

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

**REGULAR Meeting #1698 – June 28, 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), Lorry Devanney, Jim Thurz, and Dick Sullivan.

**Alternate Members:** Marti Zhigailo.

**ABSENT:**    **Regular Members:** Mike Kowalski

**Alternate Members:** Tim Moore

**GUESTS:**    Deputy Selectman Richard P. Pippin, Jr., Board of Selectmen Liaison to the Planning and Zoning Commission; Kathy Pippin, Board of Finance; James Richards, Board of Finance.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as four 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. He noted Alternate Member Zhigailo 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, June 16, 2016, and Thursday, June 23, 2016, was read by Chairman Ouellette:

- Application of Calamar Enterprises for a Text Amendment to Section 802 Multi Family Development District (MFDD); and Section 600 Landscape Regulations.

**ADDED AGENDA ITEMS:**            None.

**PUBLIC PARTICIPATION:**

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

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**APPROVAL OF MINUTES/June 14, 2016:**

**MOTION:** To ACCEPT the Minutes of Regular Meeting #1697 dated June 14, 2016 with the following amendment:  
Page 2, Line 54, APPROVAL OF MINUTES: “APPROVAL OF MINUTES/~~July 22, 2014~~ MAY 24, 2016”

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

**VOTE:** In Favor: Devanney/Ouellette/Sullivan/Thurz  
Opposed: No one  
Abstained: Zhigailo

**RECEIPT OF APPLICATIONS:**

Chairman Ouellette noted receipt of the following new Applications:

1. Application of Shoham Road Transfer, LLC for a Special Use Permit to allow a volume reduction facility at 9 & 11 Shoham Road owned by 9-13 Shoham Road, LLC. [M-1 Zone; Map 113, Block 17, Lots 56 & 57].
2. Application of Munich Motorsports, LLC for Site Plan approval for a Change of Use to used car sales and repairs at 54 Newberry Road, owned by Tilden Associates, LLC. [M-1 Zone; Map 93, Block 19 Lot 5].
3. Application of Clifton Thomas for a Special Use Permit to allow an accessory apartment at 9 Plantation Road. [A-1 Zone; Map 15, Block 49, Lot 10-4].

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

No requests presented under this Item of Business this evening.

**CONTINUED PUBLIC HEARINGS:** None.

**NEW PUBLIC HEARINGS – Calamar Enterprises** - Text Amendment to Section 802 Multi Family Development District (MFDD); and Section 600 Landscape Regulations. **(Review only – No decision)** (*Deadline to close hearing 8/2/2016*):

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Chairman Ouellette read the description of this Public Hearing.

Appearing to discuss this proposal was Jay Ussery, of J. R. Russo and Associates, LLC, and Brent Narkawicz, Director of Development for Calamar.

Mr. Narkawicz introduced himself as the North East Development Director for Calmar. He noted Calamar builds hotels and independent living senior housing projects. Prior to selecting a site they do market studies to determine if a project will work in the designated area. The projects are initially built by Calamar, which stays in an area to maintain the projects. Mr. Narkawicz reported they had considered a project in Enfield which didn't come to fruition but they are considering a project in East Windsor which would be in the same demographic area. Mr. Narkawicz noted they presently have 18 independent senior living facilities/communities, many of which are in upstate New York. Calamar came into New England approximately three years ago. The independent senior living facilities are a type of development which is comprised of market rate apartments which are age restricted. Their research has indicated there is a need for seniors to have alternative housing facilities; many people don't want to live in conventional apartments with diverse age groups but rather prefer to live with people who have similar interests.

Mr. Narkawicz reported that in reviewing the current regulations for the Multi-Family Development Districts and Age Restricted Housing neither seems to fit for the type of facility Calamar proposes. They are proposing a text amendment to accommodate this type of housing but realize the text amendment would apply for anyone else proposing a similar development anywhere in East Windsor.

Chairman Ouellette queried the Commissioners for questions and comments.

Commissioner Thurz suggested the current regulations were developed for single family dwellings but he sees a trend that people now like the vertical development. He cited a similar project in Somers which mixes individual housing with a couple of the multi-story buildings.

Mr. Narkawicz began a review of the regulation revisions proposed by Calamar:

- **Mix of one and two bedroom apartments:** in Section 802.3(j) - Mr. Narkawicz noted there is more of a demand for two bedroom units. People are moving from two and three bedroom homes and are having trouble moving to a smaller place. The second bedroom is often used for an office or a den or a bedroom for visitors.
- **Change of language:** in Section 802.4(c) - Applicability, "non-rural area" should be changed to "not in a rural area."
- **Density limits:** - in Section 802.6(b) - Mr. Narkawicz suggested they are proposing a density closer to 20 units/acre which approximates a 20% building coverage area. He cited that on previous sites containing 5 to 10 acres the 3 story building containing 95+/- units have taken up 6 to 8 acres at completion.
- **Increase in minimum floor area and apartment/unit mix:** - in Section 802.10(a) - Mr. Narkawicz indicated they are proposing an increase to 650 square feet vs. the 400 square foot presently allowed for a one bedroom apartment. They

are also proposing a unit mix of 25% one bedroom apartments and 75% two bedroom apartments.

- **Storage:** - in Section 802.11 - Mr. Narkawicz reported they typically provide closet space within the units for storage, and often the extraneous space becomes storage for the residents. Mr. Narkawicz reported they will be working with a new architect who utilizes four unit styles which would be shown to the Commission at the Site Plan level of the application process.
- **Height of building:** - in Section 802.12 - Mr. Narkawicz reported the current regulations allow structures to a height of 2 ½ stories or 35 in height. Calamar buildings are typically 35' at the peak of the roof; they are proposing changing the 2 ½ story limit to 3 stories.
- **Yard and Building Set-Backs:** - in Section 802.15 - Mr. Narkawicz suggested they are proposing a front yard setback for the building at 50', with side yard setbacks of 40', and a setback for an accessory building of 20'. Distances currently vary within the existing regulations.
- **Separation distance for accessory buildings:** in Section 802.15(b) - Calamar is proposing a 10' separation distance for accessory buildings; Town Planner Whitten has proposed 15'. Mr. Narkawicz indicated Calamar has no problem with 15'.
- **Revision in distance of recreation space and/or off-street parking access drive and parking area from property line:** in Section 802.1(c) - Mr. Narkawicz suggested they are proposing a setback for an off-street parking access drive from a property line to be 10'; the setback for a minimum distance from a parking area to a parking to a property line to be 25' from the front yard and 10' from a side or rear yard. Mr. Narkawicz suggested they often install putting greens as part of the recreation space, therefore, they don't need the additional distance for larger playground equipment.
- **Minimum setback from primary structure to off-street parking or access drives:** - in Section 802.15(d) - Mr. Narkawicz indicated they are proposing a minimum of 10' between a primary structure and the parking or access drives. The shorter distance creates a shorter walking distance more appropriate in an elderly development.
- **Landscape buffer:** - in Section 802.15(e) - Mr. Narkawicz noted the current regulations require a landscaped buffer strip of 25' within all boundary setbacks. If the setbacks are revised as he discussed earlier then the 25' would no longer work. Mr. Narkawicz noted he is a planner and landscape architect himself; he agrees a Landscape Plan prepared by a licensed architect should be submitted for approval by the Commission. Mr. Narkawicz suggested they are proposing a language change which eliminates the specific setback distance. He also suggested the plan utilize native species.
- **Lot coverage and Open Space:** in Section 802.16(b) Mr. Narkawicz reported many of "community areas" for use by the elderly residents are provided within the building and are available for year-round use and during inclement weather.

They are proposing an increase in the amount of building coverage to 50% rather than the current 45%. Mr. Narkawicz suggested they would also propose a sidewalk around the building, or if that location were not possible they would provide the sidewalk elsewhere on the site. They are NOT providing Open Space or a Fee-In-Lieu of Open Space.

- **Resident and designated visitor parking spaces:** - in Section 802.17 - Mr. Narkawicz reported their development standard is 1.25 parking spaces per unit. While designated handicapped parking spaces as required by code are provided none of the other spaces are specifically designated as visitor parking. First floor units are provided direct access from the parking lots; detached garages are also provided for about 25% to 50% of the units. The detached garages and the parking areas are typically 60' from the building.
- **Secondary Access:** - in Section 802.17(b) - Mr. Narkawicz indicated they have already met with the Fire Marshal; they would leave recommendations regarding emergency access to the emergency personnel.
- **Landscaping:** - in Section 802.19 - Current regulations require common areas to include a permanent sprinkler system. Mr. Narkawicz indicated they instruct the landscape architect to use native vegetation on the site; a 2 year warranty is required for establishing the vegetation.
- **Perimeter trees:** - in Section 600.1 - Mr. Narkawicz indicated the current regulations require one shade tree for each 50 foot of the perimeter distance. Based on the utilization of a licensed landscape architect Calamar is proposing one shade tree for each 100' of perimeter distance.
- **Landscape buffer:** - in Section 600.2 - Mr. Narkawicz suggested they are proposing to eliminate the setback distances and replace with language requiring the landscape buffer provide a visual screen of evergreen and deciduous trees or, solid fencing as a replacement to the buffer.

Chairman Ouellette queried the Commissioners for questions and/or comments:

**Parking:** Commissioner Devanney requested clarification that the developer doesn't have problems with residents being able to park near their units when other residents may have many visitors? Mr. Narkawicz indicated there is usually available parking nearby for other units. Commissioner Devanney questioned the conditions during the Winter or during snowfalls? Mr. Narkawicz indicated they design their sites with minimum slopes to prevent falling hazards. While they contract for snow removal from the site they also have their own maintenance crew for sanding, etc.

**Site renderings:** Chairman Ouellette suggested he is having problems visualizing the development concept. While he understands Mr. Narkawicz is presenting a text amendment which would be applicable to any site and any applicant he questioned if Mr. Narkawicz might be able to present examples of any of the other 18 facilities? Mr. Ussery concurred regarding the general nature of the text amendment but suggested perhaps Calamar could provide photos of sites built in Massachusetts or New Hampshire.

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Mr. Narkawicz suggested he could prepare a PowerPoint presentation for the next meeting.

**Exclusion of Open Space:** Chairman Ouellette referenced Item 7 of Mr. Markowitz's proposal letter, noting the last sentence which appears on page 2. The item addresses project density, while the last sentence indicates "without the inclusion of open space....." Mr. Narkawicz suggested the buffers and community amenities - which include the community room, patios, sometimes a mini golf area, or gardens - create open space through the design of their facilities. Single family homes take up much infrastructure which is unusable; once Calamar gets their development to work by design there is inherent open space which creates passive open space. Commissioner Zhigailo questioned if Calamar has some type of ratio that "x" number of units need "x" amount of open/recreation space? Chairman Ouellette suggested if a developer had a 100 acre parcel under this amendment basically the whole parcel could be vertical construction. If the Open Space requirement is taken away some people would try to develop as much area as possible. Commissioner Zhigailo cited that this text amendment would apply to any development.

**Regulation amendment options:** Commissioner Sullivan cited the numerous changes to the current regulations to accommodate this type of development; he questioned if the Commission should consider a subset of regulations for this type of elderly senior housing? Discussion followed regarding optional approaches.

**Lawn maintenance:** Commissioner Devanney questioned how they handle drought situations for the lawns and outdoor facilities? Mr. Narkawicz suggested that once the vegetation is established it usually survives the dry conditions.

**Age restriction:** Chairman Ouellette questioned if this type of development would be restricted to people 55 and older or 62? Mr. Narkawicz reported the (Connecticut General) Statutes reference persons 55 and older while the Federal laws say at least one person must be 62. Chairman Ouellette questioned which direction Mr. Narkawicz was leaning? Mr. Narkawicz noted the average age of people living in these facilities is 72 but he would go with what the Commission preferred. He suggested they don't really see people aged 55 living in these facilities but many people 62 to 65 are looking at them. These facilities also tend to attract people with higher income levels. The residents tend to want a nice space where things are going on; they want to immortalize the place they left.

**Number of bedrooms:** Chairman Ouellette questioned if the market drives the number of bedrooms for the units? Mr. Narkawicz cited the current regulations don't allow the 2 bedroom units; he reiterated they are looking for a 25%/75% mix of 1 and 2 bedroom units. Mr. Narkawicz suggested if the mix were 80%/20% and agents were having trouble finding tenants there would be a concern that the units would be rented to others/the general public. Commissioner Thurz questioned that these apartments would always be

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rented to people aged 62 or 65? Mr. Narkawicz indicated there would be a document that would cite the age requirement.

**Use of additional bedrooms:** Commissioner Devanney cited some people would want to use the second bedroom for grandchildren; would there be an age restriction for that? Mr. Narkawicz suggested they can't limit the age but they can limit the amount of time the grandchildren visit.

Chairman Ouellette opened discussion to the public:

**Deputy Selectman Pippin:** suggested that the Commission shouldn't get too focused on the Open Space issue. He cited the many small parcels of Open Space scattered throughout the town which he felt were unusable.

**Jim Richards:** questioned if this would be a for-profit project? Mr. Narkawicz replied affirmatively. Mr. Richards questioned what type of services would the Town be required to provide for these residents that the developer wouldn't be providing? Mr. Narkawicz suggested it would be the same level of services that the Town would provide to single family homes or other developments. Mr. Richards questioned what the rental level would be – high, low, or middle of the road? Mr. Narkawicz indicated the rental costs haven't been established yet but Calamar finds they are generally slightly higher than a market rate apartment because of the amenities. Mr. Narkawicz estimated the rental cost would be \$900 to \$1300 per month. Mr. Richards suggested this is a difficult location for traffic. Mr. Narkawicz suggested that if the text amendment goes through Calamar would be working with Mr. Ussery and the State regarding traffic issues. Mr. Richards questioned if they would put in extra lanes? Mr. Narkawicz suggested they would do whatever was required by the State.

Hearing no further requests for public input Chairman Ouellette queried the Commissioners again regarding comments or concerns.

Commissioner Sullivan cited difficulty working with simply the language document; he would like to see more – such as **photos**. Commissioner Devanney suggested the **PowerPoint presentation** would be beneficial.

Chairman Ouellette cited Mr. Narkawicz's comment about previously meeting with the Fire Marshal; he questioned how **emergency vehicles** would access the site? Mr. Narkawicz suggested their discussion with the Fire Marshal included comments about the type and size of equipment that would be required to protect such a facility, and would one access drive be ok. Chairman Ouellette questioned if the developer can't provide a second formal driveway would they be amenable to providing a landscape strip would could be driven on? Mr. Narkawicz felt that would be possible.

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Chairman Ouellette noted the proposal to **eliminate the landscape buffers** currently under Section 600.2; he questioned how that requirement would apply to other projects or sites? Discussion followed regarding how this amendment would apply townwide.

**MOTION: To CONTINUE the Public Hearing on the Application of Calamar Enterprises for a Text Amendment to Section 802 Multi Family Development District (MFDD); and Section 600 Landscape Regulations to the Commission's regularly scheduled meeting on July 12, 2016 to be held at 6:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.**

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

**VOTE: In Favor: Devanney/Ouellette/Sullivan/Thurz/Zhigailo  
(No one Opposed/No abstentions)**

**OTHER BUSINESS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**BUSINESS MEETING/(1) Signing of Mylars/Plans, Motions:**

**Mylars:**

- **Nick Vamvilis** - Special Use Permit [in accordance with Section 805] to allow expansion of liquor permit and to allow live music in connection with proposed 2,100 sq. ft. addition to Maine Fish Market Restaurant located at 60 Bridge Street. (B-1 zone; Map 111, Block 1, Lots 40, 41 & 42)

**Motions:** Nothing presented.

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 7:42 p.m.**

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

Respectfully submitted,

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