates, 1 Shoham Road, East Windsor, CT 06088. (860) 623-0569, Fax (860) 623-2485 Scale 1” = 40’, dated 9/12/16
- **Erosion control notes**

-Conditions which must be met prior to signing of mylars:

1. A paper copy of the final approved plans (revisions included) shall be submitted to the Town Planner for review and comment prior to the submission of final plans.
2. All final plans 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 approval motion shall be filed in the land records prior to the signing of the final plans.

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

4. One set of final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Set shall be filed in the Planning and Zoning Department.
5. A cash (escrow) or passbook bond (made out to the applicant AND the Town of East Windsor) 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. The amount of said bond shall be determined by the Town Engineer.

6. A zoning permit shall be obtained prior to the commencement of any site work

Conditions which must be met prior to certificates of compliance:

7. Final grading and seeding shall be in place or a bond for the unfinished work submitted.
8. Final as-built survey showing all structures, pins, driveways and final floor elevations as well as spot grades shall be submitted.
9. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all of these 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:

10. In accordance with Ch 900.3h of the Zoning Regulations, any approval of a site plan application shall commence the construction of buildings within **one year from the date of approval** and **complete all improvements within five years of the date of approval**, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
11. This project shall be constructed and maintained in accordance with the filed plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.
12. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
13. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
14. 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

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15. All landscaping shall be maintained.

Kowalski moved/Thurz seconded/DISCUSSION: None

VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)

MOTION: To TAKE A FIVE MINUTE BREAK.

Thurz moved/Kowalski seconded/DISCUSSION: None

VOTE: In Favor: Unanimous

The Commission RECESSED at 7:20 p.m. and RECONVENED at 7:28.

NEW BUSINESS - USA Hauling & Recycling LLC and owner Laird Building LLC -

Site Plan Approval for property at 3 & 5 Shoham Road for Change of Use and renovations and expansion to provide truck sales at 3 Shoham Road, parking and natural gas fueling of fleet vehicles at both parcels, and construction of carports to support solar panels at both parcels. (M-1 zone; Map 113, Block 17, Lots 3 & 4) (*Deadline for decision 11/17/2016*)

Chairman Ouellette read the description of this item of business. Appearing to present this Application was Tim Coon, of J. R. Russo and Associates, LLC, representing the Applicant, USA Hauling & Recycling, LLC. Also present in the audience were Jonathan Murray, of USA Hauling, and Drew Drummond, of Clean Energy.

Mr. Coon reported that USA Hauling had previously received approval for truck sales at 3 Shoham Road; they would still like to keep that proposal for the front of the property and expand the green island to accommodate the used vehicles. They are proposing to add carports for natural gas refueling stations to the rear of both 3 and 5 Shoham Road; a natural gas equipment compound on a crushed stone pad will be added as well. The refueling areas will be separated from the parking areas by bollards. Solar panels will be added to the carports at 3 and 5 Shoham Road to provide electricity to the site. The carports will have an approximate 16' clearance to the underside of the roof; the solar panels will lie in a flattened position, and should not extend the total height of the carports to more than 20'. Mr. Coon submitted photos of similar carports located at another site; he reported the structures will be sufficient to handle snowload.

Mr. Coon reported they are providing a drainage system to collect run off to the rear of 3 Shoham Road. The drainage system will include a stormwater treatment system which will contain run off prior to discharge to the southeast corner of 5 Shoham Road. Mr. Coon reported the site is presently served by a septic system, which will be abandoned; the site will then be connected to a new sewer system. The site is also served by public water.

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Mr. Coon reported they are proposing one pole mounted light for the equipment area. They are also proposing a row of arborvitae on the east property line. The proposal includes combining 3 and 5 Shoham Road into one parcel under Section 505; after completion of this project they will be at the maximum allowable impervious coverage. Mr. Coon indicated they are proposing 10 parking spaces for 3 Shoham Road; while 21 parking spaces are required for 5 Shoham Road they are proposing 25. Mr. Coon indicated the truck drivers will be parking in the spaces provided for the trucks they will be taking out.

Mr. Coon indicated that all of Town Engineer Norton's comments have been addressed. He noted Town Planner Whitten had been concerned with cross easements between the sites but with the properties being combined the easements are no longer necessary.

Chairman Ouellette questioned where the vehicle refueling occurs now? Mr. Murray, of USA Hauling, reported it occurs at 13 Shoham Road. Chairman Ouellette questioned what's to prevent other company vehicles from refueling at this site? Mr. Murray indicated this will be a "slow fill" station; trucks fuel overnight. Chairman Ouellette questioned what safeguards will be in place? Drew Drummond, of Clean Energy, reported they have done "fast fill stations" for USA in Hartford and New Haven. At this location the trucks will plug in and over 6 to 8 hours they will fill 60 trucks during off peak hours. They may want to put in fast fill stations in the future. "Post #1" will have a valve that will shut off the other spots. A technician must come on-site to restart the system. Commissioner Thurz questioned what happens if a truck hits one of these stations? Mr. Drummond indicated the system will shut down if it senses a leak. Chairman Ouellette noted that at traditional stations you would see a vent pipe; does this system have something similar? Mr. Drummond suggested each post has a vent which will vent up into "this" system. Chairman Ouellette questioned the distance to the closest residence? Mr. Coon noted the residences are at the other end of the cul-de-sac. Chairman Ouellette questioned if there would be nuisance complaints from the smell? Mr. Drummond reported natural gas has an odorizer which you can smell as a safety feature; he didn't feel there would be any nuisance issues. Commissioner Thurz cited the location of the jersey barriers; he questioned how the gas comes through? Mr. Drummond reported the gas will run underground to the building and then to the back of the site. Commissioner Thurz questioned if there would be any indoor fueling; would it include ventilation? Mr. Murray indicated they are designing that building. Commissioner Kowalski questioned the use of compressors; they generally run all night long and are often noisy. Mr. Drummond indicated this proposal includes dual compressors, with the possibility of a third being added in the future. He reported the decibel level is 75 at a distance of 15' from the site. Mr. Drummond questioned the Town's position regarding a noise ordinance; Town Planner Whitten clarified there is no noise ordinance in place presently. Mr. Murray reminded everyone USA Hauling previously installed noise barriers between this site and the residential area. It was noted this system will turn on when the trucks come in and will run until the last truck is filled. The applicant doesn't anticipate the system will run all night long. Discussion followed

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regarding the sound generated. Commissioner Kowalski suggested the noise sounds like an electric motor; he suggested 70 decibels would be unnoticeable during the day but he questioned how it would sound in the dead of night?

Commissioner Moore questioned what the solar panels will look like? Mr. Murray suggested they will lie somewhat flush/parallel to the roof ; the whole system will be 4' to 5' high. The structures will have metal roofs. There should be enough thermal heat generated to melt snow. Commissioner Thurz questioned that there would not be a tilt to the panels? Mr. Murray suggested economics don't justify tilting the system.

Chairman Ouellette questioned what someone would visually see at the site; what about someone on the east side of the property? Mr. Coon suggested you would be looking down at the trolley museum.

Chairman Ouellette questioned what other agencies would be weighing in on the project? Mr. Drummond reported they are currently in discussion with the Fire official and the Building Department.

Town Planner Whitten indicated her comments have been addressed.

Chairman Ouellette questioned the display of trucks in the front of the site? Mr. Murray reported the area was previously rented to a gentleman who has passed away. USA gets new trucks every 3 to 5 years; there is a resale market for the used vehicles. They presently put the used vehicles out in front for resale and post them online as well.

Chairman Ouellette queried the Commissioners for additional comments; no one raised any additional concerns or questions.

MOTION TO APPROVE the Application of U.S.A. Hauling & Recycling, LLC and owner Laird Building, LLC requesting a site plan modification to permit truck sales, natural gas fueling center for fleet vehicles, and construction of carports with solar panels at both 3 and 5 Shoham Road, in the M-1 Zone, Map 113, Block 17, Lot 003 & 004. This approval is granted subject to conformance with the referenced plans (as may be modified by the Conditions)

Referenced Plans:

Sheet 1/6 - Key Map prepared for USA Hauling & Recycling Inc., Expansion for Fleet Truck Parking and CNG fueling at 3& 5 Shoham Road, East Windsor CT, prepared by JR Russo and Assoc. LLC 1 Shoham Rd, East Windsor CT 06088, 860/623-0569, 623-2485/fax. Scale as shown, dated 9/09/16

2/6 - Site Plan 3 Shoham Road, scale 1" = 20'

3/6- Site Plan 5 Shoham Road, scale 1" = 20',

4/6 – Erosion and Sediment Control Notes

5/6 – Detail Sheet

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6/6 – Detail Sheet 12/18/09

-Conditions which must be met prior to signing of mylars:

1. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
2. 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 plans.

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

3. One set of prints and one set of final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Sets shall be filed in the Planning and Zoning Department.
4. 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. The amount of said bond shall be determined by the Town Engineer.

Conditions which must be met prior to certificates of compliance:

5. Final grading and seeding shall be in place or a bond for the unfinished work submitted.
6. Final as-built survey showing all structures, pins, driveways and final floor elevations as well as spot grades shall be submitted.
7. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all of these 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:

8. In accordance with Article 900.3.h of the Zoning Regulations, A Site Plan approval shall become null and void in one year from the date of approval if the activities have not commenced, and the site plan shall be considered to be disapproved.

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9. A Zoning Permit shall be obtained prior to the commencement of any site work.
10. Deeds, and easements for drainage and access across property lines need to be supplied showing the consolidated lots, prior to any permits being approved
11. This project shall be constructed and maintained in accordance with the filed plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.
12. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
13. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
14. 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.
15. Cars, trucks and containers may only be parked/stored in designated areas per site plan.

Kowalski moved/Thurz seconded/DISCUSSION: None

VOTE: In Favor: Unanimous (Kowalski/Moore/Ouellette/Thurz)
(No one opposed/No abstentions)

OLD BUSINESS: None.

OTHER BUSINESS: None.

BUSINESS MEETING/(1) Preliminary Discussion on River Bend Property Agricultural Preservation :

Discussion postponed.

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

Mylars/Plans:

- **East Windsor Historical Society and owner the Town of East Windsor -**
Modification of Approved Subdivision (Horizon View Estates) to release the open space for fees in-lieu-of open space for property located at 12 Griffin Road. (A-1 zone; Map 19, Block 72, Lot 8-17).

Motions:

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- **East Windsor Historical Society and owner the Town of East Windsor** - Modification of Approved Subdivision (Horizon View Estates) to release the open space for fees in-lieu-of open space for property located at 12 Griffin Road. (A-1 zone; Map 19, Block 72, Lot 8-17).
- **Calamar, Inc. and owner Thomas Killam** - Zone Change from M-1 to MFDD (Multi-Family Development District) for property located at 20 North Road. (Map 112, Block 17, Lot 2) (*Deadline to close hearing 10/18/2016*)
- **Calamar, Inc. and owner Thomas Killam** - Special Use Permit/Site Plan Approval to allow an Age-Restricted Independent Living Community located at 20 North Road.

BUSINESS MEETING/(3) Update on the Broad Brook Elementary School.

Town Planner Whitten reported she, First Selectman Maynard, and Building Commission Chairman Al Rodrigue met with the architects and design team for the Broad Brook Elementary School addition regarding the lack of screening on the HVAC units installed on the roofs of the new permanent portable classrooms. Town Planner Whitten had questioned the lack of screening of the HVAC units, which are extremely visible. Discussion occurred during that meeting which included opposing opinions on the need for the screening, interpretation of regulation requirements, who is the appropriate authority to require screening and what plans were provided for review, the cost of providing screening after installation, and the impact of the screening on the new roofs.

Town Planner Whitten noted the school system is operating under a temporary certificate of occupancy; several other issues remain to be resolved, such as screening around the dumpster location, replacement of cracking sidewalks, and other items. Discussion followed regarding funds available to cover the outstanding items. The Commission supported Town Planner Whitten in her assessment of the situation; no action was taken regarding moving forward on the screening requirement.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:15 p.m.

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

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission