TOWN OF EAST WINDSOR PLANNING AND ZONING COMMISSION

SPECIAL Meeting #1717 – May 9, 2017

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

The Meeting was called to order in Room #1 at Scout Hall, 28 Abbe Road, East Windsor, CT. at 6:30 P. M. by Chairman Ouellette.

PRESENT: Regular Members: Joe Ouellette (Chairman), Lorry Devanney, Michael

Kowalski, Jim Thurz, and Dick Sullivan.

Alternate Members: Tim Moore (arrived at 6:40 p.m.), and Marti

Zhigailo.

ABSENT: Regular Members: None

Alternate Members: None

Also present was Town Planner Whitten.

GUESTS: Deputy Selectman Richard P. Pippin, Jr., Board of Selectmen Liaison to

the Planning and Zoning Commission; Kathy Pippin, Board of Finance....

ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members and one Alternate Member were present at the Call to Order; Alternate Member Moore arrived shortly. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening; Alternate Members would assist with discussion of all Items of Business this evening as well.

MOTION: To GO OUT OF ORDER and take the second Item of Business under <u>NEW BUSINESS</u> at this time.

Devanney moved/Sullivan seconded/*DISCUSSION*: None.

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

NEW BUSINESS: WSJA, LLC - Site Plan Approval for construction of new building addition to front of existing building at 34 Newberry Road (M-1 zone; Map 92, Block 19, Lot 1) (*Deadline for decision 6/1/2017*):

Chairman Ouellette read the description of this Site Plan Application. Appearing to discuss the proposal was Wayne Silva, Vice President of Sil/Carr Corporation.

Mr. Silva advised the Commission they are proposing to add a 2 story 1200 square foot addition to the front of the building; the addition will expand existing office space within the current building. The existing building is essentially warehouse space with a small office area. Mr. Silva reported that all elevations of the new addition will match existing elevations. The addition will be built on a slab foundation; all electrical work will feed off the existing electrical connections. Town Planner Whitten advised the Commission that the Applicant has received a variance for the addition as the existing building was built too close to the side yard.

The Commissioners raised the following questions:

- <u>Additional plan notes:</u> Commissioner Devanney questioned if the notes referenced in Town Planner Whitten's memo have been added to the plan? Town Planner Whitten replied negatively, noting they must be shown on the plan.
- <u>Dumpster location:</u> Mr. Silva referenced the plan to show the Commission the location of the dumpsters; he noted the dumpsters are not presently screened but the entire back yard and parking area is contained within a security fence so the dumpsters aren't really visible. Chairman Ouellette questioned if the intent of the regulation was to conceal the dumpsters from public view? Town Planner Whitten felt it was for aesthetics. Discussion followed regarding the intent of the regulation vs the existing conditions. Commissioner Thurz reported he drives by that location daily; he's never noticed the dumpster. The consensus of the Commission was screening wasn't necessary.
- <u>Building elevations</u>: Commissioner Devanney questioned what the building elevations would look like? Mr. Silva clarified that the elevations of the new addition will match the existing building. Town Planner Whitten noted there is adequate parking within the site, although the calculations presented were incorrect.
- <u>Lighting:</u> Commissioner Thurz referenced Town Planner Whitten's comment #6 regarding lighting. Any lighting must be downlit and shielded to contain lighting within the site. Mr. Silva indicated he may add one small light at a side door. Chairman Ouellette questioned lighting within the parking lot; Mr. Silva suggested there is one small light at the overhang of the door, and one light which works off of a switch as needed.

LET THE RECORD SHOW Commissioner Moore arrived at 6:40 p.m.

- <u>Bathrooms:</u> Commissioner Kowalski questioned if Mr. Silva would be adding bathrooms to the addition? Mr. Silva replied negatively, noting they will be renovating an existing bathroom for handicapped accessibility. Commissioner Kowalski questioned if Mr. Silva would be adding employees? Mr. Silva suggested that's a possibility.
- <u>Sidewalks:</u> Town Planner Whitten noted that although the current regulations call for sidewalks, or a fee-in-lieu of sidewalks, for new construction there are no sidewalks within the area and none were required when this building was

originally constructed. Commissioner Kowalski questioned the need for a waiver; the consensus of the Commission was the waiver was unnecessary.

- Additional Conditions: Chairman Ouellette suggested a condition should be added to the approval motion to include Town Engineer Norton's comments included in this memo of 3/20/2017. Town Planner Whitten reviewed the applicable regulation for the Commission; it was noted the regulation currently references new construction rather than an addition. The comments recommending the addition of the location of the sanitary sewer connection and utility connections should be shown on the plans.
- **<u>Drainage:</u>** Town Planner Whitten questioned if the property contains a swale between this property and the adjacent property to handle drainage? Mr. Silva reported there is a small swale which runs between the two properties.

Hearing no further requests for discussion Chairman Ouellette called for a motion.

MOTION TO APPROVE the Application of owner WSJA requesting a site plan approval for construction of a new building and associated grading at 34 Newberry Road. M1 Zone, Map 092 Block 19 Lot 1.

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

Referenced Plans:

Sheet 1/8 – Cover sheet – Modification of Approved Site Plan – Proposed Office Space Addition, prepared for Sil/Carr Corporation, 34 Newberry Road, East Windsor CT prepared by Barresi Associates, LLC, 570 Hayden Station Road – Unit D – Windsor CT 06095, 860/219-9260, scale 1"=50" dated March 14, 2017

Sheet 2/3 - Boundary and Existing Conditions Plan, scale 1" = 20'

Sheet 3/3 – Layout Plan

Sheet 4/8 – Grading/Soil Erosion & Sedimentation Control Plan

Sheet 5/8 – Lighting and Landscaping Plan

Sheet 6/8 – Soil Erosion & Sediment Control Notes

Sheet 7/8 – Soil Erosion & Sediment Control Details

Sheet 8/8 - Alternate Impact Plan

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. (A building permit is required for new buildings and retaining wall)

Conditions which must be met prior to certificates of compliance:

- 7. Final grading, landscaping 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 not 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 Chapter 900.3.h of the Zoning Regulations, any approval of a site plan application shall commence the construction activities within <u>one year</u> <u>from the date of approval</u> 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

Additional Condition:

15. As referenced in Town Engineer Norton's memo dated 3/20/2017 existing sanitary sewer lateral, and other utilities, must be shown on the plans.

Devanney moved/Thurz seconded/<u>DISCUSSION</u>: .Commissioner Kowalski noted the proposed motion references "approval for construction of a new building", while the proposal is for a building addition.

Devanney agreed to the amendment/Thurz seconded the amendment

AMENDED MOTION TO APPROVE the Application of owner WSJA requesting a site plan approval for construction of a new building <u>addition</u> and associated grading at 34 Newberry Road. M1 Zone, Map 092 Block 19 Lot 1.

(Amended Motion includes all 15 conditions included in the original motion)

Devanney moved/Thurz seconded/DISCUSSION: Nothing further

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

MOTION: To GO OUT OF ORDER and take the first Item of Business under NEW BUSINESS at this time.

Devanney moved/Kowalski seconded/*DISCUSSION*: None.

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

<u>NEW BUSINESS: Len Norton, DPW Director / Town Engineer</u> – Site Plan Approval to allow expansion of parking area at 11 Rye Street, owned by the Town of East Windsor, for use by Town Hall and Broad Brook Elementary School. (R-1 zone; Map 78, Block 47, Lot 16) (*Deadline for decision 6/15/2017*)

Chairman Ouellette read the description of this Item of Business. Town Engineer Norton joined the Board to present this Application.

Town Engineer Norton reported this plan is being proposed to alleviate existing parking problems at the Town Hall. He noted that whenever functions are held at the school parking is inadequate to handle additional needs; there really isn't enough space for Town Hall employees and the public either. Town Engineer Norton indicated Sheet 1 shows the existing conditions, while Sheet 2 shows a proposal to add 35 parking spaces. Spaces will be added between the small lot for staff and the public behind Town Hall, while additional spaces will be added to the larger lot used by the school south of Town Hall. The drainage pattern, which is sheet flow, will remain the same. Town Engineer Norton advised the Commission he has received a variance from the Zoning Board of Appeals for this reconfiguration.

Commissioner Sullivan questioned the number of employees at the school? He suggested the parking in front of Town Hall is usually used for school parking. Town Engineer Norton noted school parking was lost when the modular classrooms were added. He noted he had proposed additional spaces but the school didn't want to lose the playground area.

Chairman Ouellette felt Town Engineer Norton had done his best with this plan but he questioned id it was time to revisit previous discussion regarding closing this small portion of Rye Street in front of the school and the Town Hall; the road closure might allow Town Engineer Norton to capture more parking spaces. Chairman Ouellette noted parking is proposed in close proximity of the rail line, which is an active rail line utilized for freight delivery. He noted a new proposed curb cut is only 15' away from the rail line. Chairman Ouellette indicated he couldn't support this Site Plan Application because of the additional curb cut; he doesn't feel the additional parking spaces outweigh the safety issues. Town Planner Whitten suggested people think the line is inactive because of the "exempt" signage. Chairman Ouellette cited the possibility of additional parking availability if the Town would enter into an agreement with St. Catherine Church to use their parking lot. Discussion followed regarding the conflict with church events, particularly funerals, and the reluctance of anyone to walk from the church parking lot to the Town Hall or the school. It was noted that church visitors/staff often use the Town Hall parking as well.

Commissioner Sullivan questioned how many parking spaces are really needed? Town Planner Whitten suggested the number would actually be 30 to 50 daily. Town Engineer Norton concurred, noting that would be a day to day figure but when school events are planned the need increases. Town Planner Whitten noted when referendums are scheduled the need is even greater. Commissioner Moore questioned if the ballfields were being used; Town Engineer Norton replied affirmatively. Commissioner Devanney questioned if the proposal – particularly the spaces closest to the rail line - would work? Town Engineer Norton suggested people will need to be careful backing around.

Commissioner Sullivan questioned what would have to occur to close Rye Street, and would that solve the problem? Chairman Ouellette noted the constant concerns regarding pedestrians crossing between the school and the parking lots; closing the street would take care of that. He also noted the proposal for the street closure is listed in the POCD (Plan of Conservation and Development); Town Engineer Norton recalled a previous Site Plan regarding the street closing. Discussion followed regarding the process for opening discussion on the street closure; Chairman Ouellette noted Town Engineer Norton's current proposal is independent of the larger issue.

Discussion returned to Town Engineer Norton's proposal before the Board. Chairman Ouellette questioned if the legal road was no longer there would people use the new curb cut within the parking lot as a short cut to get to the Town Hall? Town Engineer Norton felt people wouldn't want to deal with the friction of movement within the parking lot.

Commissioner Kowalski questioned if there would be any lighting in the new lot? Town Engineer Norton replied negatively. Commissioner Kowalski requested clarification that lighting would only be at the street? Town Engineer Norton then referenced the relocation of existing utility poles.

Chairman Ouellette referenced the grading change at the back of the parking lot, noting they will be cutting into the embankment to acquire the spaces. He questioned if snow would be placed on the embankment? Town Engineer Norton noted the anticipated location of snow placement; he noted the Town doesn't plow the school lots.

Commissioner Sullivan questioned if a stop sign could be set up at the crosswalk? Chairman Ouellette noted it's a State requirement to stop for people crossing a road. Town Engineer Norton noted they plan to install signage relative to the crosswalk as well.

Town Planner Whitten reported she and Town Engineer Norton have anticipated using funds from the sidewalk fund to pay for installation of a sidewalk along the Old Ellington Road side of the parking lot. She noted there isn't enough money to include sidewalks along Rye Street. Commissioner Devanney cited the sidewalk would end at Rye Street – then what? Town Engineer Norton reported there is a crosswalk behind the stop sign at the end of Old Ellington Road so people could cross at that point.

Town Planner Whitten suggested the addition of a bit of landscaping, as long as it doesn't affect sightlines.

Chairman Ouellette questioned if the lot will be paved, or millings? Town Engineer Norton indicated it would be paved; millings are a problem when plowing.

Chairman Ouellette questioned the circulation pattern within the lot; his concern is with the additional curb cut people will be driving out onto Old Ellington Road. He

questioned if the entrance were one-way only would that provide any additional parking spaces? Town Engineer Norton will review that option. Chairman Ouellette suggested the inclusion of an additional condition of approval to reflect the Old Ellington Road entrance as one-way only.

Hearing no further requests for discussion Chairman Ouellette called for a motion.

MOTION TO APPROVE the Application of Town of East Windsor requesting a site plan modification for additional parking at 11 Rye Street, (aka Town Hall), located in the R1 Zone. Map 78, Blk. 47 Lot 16

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

Referenced Plans:

1/2 Existing Conditions/Demolition Plan, East Windsor Town Hall, prepared for Town of East Windsor, 11 Rye St, East Windsor, CT Map 78, Block 47, Lot 16, Zone R1 prepared by JR Russo and Associates, LLC 1 Shoham Road, East

Windsor CT 06088, 860/623-0569 <u>www.jrrusso.com</u>, dated March 9, 2017, scale 1"=30'

2/2 Site Plan scale 1" = 30

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 final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Mylar shall be filed in the Planning and Zoning Department.

Conditions which must be met prior to certificates of compliance:

4. Final grading and seeding shall be in place or a bond for the unfinished work submitted.

5. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have not been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

General Conditions:

- 6. In accordance with Chapter 900.3.h of the Zoning Regulations, any approval of a site plan application shall commence the construction of buildings within <u>one</u> <u>year from the date of approval</u> and <u>complete all improvements within five</u> <u>years of the date of approval</u>, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
- 7. A Zoning Permit shall be obtained prior to the commencement of any site work.
- 8. 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.
- 9. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
- 10. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
- 11. 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
- 12. Any/All required landscaping shall be adequately maintained.

Additional Condition:

13. Driveway cut onto Old Ellington Road should be an "entrance in" only.

Devannev moved/Kowalski seconded/

<u>DISCUSSION:</u> Commissioner Thurz understands Chairman Ouellette's suggestions but he feels the 30 spaces approved tonight will benefit everyone until the Commission can develop a permanent plan. Commissioner Sullivan suggested this is a temporary solution, and if the sidewalks were put in now they might be torn up later if a more permanent solution is developed. Commissioner Devanney isn't thrilled with this proposal either but she felt this is a temporary solution as well. Town Engineer Norton

agreed this is the best solution he has at present but he felt it could be a better plan if everyone could develop a better flow of traffic through the area.

VOTE: In Favor: Devanney/Kowalski/Sullivan/Thurz

Opposed: Ouellette Abstained: No one

MOTION TO send a positive CGS 8-24 referral to the East Windsor Board of Selectmen to approve the construction of additional parking to the Town Hall complex located at 11 Rye Street.

Devanney moved/Kowalski seconded/DISCUSSION: None.

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

LEGAL NOTICE: None.

ADDED AGENDA ITEMS: None

PUBLIC PARTICIPATION: None

Chairman Ouellette queried the audience for comments regarding items/issues not posted on the Agenda. No one requested to speak.

APPROVAL OF MINUTES/April 11, 2017:

MOTION: To AAPPROVE the Minutes of Regular Meeting #1715 dated April

11, 2017, with the following AMENDMENTS:

Page 2, <u>APPROVAL OF MINUTES/March 28, 2017</u>: MOTION: To ACCEPT the Minutes of Regular Meeting #11714 #1714 dated March

28, 2017.....

Page 4, NEW PUBLIC HEARING: Jeffrey L. and Brenda P. Robert for a 1 lot re-subdivision (creating 2 lots total) for property located at

192 Scantic Road....., MOTION TO APPROVE THE

FOLLOWING REQUESTS FOR WAIVERS: 1. Section 6.3 –

Waiver of sidewalks along Stoughton Road but sidewalks shall be required for Parcel B along Scantic Road. A fee in lieu of sidewalks shall be required for Lot B, Scantic Road A FEE IN LIEU OF SIDEWALKS SHALL BE REQUIRED FOR PARCEL B ALONG

SCANTIC ROAD; fee to be determined by staff.

Devanney moved/Kowalski seconded/<u>DISCUSSION:</u> None. VOTE: In Favor: Devanney/Kowalski/Ouellette/Sullivan

Opposed: No one Abstained: Thurz

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD

<u>ACCEPTANCE: Jerry Wilcox</u> – Request for a five-year extension for the application for site plan approval to construct two new buildings and site grading at 50 Newberry Road. (*Approved on 1/10/2012*):

Chairman Ouellette read the description of this Item of Business.

Town Planner Whitten noted that under Section 900.3h of the Zoning Regulations construction of the building is to commence within one year of approval, and improvements are to be completed with five years. Referencing the regulations, Town Planner Whitten noted the language refers to "activities" have not commenced; she noted Mr. Wilcox has installed a drainage basin but hasn't begun work on the buildings. She noted the request for an extension should have occurred in January, 2017; she queried the Commission for guidance as Mr. Wilcox would be subject to submission of a completely new application and fees.

Discussion followed regarding the regulation language relative to commencement to work on the site.

MOTION TO APPROVE a five year extension for the application of site plan approval to construct two new buildings and site grading at 50 Newberry Road, as approved and recorded from PZC meeting #1604, on January 10, 2012. All previous conditions of approval shall remain in effect. Extension is until January 10, 2022.

Devanney moved/Sullivan seconded/DISCUSSION: None.

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

RECEIPT OF APPLICATIONS: None.

CONTINUED PUBLIC HEARINGS: None pending.

NEW PUBLIC HEARINGS: None.

OTHER BUSINESS: None.

OLD BUSINESS: None

NEW BUSINESS: None

BUSINESS MEETING/(1)/Discussion on HIFZ:

Town Planner Whitten continued with her presentation for the Commission to consider revising the HIFZ (Highway Interchange Floating Zone) Regulations/process to increase development potential within the Route 5/I-91 corridor. She recalled that the concept of

the HIFZ was created to enable properties with greater visibility from either I-91 or Route 5 to utilize that visibility as a marketing tool when considering potential development. She noted that presently the HIFZ is an overlay zone which, if approved for a subject site, allows greater development flexibility. Town Planner Whitten indicated she is currently proposing that the Commission consider creating a specific HIFZ, which would preserve the existing underlying zone but would streamline the development process as an applicant would no longer have to go through the rezone portion of an HIFZ application. The previous HIFZ process includes the rezone application in conjunction with the Special Use Permit for the HIFZ use; her current proposal would allow a developer to submit a Special Use Permit to develop under pre-specified/permitted uses within the HIFZ.

Town Planner Whitten offered the Commission two aerials of the subject corridor; the first aerial reflects properties/sites located within the HIFZ, including those properties already rezoned, and the second aerial reflects the same properties/sites with potential additions to or deletions from the HIFZ. She opened discussion to the Commission. Discussion points follow:

- How would the HIFZ affect State-owned properties?
- How does development of the HIFZ as a standard zone affect Route 140?
- Will the HIFZ extend along Route 140, and to what extent/location?
- Should the HIFZ extend to the Enfield line?
- How does the HIFZ fit into the Warehouse Point development plan?
- How does large scale manufacturing fit into the HIFZ?
- Consider review of permitted uses.
- How would mixed use development, including residential uses above business uses, fit into the HIFZ?
- Where should development of medical facilities like urgent care facilities be encouraged?
- What type of uses would benefit most from the highway visibility?
- Should building height be limited, and to what extent? Review regulation language. Research current fire apparatus when considering building height...
- If using I-91 as the base elevation when considering building height also consider the visual effect of roof-mounted mechanicals when viewed from Route 5.
- Should base elevation be based on I-91 elevation, or ground level of site?
- Does excavation within a site affect the definition of ground level?
- Should site topography be considered when considering building height?
- Consider how to vary building elevations based on site topography in an effort to create a visual terraced effect
- Is the "highway" referenced under the HIFZ Regulations I-91 rather than Route 5?
- Use a contour map of the area to enable the Commission to visualize the effect of terracing development.

Discussion to continue at the next Commission Meeting.

BUSINESS MEETING/(2)/Review of Aquifer Protection Regulations:

No discussion this evening.

BUSINESS MEETING (3)/General Discussion of Planning Issues:

No discussion this evening.

BUSINESS MEETING (4)/Signing of Mylars/Plans, Motions: None.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:55 p.m.

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

Respectfully submitted,

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