

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

**SPECIAL MEETING #1719. – June 13, 2017**

***MEETING MINUTES***

**\*\*\*\*\*Draft Document Subject to Commission Review/Approval\*\*\*\*\***

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

**PRESENT:**    **Regular Members:** Jim Thurz (Acting Chairman), Lorry Devanney, and Michael Kowalski..

**Alternate Members:** Tim Moore, and Marti Zhigailo.

**ABSENT:**    **Regular Members:** Joe Ouellette, and Dick Sullivan,

**Alternate Members:** None

Also present was Town Planner Whitten.

**GUESTS:**    Deputy First 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 three Regular Members and two Alternate Members were present at the Call to Order. In the absence of Commissioner/Chairman Ouellette and Commissioner/Vice Chairman Sullivan Acting Chairman Thurz noted all Regular Members would sit in, and vote, on all Items of Business this evening. Alternate Members Moore and Zhigailo would also join the Board regarding discussions and actions on all Items of Business this evening as well.

**LEGAL NOTICE:**

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, June 1, 2017, and Thursday, June 8, 2017, was read by Acting Chairman Thurz:

1. Application of Recycled Concrete Products of CT for property located at 33 Apothecaries Hall Road, owned by Herb Holden Trucking, Inc. for renewal of existing Special Use Permit under Chapter 809 to fill in an area of the site to create additional area for future commercial use in association with existing volume reduction facility. [M-1 Zone; Map 57, Block 48, Lot 38].

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

2

2. Application of owners Apothecaries Hall Enterprises, LLC and the East Windsor Sportsman's Club Inc. for property located on the south side of Apothecaries Hall Road for renewal of existing Special Use Permit for earth excavation and expansion of excavation area to include Phase 17 (4.5 acres). [Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1; & Map 48, Block 65, Lot 7].

**ADDED AGENDA ITEMS:** None.

**PUBLIC PARTICIPATION:**

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

**APPROVAL OF MINUTES/May 23, 2017 – Special Meeting:**

**MOTION:** To ACCEPT the Minutes of Special Meeting #1718 dated May 23, 2017 as written.

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

**VOTE:** In Favor: Kowalski/Moore/Thurz/Zhaigilo  
Opposed: No one  
Abstained: Devanney

**RECEIPT OF APPLICATIONS:**

Acting Chairman Thurz noted receipt of the following new Applications:

1. Application of Harken's Landscape Supply & Garden Center and owner T & J South Main Street, LLC for a Special Use Permit for renovation of existing building and redevelopment of site for use as flower shop and retail sales of fencing and prefabricated outdoor structures, such as sheds and gazebos, at 122 South Main Street. [TZ5 Zone; Map 42, Block 5, Lot 58].

**PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD**

**ACCEPTANCE: Eversource Energy Company** – Request for release of the erosion control bond for Eversource Energy Company for construction of a covered parking/storage area and expansion of employee parking at 112 Prospect Hill Road. (*B-1 & M-1 zone; Map 102, Block 17, Lot C-01*)

Acting Chairman Thurz read the description of this Item of Business. Town Planner Whitten referenced the letter from AZ Corp requesting release of the bond, and also Town Engineer Norton's memo dated 5/22/2017 responding to the bond release request. AZ Corp has noted the scope of the work originally planned for this project was reduced; they have requested the bond release as they feel their work has been completed. Town

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

3

Engineer Norton has noted that a small area adjacent to the new pavement has not yet established vegetation, therefore he has recommended retention of \$3,000.00 of the original \$11,250.00 bond. Town Engineer Norton has recommended release of \$8,250.00 at this time.

**MOTION: To RELEASE \$8,250.00 of the original \$11,250.00 Erosion and Sedimentation Control Bond for 112 Prospect Hill Road/Eversorce.**

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

**VOTE: In Favor: Devanney/Kowalski/Moore/Thurz/Zhaigilo  
(No one opposed/No abstentions)**

**CONTINUED PUBLIC HEARINGS: None.**

**NEW PUBLIC HEARINGS – Recycled Concrete Products of CT and owner Herb Holden Trucking, Inc.** - Renewal of existing Special Use Permit under Chapter 809 to fill in an area of the site to create additional area for future commercial use in association with existing volume reduction facility located at 33 Apothecaries Hall Road,. [M-1 zone; Map 57, Block 48, Lot 38]

Acting Chairman Thurz read the description of this Public Hearing. Joining the Board to discuss this application was Jay Ussery, of J. R. Russo and Associates, LLC. Also present were owners Herb Holden, Sr. and Herb Holden, Jr.

Mr. Ussery reported this application is for a request for a one year renewal of the existing permit for property located at 33 Apothecaries Hall Road. Mr. Ussery gave a description of the property, referencing both a current As-Built Plan, and an aerial of the site. He noted storage bins are located towards the entrance to the site; stockpiles of materials available for recycling and a second stockpile of materials already recycled are located further into the property. A 30" RCP pipe has been installed under the railroad as part of a proposed drainage system which will ultimately include a detention basin. A stockpile of material waiting for recycling must be processed before the basin can be built. Acting Chairman Thurz reported he visited the site today; he concurs with Mr. Ussery's assessment of the site.

Mr. Ussery suggested the site remains pretty much as it did during the previous application. Mr. Ussery indicated he also represents another client not located in East Windsor; they are in the same situation regarding the product market. The construction market is still fairly soft; not a lot of material is being moved. Mr. Ussery suggested they are requesting another one year extension of the permit. While their preference would be a two year extension that language change would require a text amendment.

Mr. Ussery noted he had previously appeared before the Commission to discuss possible operational changes which would help excavation operators such as the Holdens and Mr.

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

4

Charbonneau market their products more efficiently and competitively. Two changes he had asked the Commission to consider were an increase in the number of daily truck trips or load counts, and the possibility of Saturday morning operation. Currently the load limits are conditions of approval rather than regulation language, while the hours of operation are regulation requirements. He noted any change in regulation language would require a text amendment.

Acting Chairman Thurz queried the Commissioners for questions. Commissioner Devanney requested an explanation of the plan reference to “an additional area for commercial use”. Mr. Ussery noted the area to the north on the site will eventually be available for commercial use; he noted they must bring in the drainage to prepare the area to the north for use. They have not yet brought in the remaining piping in due to the location of a stockpile waiting to be recycled which is preventing completion of the drainage work. Commissioner Kowalski questioned if that language had been included when the Commission considered the previous renewal? Mr. Ussery replied affirmatively.

Commissioner Zhigailo agreed that the site hasn’t changed that much. She saw no problem granting the renewal but agreed the Commission should have more discussion on the operational changes as the yearly renewal goes by quickly. Mr. Ussery suggested he would like to return for another discussion when the full Board is present.

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

**MOTION: To CLOSE the Public Hearing on the Application of Recycled Concrete Products of CT and owner Herb Holden Trucking, Inc. for renewal of existing Special Use Permit under Chapter 809 to fill in an area of the site to create additional area for future commercial use in association with existing volume reduction facility located at 33 Apothecaries Hall Road,. [M-1 zone; Map 57, Block 48, Lot 38]. One year extension would run through June 14, 2018.**

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

**VOTE: In Favor: Devanney/Kowalski/Moore/Thurz/Zhaigilo  
(No one opposed/No abstentions)**

**MOTION TO APPROVE a one year extension through June 14, 2018 for the Application of Recycled Concrete Products of CT, and owner Herb Holden Trucking Inc., requesting a modification for special use permit under Chapter 807 of the Zoning Regulations to fill in an area of the site to create additional area for future commercial use, in association with existing volume reduction facility for processing of concrete, bituminous concrete and stone demolition, and earth products for resale, located at 33 Apothecaries Hall Road. Modification of approval**

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

5

**per Ch 807; and Ch 814. M-1 Zone. (Map 57, Block 48, Lot 38) . All existing conditions remain in effect, see below:**

**Referenced Plans:**

1/2: Special Permit Plan – Volume Reduction Facility, 33 Apothecaries Hall Road, East Windsor CT prepared for Recycled Products of CT, Inc., 59 Broad Brook Road, East Windsor CT Zone R3 & M1, Map 57, Blk 48, Lot 38, prepared by JR Russo and Assoc, LLC 1 Shoham Rd, East Windsor CT 06088, 860/623-0569, 623-2485 fax, scale 1" = 100', dated 3/31/09, last revised 3/8/13

2/2: 1"= 40', last revised 4/5/13

**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, landowners, 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.
3. The 24-hour emergency contact name and phone number for sediment and erosion control problems shall be added to the final plans

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

4. Two final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. One shall be filed on the Town Land Records, and one filed with the Planning and Zoning Department.
5. An erosion control bond, in an amount to be determined by the Town Engineer shall be submitted for proposed activities. shall

**Conditions which must be met prior to certificates of compliance:**

6. 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.

7. The Fire Marshall must review application and sign building permit application. Concerns such as height of wood chip piles, location of fire hydrant, and adequate management of sawdust should be considered and addressed.
8. This application specifically allows the storage and processing of wood, earthen and concrete, and asphalt products on the subject site. Additionally, storage and processing of topsoil, and asphalt and concrete is permitted. The applicant may sell at wholesale or retail finished by-products.

**General Conditions:**

9. 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 one year from the date of approval, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
10. In accordance with Chapter 814.4f , any deviation from the plan shall be cause for the Commission to revoke the permit provided the owner shall have the opportunity to address the Commission regarding why the permit should not be revoked.
11. In accordance with Chapter 814.4 g, any permit shall expire 1 year from the date of issuance unless renewed by the Commission
12. A Zoning Permit shall be obtained prior to the commencement of any site work.
13. 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.
14. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
15. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
16. 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
17. Hours of operation for the accessory sales operation determined to be 7:00 a.m. to 6:00 p.m. Monday through Friday, and 7:00 a.m. to 1:00 p.m. on Saturday

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

7

18. Hours of operation for the volume reduction activities shall be limited to 8:00 am to 4:30 pm Monday through Friday. There shall be no operation of the facility on Saturdays, Sundays, and holidays.
19. There shall be no more than sixty (60) trucks utilizing the site on any given day.
20. No material shall be stockpiled higher than thirty (30) feet above the existing grade. In no case shall the stockpiles be visible above the tree line from Apothecaries Road.
21. Material to be stockpiled shall be limited to those areas specified on the approved plans. Any additional stockpile areas shall require an amendment to the approval.
22. The anti-tracking pad shall be maintained throughout the life of the project. Additional measures including, but not limited to, road sweeping shall be employed if necessary to keep the project dirt from accumulating on Town Roads.
23. This Site Plan Approval is specifically for the processing and subsequent removal of clean fill and shall not constitute approval for any use that requires a permit under Section 12 of the Zoning Regulations. Inactivity for a period of two years or the removal of incoming or stockpiled material shall constitute a fill operation subject to special Permit requirements of Section 12.
24. The volume reduction use shall be maintained and operated in conformance to all the provisions and standards of Sections 9.1.2 through 9.1.1.12 and Chapter 807 as currently effective the East Windsor Zoning Regulations, inclusive. Failure to meet or maintain any of those standards shall result in the voidance of this approval.
25. The proposed fill operation shall meet the standards as set forth in Chapter 814.

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

**VOTE: In Favor: Devanney/Kowalski/Moore/Thurz/Zhaigilo  
(No one opposed/No abstentions)**

**NOTE: Previous approval for Recycled Concrete Products of CT, and owner Herb Holden Trucking Inc., also included the waiver listed below:**

**MOTION TO APPROVE Waiver of Chapter 814.3, as the proposal is not an earth excavation operation. This shall include a waiver for filling up to the property line on the east side**

**NEW PUBLIC HEARINGS – Apothecaries Hall Enterprises, LLC and the East Windsor Sportsman's Club, Inc. - Renewal of existing Special Use Permit for earth**

**TOWN OF EAST WINDSOR**  
**PLANNING AND ZONING COMMISSION**  
**Special Meeting #1719 – June 13, 2017**  
**MEETING MINUTES - Draft**

8

excavation and expansion of excavation area to include Phase 17 (4.5 acres) located on the south side of Apothecaries Hall Road. [Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1; & Map 48, Block 65, Lot 7]

Acting Chairman Thurz then read the description of this Public Hearing. Mr. Jay Ussery, of J. R. Russo and Associates, LLC. was present to represent this applicant as well. Also present was owner Kevin Charbonneau.

Mr. Ussery described the location of the property on Apothecaries Hall Road. He noted the current entrance to the pit is on Windsorville Road. After entering the site you find a stockpile area which contains bituminous concrete, mulch and stumps; work within various phases occurs beyond the stockpiles. Mr. Ussery noted an area which had previously been a stockpile but has now been reclaimed. Mr. Charbonneau had been granted a permit by DEEP (Department of Energy and Environmental Protection) to store and recycle debris from a significant storm in October of 2011. That stockpile of material is now gone and the area has been reseeded this Spring.

Mr. Ussery referenced Phases 11 and 8 on the southeast corner of the property; these areas may go back to the pit's ownership under Manchester Sand and Gravel. These areas contain approximately 6+/- acres. While they had not been included in the reclamation activity the slopes have become vegetated with trees and other green growth. Mr. Ussery noted some areas need to be fixed as people enter the property to race quads and off-road vehicles. If you had to reclaim that area it would increase the reclaimed acreage from 26 to 32 and reduce the disturbed area to 59 acres. The area north of the power line is the area currently being worked; the area to the south has been reclaimed. Mr. Ussery raised the question of disturbing that area which has become vegetated; the established vegetation would have to be removed for the area to be regraded. Town Planner Whitten noted the area Mr. Ussery is discussing is basically reforested.

Mr. Ussery reiterated that the area where work is currently occurring is to the north. He referenced the current elevation in relation to the proposed elevation of 130; Mr. Ussery didn't feel they will ever get to that grade as the material is silty/fine sand. Mr. Ussery didn't see any issues with the depth to the water table. He noted the Sportsman's Club is creating an archery range on the other side of the railroad within this northern area; the top of the slope has already been broken through. That area contains approximately 3+/- acres. A new driveway into the site is also being created which will reduce truck traffic at the current entrance. Mr. Ussery noted the current application includes a request to open Phase 17, which contains approximately 4 ½ +/- acres. They would maintain a 100' buffer between the phase line and the property line. Town Planner Whitten questioned that the 100' buffer would be to the top of the slope? Mr. Ussery suggested this area was lower than the other land; he cited a berm of topsoil which wraps around the phase. He referenced a nice grain of gravel under the topsoil. If they could continue to work in that area there is some good gravel to be processed.



**TOWN OF EAST WINDSOR**  
**PLANNING AND ZONING COMMISSION**  
**Special Meeting #1719 – June 13, 2017**  
**MEETING MINUTES - Draft**

9

Mr. Ussery cited the application request is to expand Phase 17 and renew the existing permit. He cited it's difficult to estimate the time to complete the work. He reiterated the market for this product is soft, and the material isn't all gravel.

Acting Chairman Thurz opened discussion to the Commission.

Commissioner Devanney questioned if all staff questions have been answered? Town Planner Whitten noted the issue of the water table has been discussed. She indicated she needs to research the status of bonding for the existing phases and consider the amount of bonding for the new phase, but the bonding can be dealt with administratively. She suggested the bigger issue is officially an applicant shouldn't have more than two phases open at a time but the Commission needs to reconsider that as obviously that isn't working.

Acting Chairman Thurz questioned if anyone had received complaints regarding dust from the work occurring in Phase 16? Town Planner Whitten and Mr. Ussery reported they weren't aware of any complaints. Acting Chairman Thurz noted there are 4 private residences across from Phase 17; he cited concern for those residences as on a day like today the work could be dusty. Commissioner Moore suggested they could use water trucks to cut down on the dust.

Commissioner Moore questioned if the new driveway was for the pit, or just the Sportsman's Club? Mr. Ussery suggested it would be another driveway for the pit but would be a gated driveway shared by the Charbonneaus and the Sportsman's Club. The use of the driveway would be dependent on the direction of the trucks leaving or entering the pit. It would create a situation where no trucks would need to go on Apothecaries Hall Road across from those houses. Acting Chairman Thurz concurred that was the intent of creating that driveway – to not have trucks going down Apothecaries Hall Road.

Commissioner Kowalski questioned how many phases are currently open? Mr. Ussery replied Phases 15 and 16 are the locations of most of the current activity; maybe a little in Phase 14. The rest of the pit is stockpiles.

Commissioner Zhigailo referenced the Site Plan, noting that 65.8 acres represent disturbed area. She questioned the ability to grade areas which are not productive so they become vegetated? Mr. Ussery suggested that once you get the tree growth to come in and you get shade you lose the autumn olive and multiflora rose but other vegetation comes in. He suggested there would be no reason to go back and disturb the area south of the power line to regrade the slopes, although there is a small, 8 acre area which could be regraded and reseeded. He referenced the location of a small water-filled pond which they use for dust control.

Acting Chairman Thurz opened discussion to the audience:

**Alan Andrews, 51 Apothecaries Hall Road:** Mr. Andrews noted that if this approval goes through they will be 100' from his house; when it was 300' out he complained about the dust. Mr. Andrews reported he's lived in his house since 2003 and has never been able to open his windows. Now they will be within 100' of his property. Mr. Andrews cited they will be working in the pit when he's home on vacation; Mr. Charbonneau clarified they are not open on Saturdays or Sundays. Mr. Andrews reported that everyone rides ATVs and the distance is 300' now. He indicated he hasn't complained because he's been told nothing can be done. Mr. Andrews also cited the dust from the open land; he indicated he has a major problem with this phase. Mr. Andrews questioned how many more phases will be opened? Mr. Ussery reported he wasn't aware of any more. Mr. Andrews reported he's walked his dog in those fields and has seen test pits. Mr. Charbonneau indicated he hasn't been in that area in 5 years. Mr. Andrews felt if there was going to be a new entrance it will make his house almost impossible to sell. Acting Chairman Thurz questioned if there would be a berm on Phase 17? Mr. Ussery suggested there would be a berm during construction but none when finished. Mr. Andrews noted the ATVs aren't quiet at 300' back; at 100' it will be God awful loud. He's talked to the police and has been told they can't do anything. Mr. Andrews suggested Mr. Charbonneau could work the pit on Saturday and Sunday to eliminate the ATV problem, but then he would have other problems. Mr. Andrews suggested that at least with the berm the people who use the ATVs can't get out or the vehicles will flip over on them.

**Ronald Stamm, 53 Apothecaries Hall Road:** reported his family has breathing problems because of the dust; his white house is brown; he questioned what would be done to clean the air filters in his air conditioners? Mr. Stamm views this like a smoke stack in the industrial revolution. Mr. Stamm felt that 8' of gravel product wasn't that much; the 8' of gravel isn't worth the health of this family.

Commissioner Moore felt the berm would help keep out the ATVs that enter from the Mitchell facility in South Windsor. Mr. Stamm suggested we need to shut the pit down. He also hears rapid shooting from behind the berms in the gravel pits; he isn't that concerned with the proposal of the Sportman's Club. Both Mr. Andrews and Mr. Stamm indicated the Police Department has said they can't do anything. Town Planner Whitten suggested that's because they can't catch them as the Police have only their cruisers. Commissioner Moore felt the new entrance would help the Police Department to access the pit as well. Mr. Stamm questioned where he should submit a complaint? Town Planner Whitten suggested to continue reporting incidents to the Police Department, especially if he hears gunshots; complaint forms are also available in the Planning Department.

Acting Chairman Thurz suggested the Commission should keep the Public Hearing open so the full board can discuss the berm. He suggested perhaps Mr. Charbonneau could consider a larger berm.

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

11

**MOTION:** To CONTINUE the Public Hearing on the Application of Apothecaries Hall Enterprises, LLC and the East Windsor Sportsman's Club, Inc. for renewal of existing Special Use Permit for earth excavation and expansion of excavation area to include Phase 17 (4.5 acres) located on the south side of Apothecaries Hall Road. [Map

57, Block 49, Lot 3; Map 57, Block 65, Lot 1; & Map 48, Block 65, Lot 7]. Public Hearing CONTINUED to the Commission's next regularly scheduled Meeting to be held on June 27, 2017, at 6:30 p.m. at the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

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

**VOTE:** In Favor: Devanney/Kowalski/Moore/Thurz/Zhaigilo  
(No one opposed/No abstentions)

**NEW BUSINESS: Penske Truck Leasing Co. LP** - Site Plan Approval for a Change of Use to used car sales and repairs at 10 Shoham Road, owned by 10 Shoham Road LLC., [M-1 zone; Map 113, Block 17, Lots 6A & J]

Acting Chairman Thurz read the description of this Item of Business. Mr. Jay Ussery, of J. R. Russo and Associates, LLC, represented this Applicant as well. Also appearing on behalf of Penske Truck Leasing was Mr. Joe Lawless.

Mr. Ussery indicated this proposal is for a Site Plan amendment to allow sales of used/previously leased vehicles to the public. He noted Penske Trucking currently operates a repair facility for their vehicles at this location. They have appeared before the Zoning Board of Appeals, and have received approval for a site location for a motor vehicle license to sell used trucks to the public. They are not making any changes to the existing building, or the current parking area. Mr. Ussery indicated the entire site is currently surrounded by fencing.

Mr. Lawless reported that currently sales are done through the corporate office; sales are advertised online. They are not proposing any change of signage. Commissioner Kowalski questioned if they would have a designated area for the sales of the vehicles; if so, he questioned how the public will access the used vehicles if the site is entirely fenced? Mr. Lawless reported they are looking at setting up a specific area. Mr. Ussery indicated the public would make an appointment to view the vehicles; it's not walk-in business. Commissioner Devanney questioned that the sales would all be used vehicles? Mr. Lawless indicated they rotate the rental vehicles every few years. Acting Chairman Thurz questioned if they planned a sales area in the front of the building? Mr. Lawless suggested they may consider parking a few vehicles in the front. Acting Chairman Thurz noted the site contains a lot of foliage presently; he would like to see that remain. Commissioner Moore questioned if the site is visible from Route 140, or just Shoham Road? Mr. Lawless replied it's only visible from Shoham Road.

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

12

Hearing no further comments from the Commissioners Acting Chairman Thurz called for a motion.

**MOTION TO APPROVE the application of Application of Penske Truck Leasing Co, L.P., and owner 10 Shoham Rd, LLC requesting a change of use**

**from truck rental and repairs to include, automobile dealership for truck sales and, at 10 Shoham Road, in the M-1 Zone, Map 113, Block 17, Lots 6A & J**

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

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**Referenced Plans:**

- Cover Sheet: Penske Truck Leasing Co, Inc., 10 Shoham Rd, East Windsor CT map 113, block 17 lots 6A & J Zone M-1, prepared by JR Russo and Assoc. 1 Shoham Road, East Windsor, CT 06088 860/623-0569, Fax 860/623-2485, scale 1" = 40', dated 5/18/17
- 2/5 - Boundary Survey

**-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 plans and one set of mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Both sets shall be filed in the Planning and Zoning Department.

**General Conditions:**

4. In accordance with Section 900.3 h 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.
5. **A Zoning Permit shall be obtained prior to the commencement of any site work, or change of use.**
6. This project shall be constructed and maintained in accordance with the filed

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

13

plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.

7. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
8. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
9. 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
10. Cars/trucks may not at anytime be parked in landscaped areas, and must conform to the approved site plan
11. All required landscaping shall be adequately maintained.

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

**VOTE: In Favor: Devanney/Kowalski/Moore/Thurz/Zhaigilo  
(No one opposed/No abstentions)**

**OTHER BUSINESS: None.**

**OLD BUSINESS: None.**

**BUSINESS MEETING/(1) Discussion on HIFZ: No discussion this evening.**

**BUSINESS MEETING/(2) Discussion on Aquifer Protection Regulations:**

No discussion this evening.

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

Town Planner Whitten updated the Commission on the following planning issues:

- reported she anticipates holding a **workshop meeting** on Thursday, June 22<sup>nd</sup> from 6:00 to 8:00 p.m. in conjunction with representatives from CTDOT. The workshop will be another Warehouse Point study; stakeholders, including representatives for Maine Fish, Geissler's, and the Lata property will be invited as well.
- Continuing development on a **TOD (Transit Oriented Development) Smart Growth Grant** to develop a stormwater management plan for the Warehouse

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Special Meeting #1719 – June 13, 2017  
MEETING MINUTES - Draft**

14

- Point area, which is impacted by the Blue Ditch and the Connecticut River. The plan could then be the basis for stormwater developments plans in other applicable areas in East Windsor.
- Ongoing work on **regulation revisions**.

**BUSINESS MEETING/(4) Signing of Mylars/Plans, Motions:**

**Mylars:**

- **Jeffrey L. Robert** – 2-lot Resubdivision of property located at 192 Scantic Road, owned by Jeffrey L. and Brenda P. Robert. (A-1 Zone; Map 34, Block 22, Lot 25)

**Motions:**      None.

**ADJOURNMENT:**

**MOTION:**    To ADJOURN this Meeting at 7:40 p.m.

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

Respectfully submitted,

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