



TOWN OF EAST WINDSOR PLANNING & ZONING COMMISSION

11 Rye Street, Broad Brook, CT 06016
860.623.6030

Commission
Mike Kowalski-Chair
Jim Thurz- Vice Chair
Anne Gobin
David Leason
Stacey Svoboda McKenna

Alternates
Frank Gowdy
Vacancy
Vacancy

Draft Minutes

TUESDAY, April 23, 2024 – 6:30 P.M.

Meeting #1872

***** These minutes are not official until approved by the Commission at a subsequent meeting*****

I. TIME AND PHYSICAL PLACE OF MEETING

Town Hall
11 Rye St, Broad Brook CT 06016

Also Accessed Virtually at Zoom Meeting ID: 714 897 1799

PRESENT: Regular Members: Michael Kowalski (Chairman) Jim Thurz (Vice Chairman), Anne Gobin, David Leason, and Stacey Svoboda-McKenna and
Alternate Member: Frank Gowdy.

GUESTS/SPEAKERS present, in-person: Director of Planning and Development/Town Planner Ruthanne Calabrese hosted the meeting. Also present in person were Planning Consultant, Michael D'Amato, Jay Ussery of JR Russo and Associates, John Burnham, East Windsor Housing Authority, Linda Collins, East Windsor Housing Authority, Paul Anderson, Keith Yagaloff, Burma Shaw, and Brian Cote.

II. ESTABLISH QUORUM

Chairman Kowalski opened the meeting at 6:30 p.m. a quorum was noted with all five regular members and alternate Frank Gowdy present.

III. ADDED AGENDA ITEMS

Chairman Kowalski reference a Letter from Alter Person, LLC representing Penske Truck Leasing, Co regarding Erosion and Sedimentation Bond for PZ-2023-25 was received today will be added to the correspondence section of the agenda.

IV. LEGAL NOTICES:

Chairman Kowalski read two legal notices onto the record.

- A. PZ-2024-05 Town of East Windsor Text Amendment to Section 507.6 Allowed Uses; Warehouse Point Zoning Regulations.
- B. PZ-2024-06 Town of East Windsor Housing Authority; East Windsor Housing Authority and Housing Authority of East Windsor is requesting a Zone Change from M-1 and R-2 to ARHD for property located on Reservoir Ave, Assessors Map 078, Block 56, Lots 032 and 038.

V. PUBLIC PARTICIPATION (For Items Not Listed on the Agenda)

Chairman Kowalski invited members of the public to speak on items not already included on the agenda.

Mr. Paul Andersen offered appreciation for the volunteer commissioners and the work they do for the Town.

VI. APPROVAL OF MINUTES

Motion moved by Commissioner Gobin to APPROVE the minutes of the April 9, 2024, meeting #1871 with the following corrections:

Line 51: **A. March 26, 2024-Regular Meeting #1866-1870 of PZC**

Line 114: of the language contains areas that are not likely being enforced, e.g., lawn ~~car~~

Line 119: The POCD survey has, so far, garnered 68 responses. The survey is ~~available-advertised at~~ on

Moved: Gobin; **Seconded:** Svoboda McKenna

Vote: **In favor:** Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna

VII. RECEIPT OF APPLICATIONS:

None

VIII. PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE

None

IX. CONTINUED PUBLIC HEARINGS

None

X. NEW PUBLIC HEARINGS

A. PZ-2024-05 Zone Change- Town of East Windsor Text Amendment to Section 507.6 Allowed Uses, Warehouse Point Zoning Regulations.

Chairman Kowalski opened the hearing on PZ 2024-05

Chairman Kowalski referred to the commissioner packets which contained the use table for the warehouse point design district that indicates the changes being proposed. Modifications were made mostly to the Transition Zone with two modifications to the Core. These modifications were pretty much what came out of the presentation of the zoning district.

Town Planner Calabrese added that the two changes made to both the Core and Transition zones were to require special use permits for day care centers and veterinary clinics. This change was meant to align the permitting requirements with other zones in town. The others were related to disruptions to more traditional neighborhoods.

The Chairman polled the commissioners for comments.

Commissioner Gobin felt that the changes were consistent with what was discussed and that she would be interested in hearing comments from the public, if there is any comments.

The Chairman asked if there were any other comments.

Town Planner Calabrese noted the CRCOG comments included in their packets.

Chairman Kowalski noted that CRCOG has found the changes in compliance with the regional COG.

Chairman Kowalski asked if anyone from the audience that would like to speak on the application?

Paul Anderson - 89 Broad Street had a minor comment for the record. He noted that when the Chairman introduced the application, he said application "PZ2023-05" where the text reads "PZ2024-05". Just for clarity purposes. Otherwise, yeah let's do it.

Chairman Kowalski asked if anyone in the audience or online who wished to speak on the application. There was none.

Chairman relayed he would entertain a motion to close the public hearing.

MOTION: To CLOSE public hearing on Application PZ-2024-05 Town of East Windsor- Text Amendment to Section 507.6

Gobin **moved**/Leason **seconded**.

DISCUSSION: None.

VOTE: In Favor: Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna.

MOTION: Approve: PZ 2024-05 Town of East Windsor Text Amendment to Sec. 507.6 Allowed Uses; Warehouse Point Desing District of East Windsor Zoning Regulations.

Finding that the establishment of the Warehouse Point Design District and accompanying zoning regulations is directly tied to Chapter 3 of the East Windsor Plan of Conservation and Development, Guiding Development, which specifies defining village areas and promoting transit-oriented development and/or village zoning in Warehouse Point, and that changes are consistent with what the Planning and Zoning Commission heard during the public hearing.

Gobin **moved**/Leason **seconded**.

DISCUSSION: None.

VOTE: In Favor: Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna.

B. PZ-2024-06 Town of East Windsor Housing Authority; East Windsor Housing Authority and Housing Authority of East Windsor is requesting a Zone Change from M-1 and R-2 to ARHD for property located on Reservoir Ave., Assessors Map 078, Block 56, Lots 032 and 038.

Chairman Kowalski opened the public hearing for the East Windsor Housing Authority seeking a zone change.

Jay Ussery, JR Russo and Associates introduced himself as representing the East Windsor Housing Authority for this application for a zone change. He referenced the application packet for information and noted he would be providing copies of additional information. He requested that the GIS map be displayed on the monitor.

The application involves two parcels of land with frontage on Reservoir Ave. Jay Ussery located the parcels geographically as being east of Windsorville Road at the intersection of Reservoir Ave, essentially behind Town Hall and adjacent to East Windsor Park. The parcels, 6 acres and 8 acres, were acquired within the last 7 to 8 years. One parcel has a deed restriction that is pertinent to the application.

The Housing Authority was created in 1967 through an agreement between the Authority and Town of East Windsor. It identified the need for affordable housing for seniors. Linda Collins confirmed that there are 84 units in the current Park Hill Community. Housing Authority Board members are appointed by the BOS for 5-year terms.

Jay Ussery detailed that the properties are in the M-1 and R-2 Zone. The land adjacent to the railroad was zoned manufacturing / industrial. In order for the Authority to develop the land a zone change is needed. If approved, conceptual plans will be prepared and then they will look for funding. In order to apply for funding, a zone change will be required.

The zone change would allow for the expansion. The application asks for distances to relevant locations including schools, churches, public buildings, playgrounds, hospitals, and daycare facilities. Broad Brook Elementary School, Saint Catherine's Church, Town Hall, and East Windsor Park are all important features when talking about this particular location in relation to Park Hill and how Park Hill functions.

The POCD calls out this type of development needed in the village district. This parcel is within the Broad Brook Village District.

Sidewalk plan loops that would service walkability to Windsor Park, dog park, community garden, church, restaurants, convenience store, opera house.

Infrastructure supports the community. We have sanitary sewers, water main expansion project, gas, available for the development.

Jay Ussery provided handouts of pages from the POCD, GIS print out of roads and aerial. Zoning regulations supporting documentation considerations to land the zone:

Reasonable need for housing in East Windsor: A letter from Linda Collins details that they provided services for senior 62 years of age or older and those under 62 with disabilities. They have 84 units. There is currently a waiting list of 90 applicants. The need is constant. Resident staff coordinator, dial a ride, meals on wheels, home care, community room for sponsored event (Easter, Halloween, etc.).

Located in the village area a guided on pages 34 and 32 of POCD in packets.

Subject parcel suitability not in flood plan, not in wetlands except for a small area near the Reservoir Park. There are minimal steep slopes.

All necessary infrastructure is available.

Adverse environmental impacts considerations will be made during the site planning process. This would include consideration of wetlands, flooding, or storm drainage. Temporary construction related impacts (noise, traffic, etc.). No permanent impacts anticipated.

Impact on surrounding area, Housing Authority has been there since the 60s. It is quiet no issues.

Surrounding property values – no real answer to question – covid impacts increased property values.

Impacts will not adversely affect the existing infrastructure. All infrastructure is in place. Sidewalks are out to bid. No issues providing gas, water, sewer, and electricity.

Page 46 of 2016 POCD under Actions Required: Investigate long-term care/elderly housing adjacent to Park Hill in Broad Brook.

Walking Distance of Services Town Hall, St. Catherines, dog park, community garden, center of town convenience store and restaurants.

A graph in POCD shows the aging population. The population is getting older, and the peak is 2025. The need for affordable housing was identified.

Residential growth plan includes guidance that any ARHD be located within the village area. The sites are located in Broad Brook Village.

Residential Density Plan: one of the parcels is indicated as being MFDD/ARHD. The former owner wanted the property to be used to expand Park Hill. And restrictive covenant details this property has to be used for disabled housing, elderly housing (62 years or older), low and moderate income, and veteran housing... Shall be continued in perpetuity unless amended by the Town.

Concept Plans developed by David Holms, Capital Studio Architects provided sample elevations and floor plans. Jay Ussery reviewed details used in the conceptual plans. They show what the building could look like.

Jay Ussery not that the application is for a zoned change which is needed before seeking funding. Any development would have to come back to the commission for a Special Permit. At that time other factors such as buffering, and traffic would be considered.

Age restricted developments generate less traffic than single family homes. Half the residents do not have cars; those who do don't make as many trips.

Mr. Ussery concluded his presentation and acknowledged that there are likely questions and comments.

Commissioner Kowalski polled the commissioners for their thoughts, comments, and questions.

Vice Chairman Thurz commented that the elevations presented are 3 story structures. Jay Ussery replied that is conceptual. Vice Chairman Thurz commented that buffers will be a huge issue for residents in back. His biggest concern is neighbors. He asked if there would be access from Reservoir Ave. Jay Ussery responded they would like to provide access to Reservoir Ave. It could provide secondary access for emergency services.

Commissioner Gobin felt the entire M-1 zone does not make sense. There is a private property to the north that is zoned M-1 and the lots adjacent to Park Hill have slivers of M-1 that could be addressed in the future.

Two parcels, one came with a deed restriction, and one did not. Is it possible to split it and do one lot at a time? Jay Ussery responded that it would be a multi-phased project that would likely start with the deed restricted parcel.

Commissioner Leason questioned the adequacy of utilities and infrastructure in particular sidewalks. Jay Ussery confirmed all utilities will be in place.

Commissioner Svoboda-McKenna noted the deed restricted area makes sense and sees the residences that are locked in. Jay Ussery responded that buffering will be needed. She asked if number 30 also belongs to the Housing Authority, is it part of the zone change? Jay Ussery responded that number 30 Reservoir Ave. is not included in the zone change.

Commissioner Gowdy relayed that he thinks it's a great idea, but the devil is in the details as to what will happen to the two existing houses. Jay Ussery responded that will be the challenge if they come back with a full application.

Commissioner Svoboda-McKenna: What is the total acreage of Park Hill?

Jay Ussery responded approximately 26 acres. He offered that the density of the development will be based on the developable area not the total acreage. That will then be impacted by steep slopes, wetlands, and the buffer requirements.

Vice Chairman Thurz commented that the number of buildings could change.

Jay Ussery said a lot of these developments are laid out in a U shape with amenities in the middle. Emergency access must go around the building will also impact the number of units that will fit.

Commissioner Gowdy: Is there an estimate initially how many units is the Housing Authority looking to develop? Jay Ussery responded that the number used was 150 units. Commissioner Gowdy asked how many units per phase? Jay Ussery responded probably 40-50 units in the first phase.

Chairman Kowalski: Wouldn't it have made sense to have changed the zone when the land was transferred? Jay Ussery agreed.

Chairman Kowalski: Are you aware of any complaints or issues with Park Hill from neighbors. Linda Collins responded that it is very quiet, and we do not get complaints.

Town Planner Calabrese reiterated the current phase is the zone change and next would be the development of conceptual plan in order to seek funding.

Jay Ussery suggested that East Winsor Housing Authority come before the commission informally with concept plans to seek feedback from the Commission prior to seeking funding.

Vice Chairman Thurz agreed and noted the importance of transparency during the process.

Kowalski underscored that many projects come before the commission and never get built.

Chairman Kowalski queried the audience for public comments.

Keith Yagaloff: 125 Depot Street

Park Hill needs an expansion it serves low-income seniors and disabled folks. He supports expanding it to certain types of veterans. Homeless veterans or low-income veterans. He is not thrilled with the deed restriction that might allow low to moderate income housing. He doesn't think you need that over there as there is plenty of low to moderate income housing in town and is concerned the deed restriction could also be lifted by consent of the Town. It does not sound like a permanent deed restriction, so that worries him a little bit. He is 100 percent in favor of the expansion of the current uses there and 100 percent consistent in protecting the neighbors. The property bowls down and anyone who lives on that property is going to see it even with buffers. It has to be done carefully to be consistent with that neighborhood. He lives on Depot Street and knows exactly what we are talking about.

I wish we had a zone for Park Hill. I wish we had a Park Hill zoning district. The current zone is different ARHD looks like assisted living, managed residential communities 55+ with a compliment of services, no mention of seniors or disable people, active adult housing dwelling units attached or unattached (like Park Hill) for elderly people 55 or older with no mention of disabled people.

He said the zone we have is for 55 and older like we have at Calamar. He mentioned Calamar is a in his opinion a disaster or unutilized. Which may be used in the future good for people 55 and older. But that is not income restricted housing. I would like to see Park Hill be income restricted housing and I would like to see no assisted living at that location. It is not the right location for assisted living, in my opinion. We have them in South Windsor and all over the place.

I would like to see this be a replica, a confinement to Park Hill expansion. I am concerned about a zone change where if it turns out they can't build it, then we'd have parcels that have been approved for the zone change and we could get something else in there. I particularly do not want low to moderate income in that area, nothing against low to moderate income people but we have a lot of that in town. The quality of that housing really tends to be less quality, and they don't last. I don't think the zone is really adequate for the Park Hill expansion. And I'm not suggesting they get a new zone or create a new zone, but it would almost be better if you created a specific zone for this so that when you approve the zone change you are putting right exactly where it needs to be, and the current zone does not allow for disabled people at all and it says nothing about income

restrictions. That's my concern, Thanks.

Paul Anderson:

I am involved in a lot of things in town. One of the things I am involved with the Broad Brook Library, I am the president of Broad Brook Library. That was not an amenity that was brought up. But that is within walking distance of Park Hill and that is exactly what people do. So that is another in the village of Broad Brook amenity that has to be considered.

Another is the waiting list. I heard a number of roughly 90 plus. I know a number of people who haven't even bothered getting on the waiting list because the waiting list is so long. They don't waste their time because they figure by the time it shows up, it won't matter anymore. So, they're not even putting their name in the bucket. That's not the fault of Park Hill. They are open to this all the time. If you get on the list, you have an opportunity but there are people who get discouraged, and they don't bother. Having more units available makes the waiting list more valuable. There's a lot of people in town that could use a unit there and they don't have that option today. I think that is an important factor. I realize this is a zone change and there may be issues with the zone, whatever. I don't know if you're ever going to expand Park Hill without something. So, I think we need to consider that very seriously, we need the zone change. The details come after the fact.

Thank you.

Berma Shaw Melrose

Berma brought up her difficulty hearing speakers due to her disabilities. The Chairman offered to conduct a sound check prior to the meeting in the future.

With regard to this project, I am thrilled and excited for the town for this project and think it is a long time coming. I think housing in general in the state of Connecticut is in crisis especially to accommodate seniors and low-income people. I am not quite a senior but I do fall into the low-income category being disabled and I also have input from people I have spoken to about this project are intimidated by having low-income people come to town, whether its people from town move into a low-income project or low-income people moving into town, they are terrified that when they have low-come people come to town the quality of life is going change. I've heard very undignified comments like "Oh god now they're going to extend the bus line into town." I can't drive because I have a brain injury, I welcome a bus line in town. The micro transit program that just started up doesn't help me. So, I would welcome a bus line in town. I heard very disparaging undignified very personal comments about having low-income people in town, whether you're senior, disabled, whatever your reason is for being low-income just not wanted in town. I am hopeful that people will open their minds, open their hearts and realize that this project is really needed in town. Not only because we are one of the towns in Connecticut that has an older population, a very much aging population, but because of the housing crisis in general. I do hope people won't let their prejudices and biases about low-income people regardless of how they got there, influence either voting on this or spreading their opinions through town about how they feel about low-income people. I declared on quite a few online Facebook conversations that "I am the person you are talking about. I am the person you don't want in town. I am the person you don't want to have access to transportation. I am the person, should this application be approved, who will be on the waiting list." It was very eye-opening and very disheartening to see so many people not want to see a project like this come to fruition because it would serve low-income people

and perhaps congregate low-income people in this area, again, regardless of how they got there, age wise, environment, whatever. I just plead with anybody listening online or anybody in the audience tonight or your voting, please don't let that intimate your voting or your sentiment about this project. I am the person this would serve; I am the person who would benefit from the services and the housing and price of the housing and the location. It would probably be someone like me. So, please keep that in mind.

Berma asked if there was a timeline for the funding for the project. Jay Ussery suggested that it would be years. This is step one. Without the zone change the project won't go anywhere.

Brian Cote

Thank you for doing this hearing tonight and going over all the zoning. Thank you for recognizing the neighborhoods. Brian is concerned with what looks like a commercial building, a multi-story building. He anticipated a housing development. He supports the expansion and believes a housing style would be more in keeping with the neighborhood. Brian relayed there were a lot of unknowns. Brian asked how a zone change to allow several types of uses could be approved. You could approve it for one thing, and it could change to another.

Chairman Kowalski explained there would have to be another hearing before any development can happen; that a separate application for a special permit would have to be approved. The special use permit can dictate conditions of approval such as military status and income.

Jay Ussery

Keith Yagaloff made a couple good points that there are a lot of things allowed under this particular zone. But I think at this point, the folks at Park Hill Linda and the Board only intend on creating the same type of units and similar type operation as what they already have. It is not going to be assisted living, it's not going to be something different than what Park Hill already offers. I think the comments Keith said make a good point, you change the zone, and anything could happen, but as Mike said, the commission through the special permit has the ability to restrict what they build there. But it is their intention to maintain the current operation. It is not going to assisted living, it is not going to something different than what they already do.

John Burnham 178 Scantic, with the Housing Authority

This is just step one of a long process. We have to get over this hurdle in order to keep going down the trail. It could be a long trail. We have a very dedicated staff, Marissa is here. She is going to be our new Executive Director. Linda Collins is going to stay on as a consultant to us. We have 84 units up there. There's a lot of happy people up there that are riding it out, so to speak. It doesn't cause any trouble. Once in a while we get smoke detectors. They are senior citizens, and they live in a nice safe place. We should be so lucky that we end up there or our parents end up there. There it is.

Keith Yagaloff

I just want to make clear that I think the Housing Authority is an incredible organization, I really trust them, I wasn't saying that they would somehow do something different because they wanted to. I was saying that changing the zone could potentially allow for that. They are an extremely incredible organization, they have great leadership, they've been doing great work. We really need them, and I appreciate them. I don't want to leave

the impression that I have any criticism of them at all. I trust them. Thank you.

Chairman Kowalski asked if there was anyone else who would like to speak. There was none. He polled the Commissioners for additional comments. There was none.

Chairman Kowalski relayed he would entertain a motion to close the public hearing.

MOTION: To CLOSE public hearing on Application PZ-2024-06

Gobin **moved**/Leason **seconded**.

DISCUSSION: None.

VOTE: In Favor: Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna.

Kowalski polled the commission regarding whether they felt they had enough information to render a decision on the application.

Commissioner Gobin

I think we had a good discussion and all that's on the table right now is the zone change and it will get if the zone change passes, further scrutiny when a project starts to take shape.

Chairman Kowalski

I also feel that the special use permit is truly our ability to hold all the checks and balances and make sure all the public interests are addressed. Commissioner Gobin added Neighbor's interests, the environmental interests. Kowalski: Exactly. Nothing can start without this first step.

Vice Chairman Thurz

What about Keith's comment: If the zone sits for a while, and let's say it doesn't go through, what's stopping people from doing...

Chairman Kowalski

The underlying deed is, the parcel is still being restricted one of the parcels, not the other one, The group discussed that one of the parcels is deed restricted and other is not and that both parcels were owned by the East Windsor Housing Authority. Should the parcels be sold, any use of the parcels would still have to come before the Planning and Zoning Commission for a special use permit.

Chairman Kowalski

No development at all can go in there without a special use permit. So, regardless, whether it's the Housing Authority or if it's a new entity, they still have to follow the same process. They still have to come before us to get approval for what use they want.

Vice Chairman Thurz

The one thing I don't like is that we can't change, I can't stand it when they do a zone change and there is no conceptual, I know they don't have to. It's just the way it's been done, I realize that. And the Applicant has gone out of their way to show drawings and renderings which they

really don't have to do. I think there is a lot of transparency there. They're not trying to hide anything.

Chairman Kowalski

A lot of it is going to be dictated on how much funding they get and may never happen. To go to prospective investors, they have to have something.

Commissioner Gobin

Also, what the land can support when you add the buffers and when you add all the requirements you are going to have to meet.

Vice Chairman Thurz

I just want to let the neighbors know that we are not just approving something and letting them just do whatever they want to. There are checks and balances. They are just not going to put this up tomorrow.

The Commission reiterated that no shovel will be dropped until they come before us for approval and that the development may not look anything like that pictured on the renderings.

Commissioner Leason

And that it may be years before it happens if anything ever does, if there is no funding.

Commissioner Svoboda-McKenna

And it's the only zone that we have the option to put this. That is why it's in the ARHD. Unless we create a new zone.

Chairman Kowalski asked the Commissioners if they felt comfortable. He relayed he would entertain a motion on the application.

MOTION: Approve: PZ 2024-06 Town of East Windsor Housing Authority Zone Change from M-1 and R-2 to ARHD for property located on Reservoir Avenue, Map 078, Block 56, Lots 032 and 038

Finding: That the zone change is in alignment with the POCD and recognizing that any development on the site will come back before the Commission and require adherence to the regulations and special permit conditions.

Gobin **moved**/Leason **seconded**.

DISCUSSION: None.

VOTE: In Favor: Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna.

XI. OLD BUSINESS

None

XII. NEW BUSINESS

None

XIII. OTHER BUSINESS

A. ZEO REPORT- Town Planner Calabrese reviewed the status of enforcement actions under the ZEO Report with the commissioners.

There was a discussion on ordinances and the challenges to getting them passed.

XIV. CORRESPONDENCE

A letter for Penske's attorney asking for a modification to their bond. Our policy asks for a cash bond, and they are seeking to submit a combination of cash and letter of credit.

The Commission asked that this matter be added to the agenda for consideration at their next meeting.

XV. BUSINESS MEETING

None

XVI. EXECUTIVE SESSION

None

XVII. ADJOURNMENT

MOTION: To ADJOURN this Meeting at 8:25 p.m.

Svoboda McKenna **moved**/Leason **seconded**.

DISCUSSION: None

VOTE: In Favor: Kowalski, Thurz, Gobin, Leason, and Svoboda-McKenna

Respectfully Submitted,
Ruthanne Calabrese
Director of Planning and Community Development
Town Planner