

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

REGULAR Meeting #1718- – May 26, 2020

Meeting held via ZOOM Teleconference

Meeting ID: 332 683 3563

Town Hall closed to the Public by
Executive Order of First Selectman Bowsza
due to Coronavirus pandemic

MEETING MINUTES

*******Minutes are not official until approved at a subsequent meeting*******

Chairman Ouellette called the May 26, 2020 Regular Meeting of the East Windsor Planning and Zoning Commission to Order at 6:31 p.m. The Meeting is being held via teleconference due to closure of the Town Hall to the public as the result of the coronavirus epidemic.

PRESENT: **Regular Members:** Joe Ouellette (Chairman), Michael Kowalski, Tim Moore Dick Sullivan, and Jim Thurz.

Alternate Members: Frank Gowdy, and Marti Zhigailo.

ABSENT: Alternate Member Gobin.

Also present were Town Engineer Norton, and Operations Manager Joe Sauerhoefer.

GUESTS/SPEAKERS: First Selectman Bowsza hosted the meeting. Also present were Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission; Terri Hahn, of LADA, PC. Land Planners.

Public: No one from the public who had joined the meeting identified themselves, or requested to speak.

ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members, and Alternate Members Gowdy and Zhigailo, were present at the Call to Order.

LEGAL NOTICE: None.

ADDED AGENDA ITEMS: None.

PUBLIC PARTICIPATION:

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

First Selectman Bowsza requested to advise the Commission of a future informal discussion which has been requested. First Selectman Bowsza reported that the Town has entered into an agreement with Gravel Pit 1, Gravel Pit 2, and Gravel Pit 3, which is a large solar development which will encompass properties from Apothecaries Hall Road and beyond. The development is subject to review by the Connecticut Siting Council, but the developer would like to appear before the Commission at the June 9th meeting to explain the project. First Selectman Bowsza cited the Commission has this opportunity to weigh in on the proposal.

APPROVAL OF MINUTES/May 12, 2020:

MOTION: To APPROVE the Minutes of Regular Meeting #1780 dated May 12, 2020 as presented.

Sullivan moved/Kowalski seconded/DISCUSSION: None.

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

RECEIPT OF APPLICATIONS:

Chairman Ouellette noted there were no new applications to be received this evening.

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE

No requests presented under this Item of Business this evening.

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS: None.

OLD BUSINESS/A. LaBrecque Autocraft, LLC (PZ-2020-05) Site Plan Review for construction of a new commercial building for automotive repair at 63 Newberry Road. Map 093, Block 17, Lot 024; Zone District: M-1:

Chairman Ouellette noted the Inland Wetlands Commission has not yet taken action on this proposal. It's his understanding they will be reviewing the Wetlands application at their June 3, 2020 Meeting; the PZC will continue discussion of this application on June 9, 2020.

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MOTION: To CONTINUE the application of LaBrecque Autocraft, LLC (PZ-2020-05) Site Plan Review for construction of a new commercial building for automotive repair at 63 Newberry Road. Map 093, Block 17, Lot 024; Zone District: M-1 to the next regularly scheduled meeting to be held on June 9, 2020, at 6:30 p.m. via ZOOM platform.

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

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

NEW BUSINESS: None.

OTHER BUSINESS/A. Informal discussion regarding 55 Winkler Road – Karim Radzhabov, Owner/President, MAS Transport, Inc. Discussion to include permitted uses for parking of general freight trucks, and potential for future construction of auto body shop. MFDD Zone; Map 114, Block 24, Lot 005A:

No one requested to join the meeting to discuss this proposal

Commissioner Kowalski questioned the current zoning for this parcel. Chairman Ouellette noted the agenda identified the zone as MFDD (Multi-Family Development District), which he felt was incorrect. He felt the zone was B-2. Chairman Ouellette noted that a parking lot would not be allowed in either zone; his suggestion to the individual would have been that they need to go through the Zone Change process. Chairman Ouellette also referenced Mr. Radzhabov's letter, which indicated future plans to add an auto shop, which would not be a permitted use either.

Commissioner Sullivan recalled the amount of public pushback which occurred when the proposal for the condominiums came through; he felt a similar situation would occur with this proposal. Commissioner Sullivan questioned how the trucks would access this parcel; would they come through Newberry Road, or Route 140? Commissioner Gowdy indicated he had the same question.

Chairman Ouellette suggested this item can be added to a future agenda if the individual contacts the Planning Office again.

OTHER BUSINESS/B. Informal Discussion: Executive Order 7MM – regarding temporary revision to existing regulations to facilitate expedited zoning approvals:

First Selectman Bowzsa noted Executive Order 7MM allows for fast-tracking of permitting for outdoor dining. He indicated he recently held a Staff meeting, which included Chairman Ouellette, to discuss what the Town can do to make this happen

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suggested Mr. Harrison put that in writing; he would then bring that information to the PZC.

First Selectman Bowsza requested guidance from the Commission.

Commissioner Gowdy reported he had driven past the property yesterday; there were cars at the property at that time. He suggested if Mr. Harrison is doing the repairs for friends maybe he has a lot of friends. Mr. Sauerhoefer reiterated he requested Mr. Harrison put his comments in writing; it's up to him to prove he isn't operating a business. Mr. Sauerhoefer reported he spoke with Mr. Harrison yesterday; he has 15 days to respond, which would be after the Commission's next meeting. Mr. Sauerhoefer reported he drove by there today; he didn't see anything happening.

Discussion continued regarding the continuing process. Mr. Sauerhoefer indicated everyone is under the impression Mr. Harrison is running a business in an agricultural zone, which isn't permitted whether he's being paid or not. Commissioner Gowdy cited concern that he doesn't have pits to collect oil and fluids.

Commissioner Thurz reported he also went by Mr. Harrison's property today; there were only three cars in the front and one in the back. He suggested Mr. Harrison needs to acquire a repair license from the State to do this work. Mr. Sauerhoefer reported he checked the motor vehicle records in the Tax Collector's Office; between Mr. Harrison, his wife, and his son they have registered, and are paying taxes on 17 vehicles so he does have a substantial amount of personal vehicles. Mr. Sauerhoefer reiterated that Mr. Harrison needs to provide the letter indicating he is not conducting a business at his residence.

Commissioner Kowalski suggested regardless of whether Mr. Harrison is doing the repairs for friends or donations, what would the DMV consider it? He suggested it's similar to people putting vehicles on their front lawn for sale. After they put out several vehicles it's no longer personal, it's a business.

Mr. Sauerhoefer suggested Mr. Harrison is on the inspection list; he is allegedly doing something not permitted in his zone. He requested direction from the Commission. Chairman Ouellette felt Mr. Sauerhoefer was handling the issue appropriately as he is by allowing the resident to respond. Commissioner Sullivan suggested that just getting the resident to communicate with him is a great start.

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- **47 Church Street:** Mr. Sauerhoefer reported he has been working with the person who owns this property but has run into a snag. They are down to one vehicle left on the property but it's not owned by the property owner, or the person living at the property. None of the junkyards they've contacted will take the vehicle unless the person requesting its removal owns it. The property owner is filing paperwork for an abandoned vehicle. Mr. Sauerhoefer understands the owner has sold the house.
- **38 and 40 Pleasant Street:** Mr. Sauerhoefer reported he understands the owners have been working over the weekend to clean the property up, although he's unable to verify that. He gave them 30 days to comply. Mr. Sauerhoefer reported he's not heard anything from the property owners; if they don't get back to him within that time period Mr. Sauerhoefer recommended the Commission consider initiating fines to be paid within a short time period.
- **Calamar:** Mr. Sauerhoefer reported the contractor had riprap brought to the site shortly after he contacted him. The site is in much better condition.
- **West River Farms:** Mr. Sauerhoefer reported the erosion controls are in place and are working fine.
- **131 North Road:** Mr. Sauerhoefer reported he hasn't heard anything from this property owner; nothing looks any different at the property. He should have a better update at the Commission's next meeting.
- **Wapping Road gravel pit/WSG, LLC:** Mr. Sauerhoefer reported he has visited this site several times; this owner runs a nice, professional pit. He has not received any additional complaints regarding the use of Morris Road by haulers, or complaints of noise.

New Complaints:

- **Tromley Road, and Rockville Road:** Mr. Sauerhoefer reported he has received complaints of people dirt bike riding. The properties in question are families with kids, they've set up dirt bike tracts on their private property. They ride the bikes during the day. Mr. Sauerhoefer noted the Town lacks noise regulations to enforce. Mr. Norton suggested they've created hills and mounds within the tracks; he questions the Town's ability to pursue this if they're using their private property and not conducting a business. Mr. Norton concurred with Mr. Sauerhoefer – the Town lacks a noise ordinance.

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Mr. Sauerhoefer questioned the Town's enforcement ability in this situation. He questioned what zoning regulations are being violated? Mr. Sauerhoefer felt this was a neighbor to neighbor issue. Chairman Ouellette agreed; this isn't a matter for the PZC.

- **Dempsey Road:** Mr. Sauerhoefer reported this complaint involves an old building that someone has used for a shop for many years. This site could have unregistered vehicles stored on site as well.
- **85 and 87 Reservoir Avenue:** Mr. Sauerhoefer reported the developer has put up the silt fence; he's come into compliance. First Selectman Bowsza thanked Mr. Sauerhoefer for his diligence with this complaint; it's been several months of non-compliance and complaints.

Commissioner Moore reported that someone on Rockville Road was moving and left a couch by the road as they had no place to take it, he questioned what the Town does for people leaving stuff behind when they move? Mr. Sauerhoefer noted the Town sponsors two bulky-waste drop off events annually, otherwise, budget constraints prohibit curbside bulk pickup. Chairman Ouellette suggested people can call USA Hauling for bulk pickup for a fee. Mr. Sauerhoefer concurred, but felt if it was a lot of loose stuff USA would probably suggest the residents pay for a dumpster. Commissioner Moore suggested he felt the Beautification Committee had planned on doing something with this issue but he didn't know what they've planned.

OTHER BUSINESS/D. Continued discussion regarding Warehouse Point Stormwater Planning Study to include Terri Hahn of LADA, PC, Land Planners:

Terri Hahn, of LADA, LC., Land Planners, joined the meeting. First Selectman Bowsza assisted by screen-sharing Mrs. Hahn's presentation - *(See Attachment A)*.

For this meeting Mrs. Hahn is presenting information regarding Post-Development Stormwater Model and Zoning. Throughout the PowerPoint presentation Mrs. Hahn demonstrated the affect of the amount of impervious coverage within various areas of Warehouse Point, and the impact of that impervious coverage on the Blue Ditch and the stormwater run-off.

Mrs. Hahn referenced six drainage areas within Warehouse Point, and their associated existing impervious coverage. In her review of the Blue Ditch, Mrs. Hahn noted five ponding areas, which are affected by peak flow and elevation. Mrs. Hahn referenced photos of the ponding areas, and the impact of the increased elevations.

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Mrs. Hahn suggested a consideration in the study was to reduce the amount of impervious coverage in the affected areas. Over past discussions the Commission considered the impact of reducing impervious coverage by 20%; Mrs. Hahn suggested they found there was some reduction in peak flow and elevations but not enough to justify the cost. Mrs. Hahn then reviewed the effect of future development within Warehouse Point based on the existing Zoning Regulations vs. potential Zoning Regulations.

Mrs. Hahn reported the Commission is at the point of considering options to hold a public workshop while the restrictions for public gatherings remains in place. Public input is an important part of understanding the public's acceptance of the future development of the Warehouse Point area. The Commission would then finalize the new Zoning Map and Regulations to reflect the results of this stormwater study and the public input

Discussion followed regarding the natural topography of the village location in relation to elevation of the Route 5 area. Commissioner Zhigailo questioned if any Federal aid might be available to assist in mitigating the increase in water levels, or in assisting residents as they renovate properties? Mrs. Hahn felt Federal aid was not available at present. Chairman Ouellette noted some of the properties along the Blue Ditch are privately owned; how would that affect potential maintenance solutions? Mrs. Hahn suggested one of the recommendations within the report would be for the Town to acquire easements from the property owners to allow the maintenance.

Mrs. Hahn then turned discussion to options for the public workshop. She felt the potential for an in-person workshop wouldn't be possible until the Fall. As an option Mrs. Hahn suggested posting a presentation similar to tonight's material and a survey related to the presentation on the Town's Facebook page, while also sending a mailer to residents of Warehouse Point. Discussion followed regarding how many people visit the Town website; First Selectman Bowsza indicated he'll provide the Commission with information on website usage. Commissioner Thurz noted the public seems to interact on the Facebook page "East Windsor Talks"; he suggested posting a message, or a link, about the survey on that Facebook page as well. Chairman Ouellette recalled previously Mrs. Hahn had considered including paper flyers with Geissler's shoppers; Mrs. Hahn indicated she now favors the mailer instead.

First Selectman Bowsza questioned the timing of the survey/mailer/Facebook postings? Mrs. Hahn indicated her intention had been June, but it appears this will be delayed to July. First Selectman Bowsza indicated he was about to suggest adding the survey to the Community Newsletter, which is being sent to every household, but the next edition will be coming out late Summer. First Selectman Bowsza suggested adding an insert in the July tax bills; Chairman Ouellette recalled the suggestion to work with the Warehouse

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Point Fire Department to post a quick message on their digital sign. Mrs. Hahn indicated the date if the public workshop needs to be set for utilize these suggestions.

Mrs. Hahn suggested the last thing the Commission needs to consider this evening is other potential uses for the commercial recreation zone proposed adjacent to the Sports Dome. Mrs. Hahn noted that much of the area is already committed to the commercial recreation use. The consensus of the Commission was to go with Mrs. Hahn's current suggestion.

Mrs. Hahn reported she gave a more detailed presentation to the Board of Selectmen last week.

The Commission thanked Mrs. Hahn for her continued work and look forward to her next update.

CORRESPONDENCE: None.

BUSINESS MEETING/A. General Zoning Issues:

No discussion this evening.

BUSINESS MEETING/B. Signing of Mylars/Plans:

No mylars presented for signature; no motions presented.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:26 p.m.

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

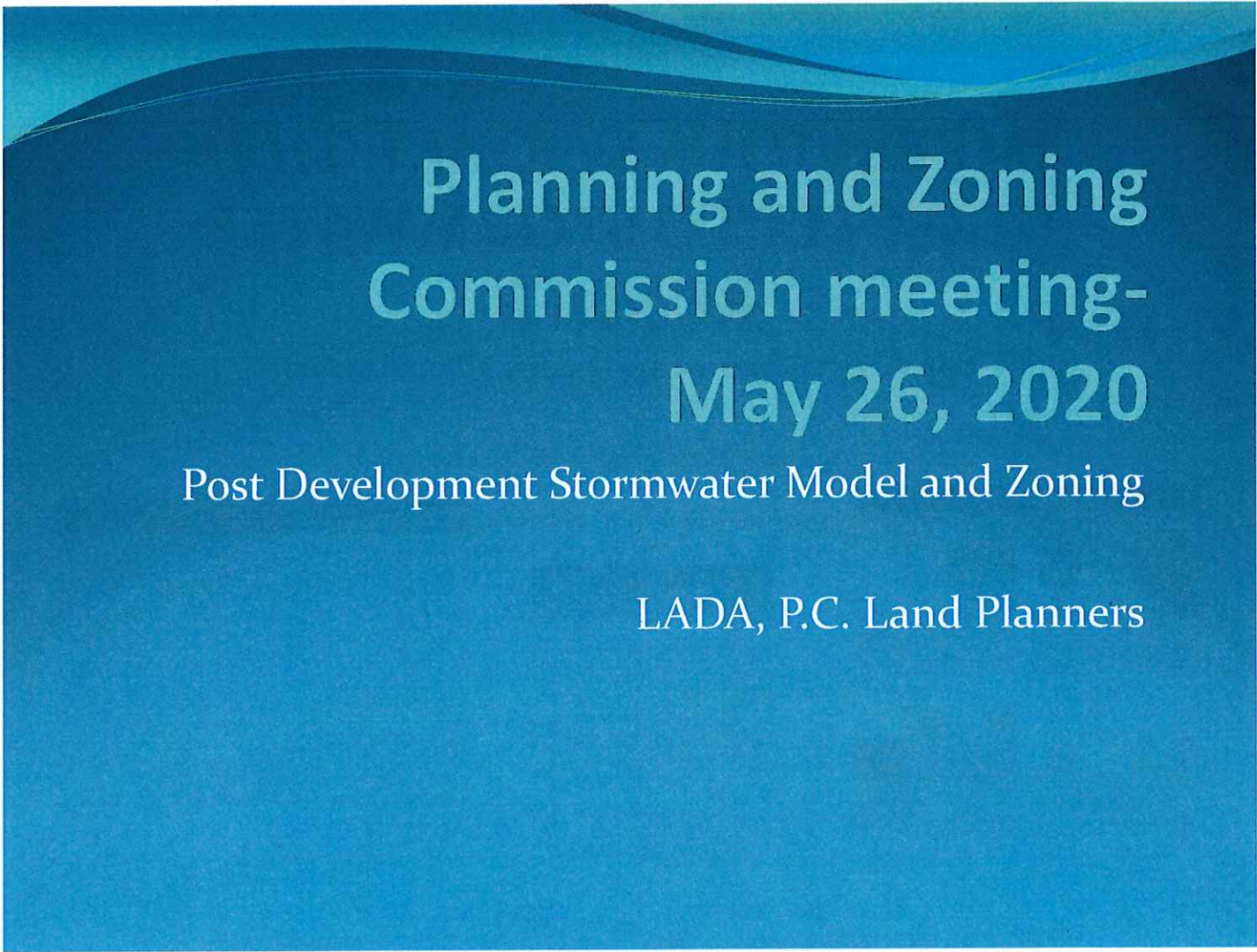
Respectfully submitted,



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

ATTACHMENTS:

A – Planning and Zoning Commission Meeting – May 26, 2020 - Post-Development Stormwater Model and Zoning by LADA, P.C. Land Planners

A blue graphic with wavy, horizontal lines at the top, transitioning into a solid blue background for the text.

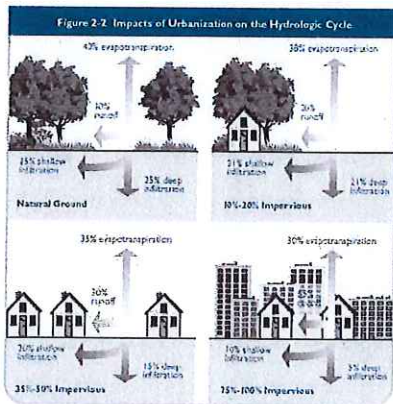
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Post Development Stormwater Model and Zoning

LADA, P.C. Land Planners

IMPERVIOUS SURFACE TIED DIRECTLY TO STORMWATER RUNOFF

Connecticut Stormwater Quality Manual (2004)



From: Eddy, 1997, p. 10, 11, 12.

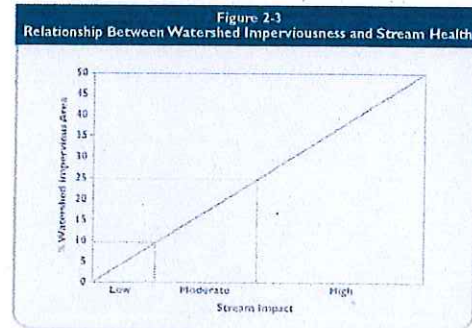
**Table 2-2
Typical Impervious Coverage
of Land Uses in the Northeast U.S.**

Land Use	% Impervious Cover
Commercial and Service District	85-100
Industrial	70-80
High-Density Residential	45-60
Medium-Density Residential	25-45
Low-Density Residential	15-25
Open Area	0-10

Source: MADDIP, 1997; Battilana and Battilana, 1997; Battilana and Gibbons, 1996; Soil Conservation Service, 1973.

The impacts of development on stream ecology can be grouped into four categories:

1. Hydrologic Impacts
2. Stream Channel and Floodplain Impacts
3. Water Quality Impacts
4. Habitat and Ecological Impacts

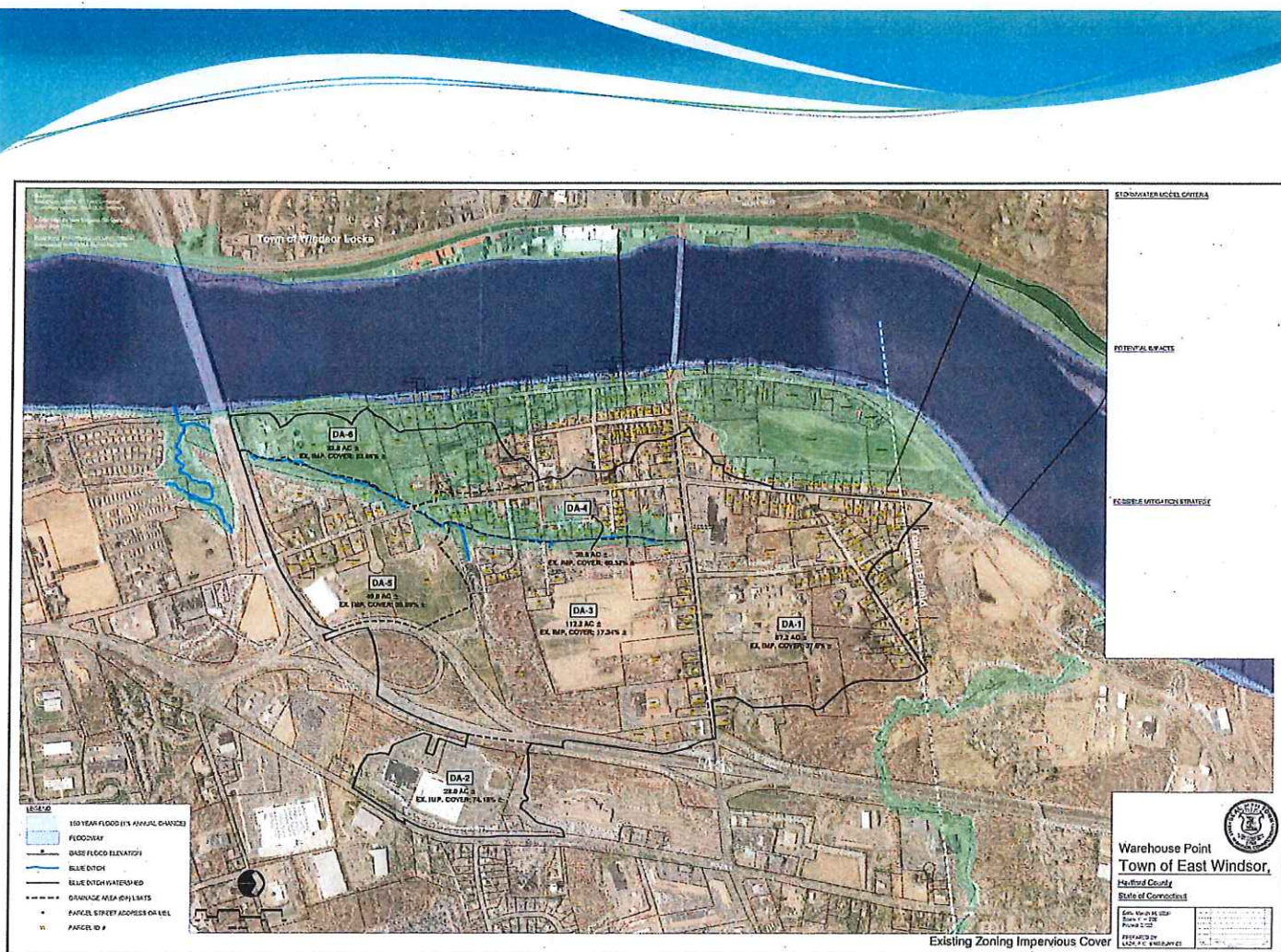


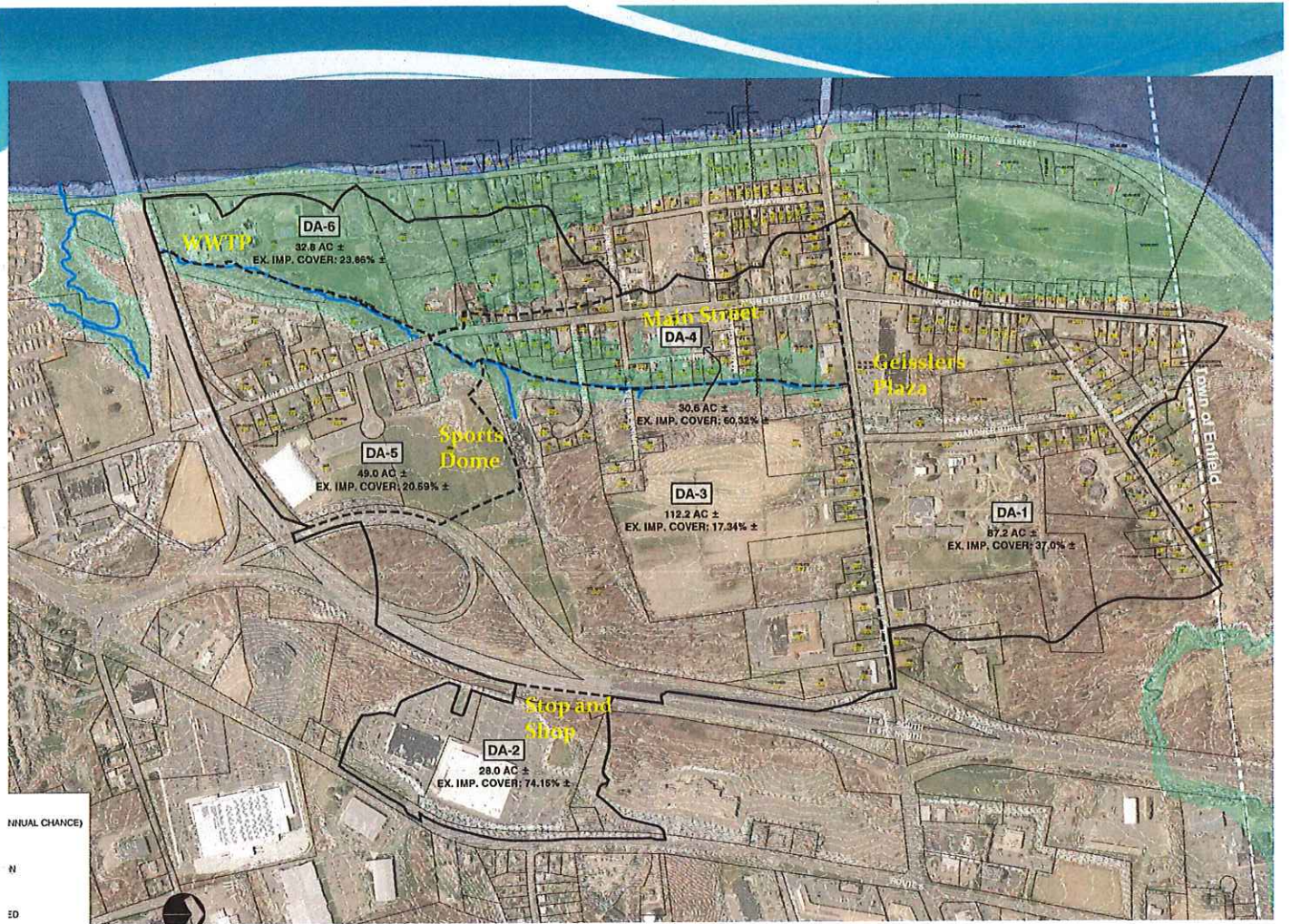
Source: Adapted from Scholten, 1992, in Eddy, 1997, p. 10, 11, 12.



Current Conditions - Stormwater Runoff Calculations and Model

- Existing Impervious Surface
 - All storms above the 10 year storm impacted by Connecticut River. No change/improvement likely despite calculations
 - 6 Drainage Areas and I-91 Culvert
 - Existing Impervious Cover shown on Map
 - Drainage Area 1- North of Bridge Street (27%)
 - Drainage Area 2- Stop and Shop (74%)
 - Drainage Area 3- Eastern Portion of Bridge Street (17%)
 - Drainage Area 4- Main Street North (60%)
 - Drainage Area 5- Main Street South (21%)
 - Drainage Area 6- South Water Street (23%)







Post Development Conditions

- Looks at the Blue Ditch by breaking it into parts-
 - Area where there is a clear break in watershed due to pipe or road
 - Clear areas where water ponds and different elevations

This report identifies 5 area that can be called “ponds” . These area can be quantified by peak flow and elevation of the “ponded” water.

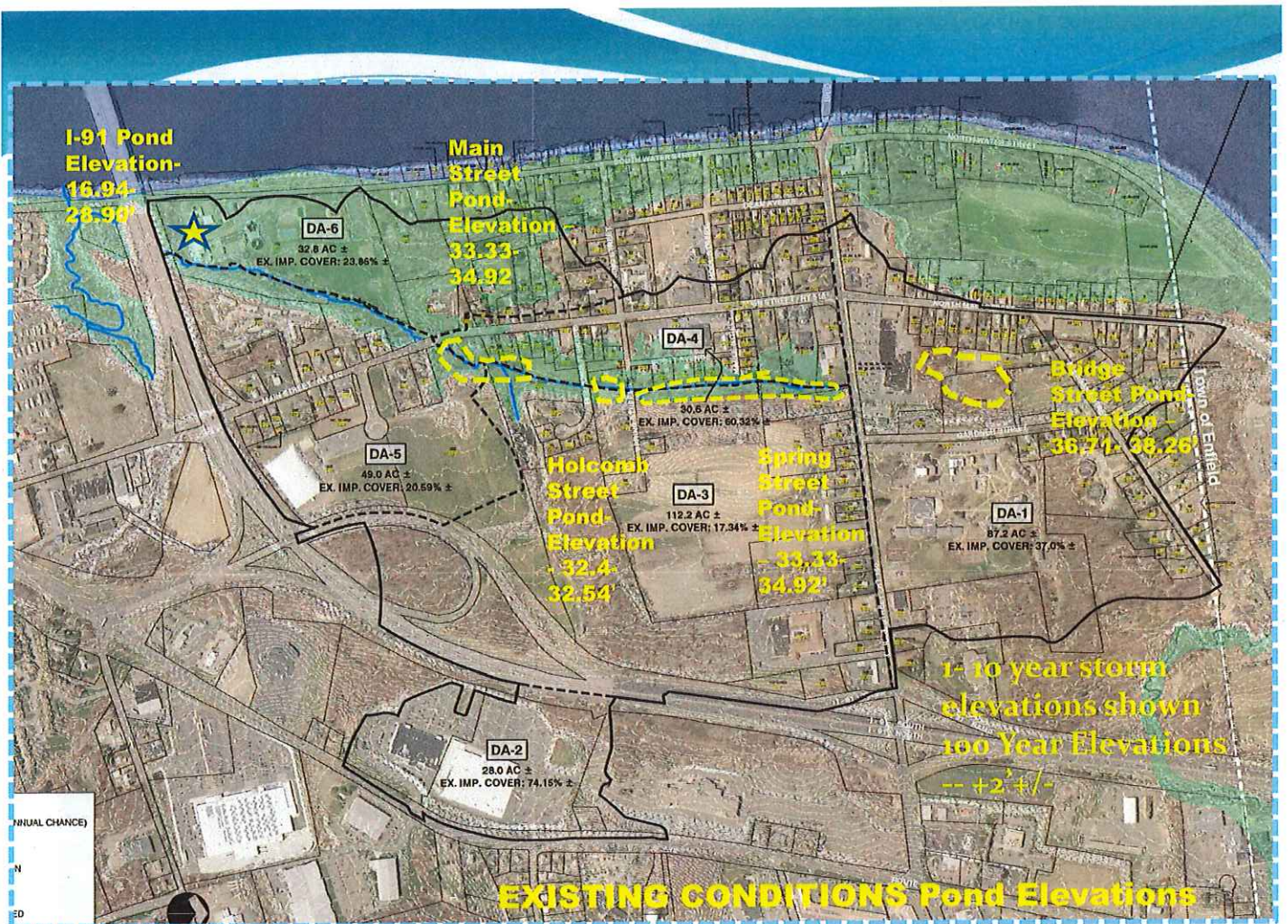
Bridge Street Pond- north of Geisslers rear Parking

Spring Street Pond- from Bridge Street culvert/church property to Spring Street

Holcomb Terrace Pond- Between Spring and Holcomb

Main Street Pond- from culvert at Main Street to Holcomb

I-91 culvert - from I-91 pipe to Little League fields and Main Street





**Bridge Street Pond and
Discharge- Geisslers
Parking lot at rear of
building at 39'+/-**



Spring Street Pond- Bridge Street to Spring Street- General Elevation 36-33'



Water level shown at 36'+ on
Church Property



**Holcomb Street Pond-
Spring to Holcomb
Street - General
Elevation 34-32'**



Water Elevation at 36" +/-





Main Street Pond - General Elevation 30-28'

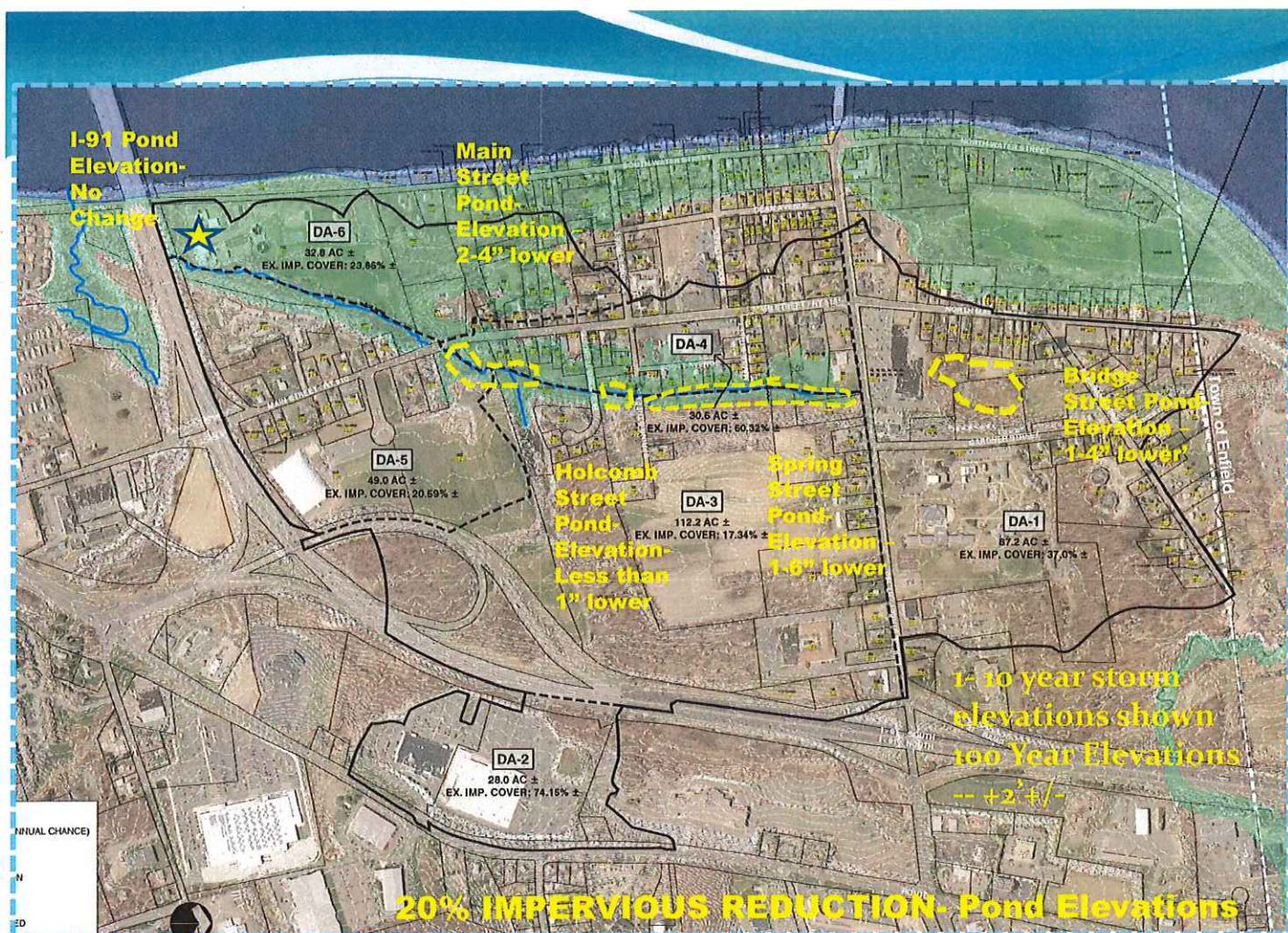


Water Elevation
at 34'



Post-Development Stormwater Runoff Calculations and Model

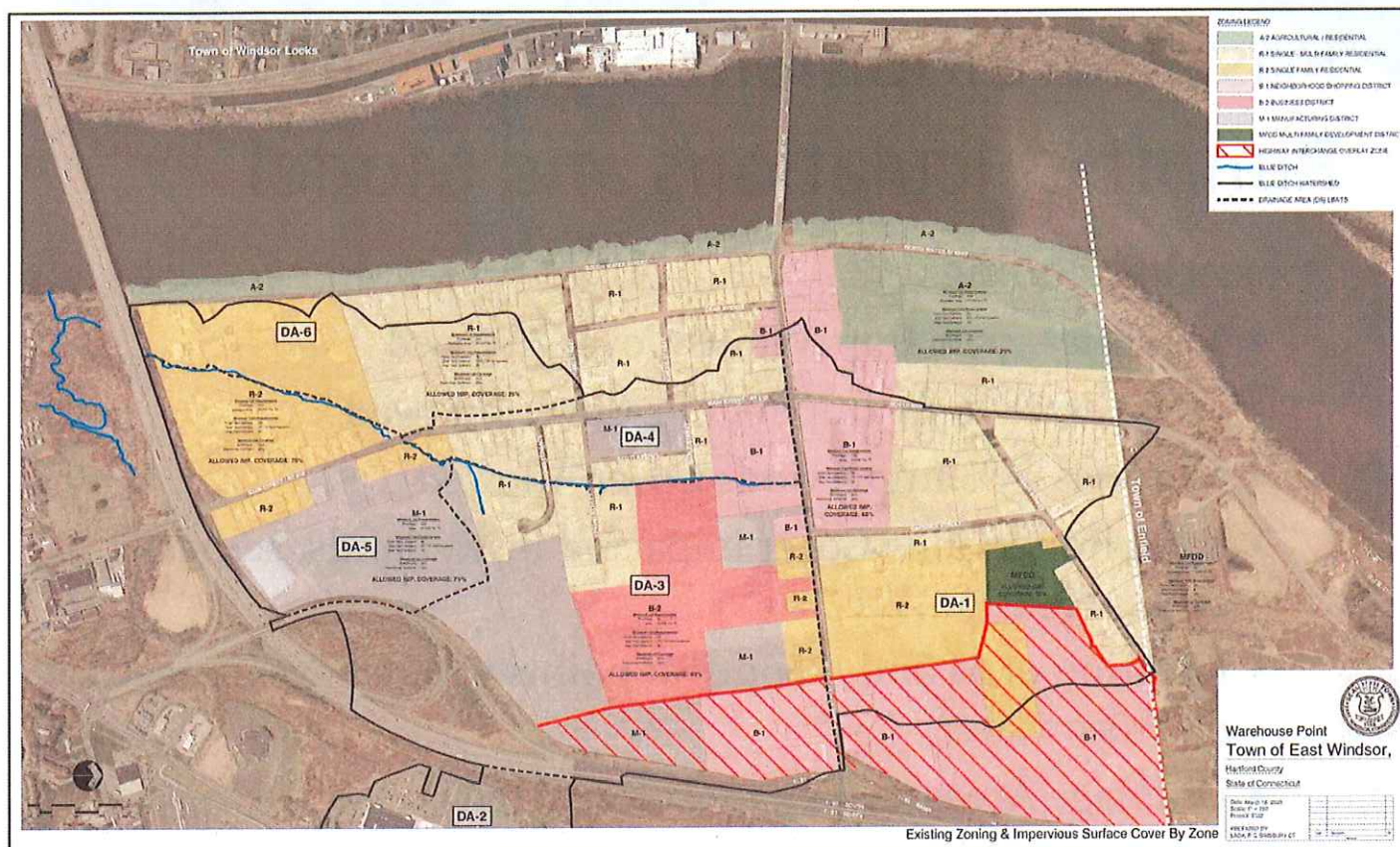
- Since the first step in controlling runoff is looking at impervious surface, the first model looked at reducing EXISTING impervious Surface. This would mean NO new impervious surface within watershed and removing some percentage of existing surface
- For Discussion Purposed- Use 20% Reduction of Existing Impervious Surface
 - Some reductions in peak flow but, surprisingly, not really enough to justify cost
 - Actual elevation of water level reductions- 1-2" below existing levels typical- more at Spring Street.





Post Development Stormwater and Existing Zoning

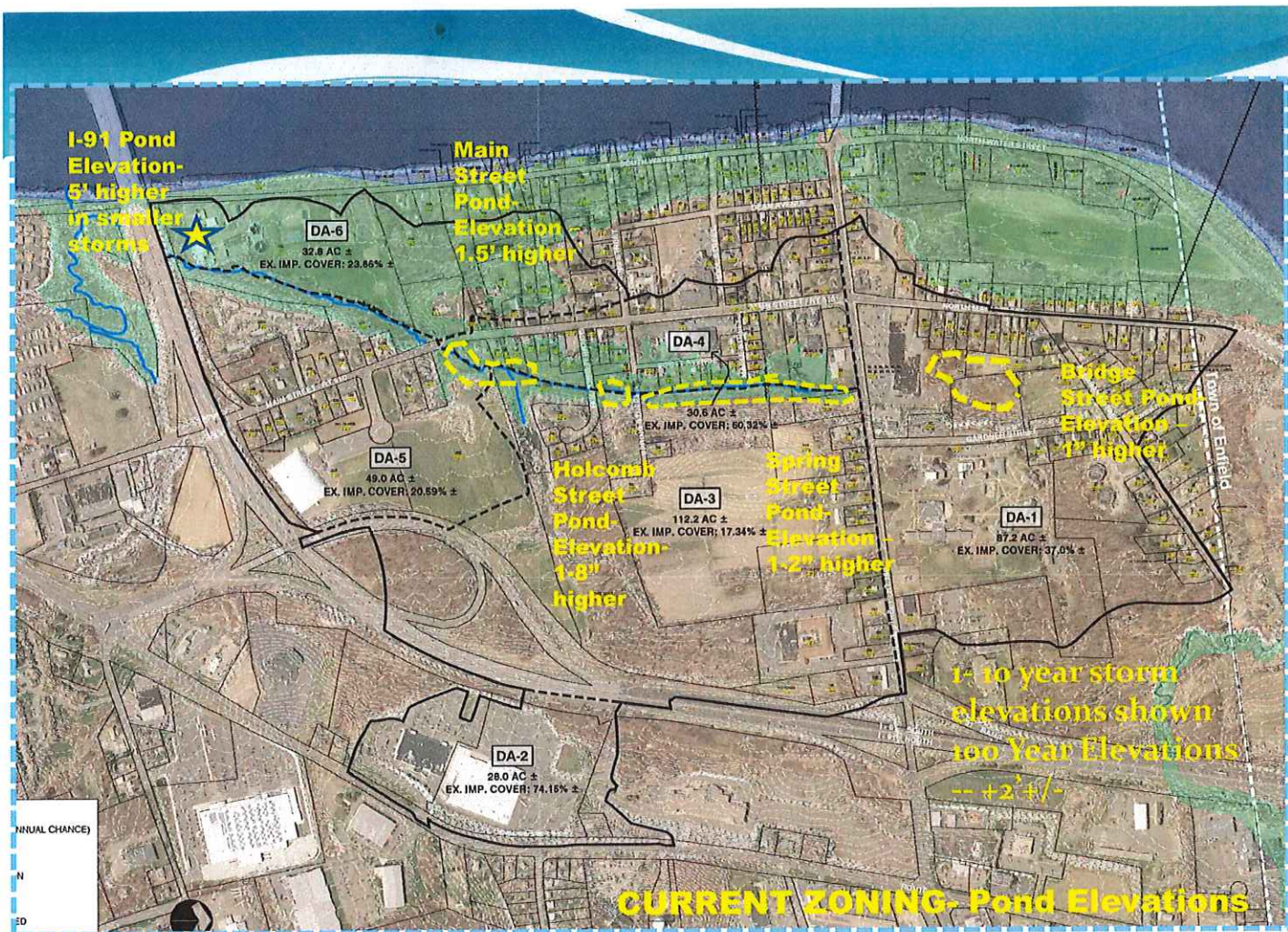
- Using the current Zoning Map- what would be the impact to stormwater runoff if the current Zoning Map was 100% built out!





Post-Development Stormwater Runoff Calculations and Model

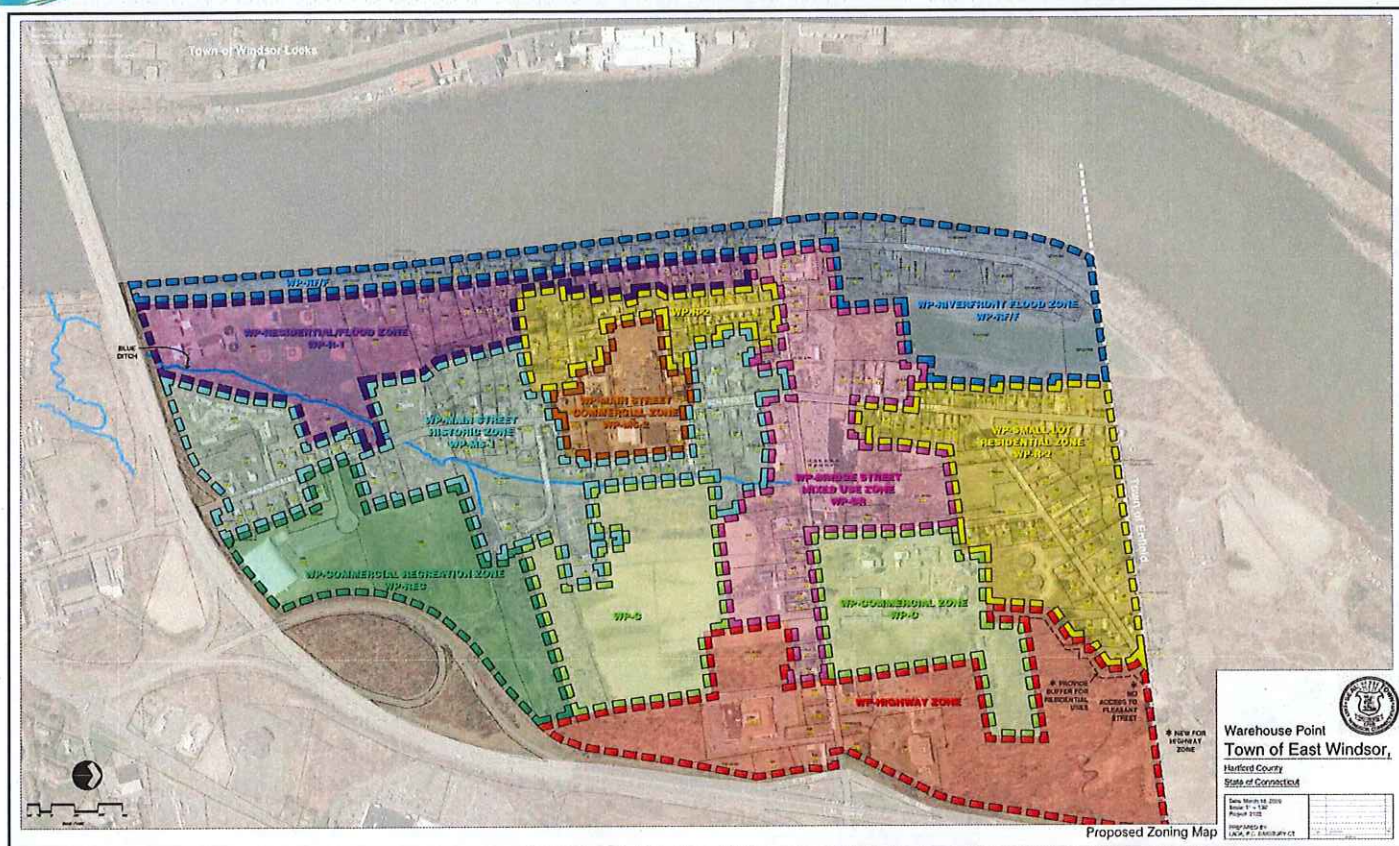
- Existing Zoning
 - M1 Zone – 75% Impervious Cover Allowed
 - B1/B2 Zone- 65% Impervious Cover Allowed
 - R1 Zone- 25% Impervious Cover Allowed
 - Total Impervious Cover impacted by wetlands, setbacks, access location, etc.
 - Location of M and B zones at points where have impact on stormwater
 - Drainage Areas 3 , 4 , 5 most impacted

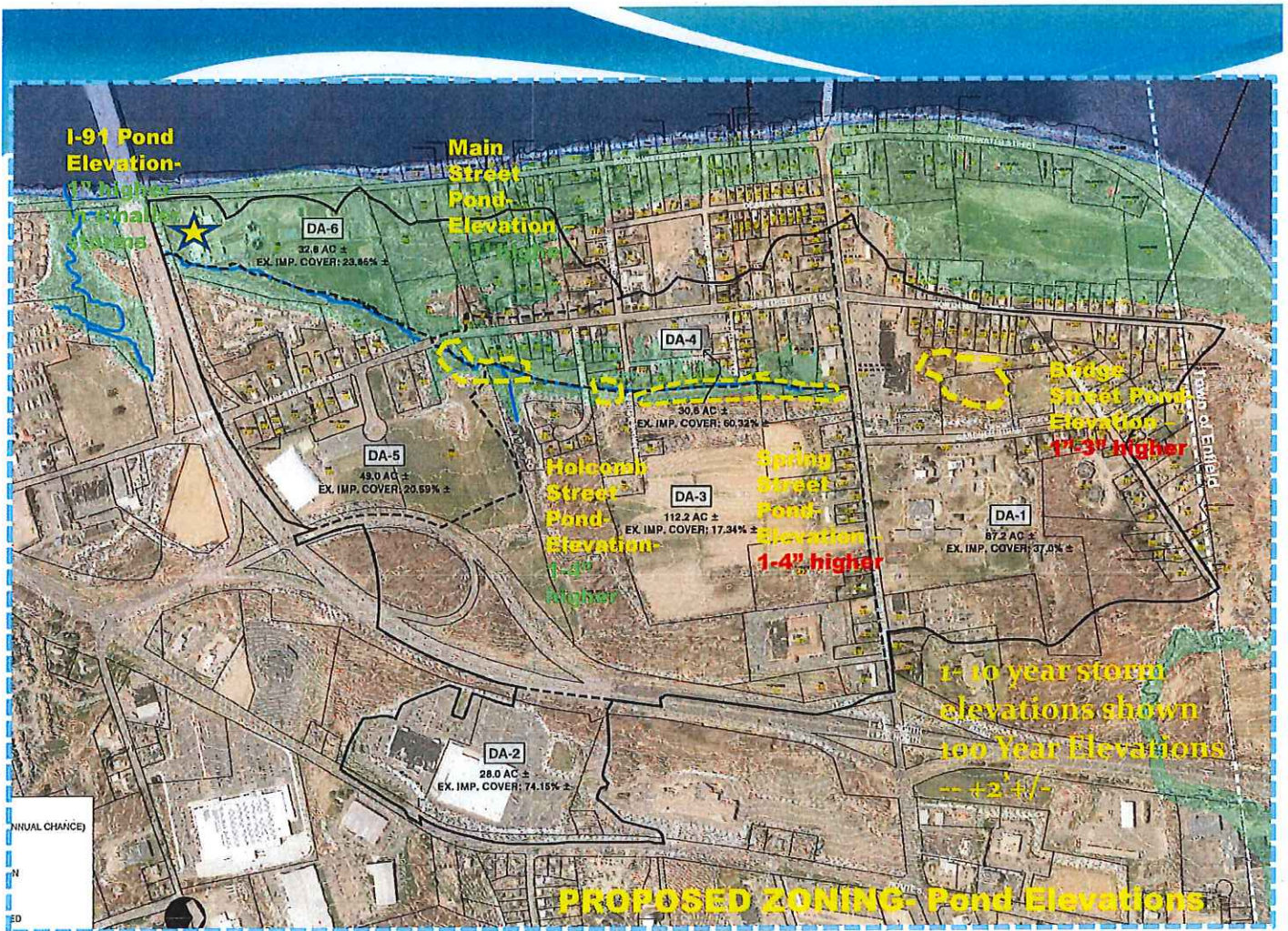




Post-Development Stormwater Runoff Calculations and Model

- Using the current version of the Proposed Zoning Map- how would the stormwater model be different?







Post-Development Stormwater Runoff Calculations and Model

- Alternates being considered
 - Impact of significant Maintenance- culvert cleaning
 - Replace Pipes
 - Modify Proposed Zoning
 - Requiring infiltration /pervious pavement for new construction
 - Reduce impervious in certain locations
 - Detention????



What is next?

- Public Input
- Finalize Zoning map and bulk requirements to reflect stormwater study
- Draft Zoning Regulations and updates to existing chapters
- Final report and action plan