

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

REGULAR Meeting #1806

July 13, 2021

In-person meeting

AND

Meeting also held via ZOOM Teleconference

Meeting ID: 934 8575 5393

MEETING MINUTES

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

PRESENT: **Regular Members:** Anne Gobin (Vice Chairman), Frank Gowdy, Michael Kowalski, and Jim Thurz
 Alternate Members: There are presently three vacancies for Alternate members.

ABSENT: Regular Member Joe Ouellette.

Also present was Planning Consultant Michael D'Amato.

GUESTS/SPEAKERS present in person: Planning Consultant D'Amato hosted the meeting. Also present were: Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission; Marie DeSousa, Deputy First Selectman; Marek Kement, representing SJK Properties; Tim Coon, of J. R. Russo & Associates; Craig Rutkowski.

Public signed in remotely (as identified in the Meeting participation list):
Brooke, CSC Intern, Elizabeth Bragg, Elena and George Dieck, Rene Dupuis, Gina and Mike, i-phone, Marci.

I. TIME AND PLACE OF MEETING:

Vice Chairman Gobin called Regular Meeting #1806 of the East Windsor Planning and Zoning Commission dated July 13, 2021 to Order at 6:30 p.m. The Meeting is being held in-person in the Town Hall, 11 Rye Street, Broad Brook, CT., and via teleconference as well.

II. ESTABLISHMENT OF QUORUM:

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Vice Chairman Gobin noted a quorum was established as four Regular Members were present at the Call to Order; Chairman Ouellette is absent this evening. All members will participate in discussion and votes this evening.

III. ADDED AGENDA ITEMS: None.

IV. LEGAL NOTICE:

Vice Chairman Gobin noted publication of the following Legal Notices:

1. PZ 2021-22 – 7A Pasco Commons:

LEGAL NOTICE

EAST WINDSOR PLANNING & ZONING COMMISSION

The East Windsor Planning & Zoning Commission will hold a public hearing on Tuesday, July 13, 2021 at 6:30 p.m. at the East Windsor Town Hall, 11 Rye Street, Broad Brook, CT to consider the following application:

PZ-2021-22 7A Pasco Drive Special Use Permit Application to divide existing office space into a combination of both residential and commercial uses. Map 071 Block 19 Lot 096. Zone B-2. Applicant/Owner: Rene E. Dupuis

A full copy of the application is available on the Planning and Zoning Commission's section of the Town's website. At this meeting, interested persons may be heard and written communications received. Information for how to attend this meeting virtually will be published on the Commission's website and meeting agenda a minimum of 24 hours before the meeting.

Dated June 23, 2021, East Windsor, CT

Joseph Ouellette, Chairman
East Windsor Planning & Zoning Commission

Journal Inquirer editions: June 25 and July 1, 2021

cc: Rene E. Dupuis
Jason Bowsza, First Selectman
Amy Lam, Town Clerk

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Helen Totz, Assessor
Rand Stanley, Building Official
file

2. PZ 2021-23 – 69 Depot Street:

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EAST WINDSOR PLANNING & ZONING COMMISSION

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PZ-2021-23 69 Depot Street Special Use Permit Application for an accessory apartment. Map 098 Block 53 Lot 024. Zone R-2.
Applicant: Jacob's Home Improvement, Owner: Brian & John Pica-Sneeden

A full copy of the application is available on the Planning and Zoning Commission's section of the Town's website. At this meeting, interested persons may be heard and written communications received. Information for how to attend this meeting virtually will be published on the Commissions' website and meeting agenda a minimum of 24 hours before the meeting.

Dated June 23, 2021, East Windsor, CT

Joseph Ouellette, Chairman
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cc: Jacob's Home Improvement
 Jason Bowsza, First Selectman
 Amy Lam, Town Clerk
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V. PUBLIC PARTICIPATION:

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Vice Chairman Gobin queried the in-person audience for comments regarding items/issues not posted on the Agenda.

Craig Rutkowski, 36 Sullivan Farms Road: Mr. Rutkowski referenced comments made during previous meetings regarding duplicate or repetitious statements. Mr. Rutkowski was displeased at hearing the duplicate comments were considered a waste of the Commission's time. Mr. Rutkowski reminded everyone the comments were important to him as a member of the public.

Hearing no other requests for in-person comments Vice Chairman Gobin queried the remote participants; no one signed in remotely requested to speak.

VI. APPROVAL OF MINUTES:

A. June 22, 2021:

MOTION: To APPROVE the Minutes of Regular Meeting #1805 dated June 22, 2021 as presented.

Kowalski moved/Thurz seconded/DISCUSSION: None.

**VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

VII. RECEIPT OF APPLICATIONS:

Vice Chairman Gobin noted there were no new applications to be received by the Commission this evening.

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

A. Calamar:

Planning Consultant D'Amato noted the Commission had previously discussed the status of the Calamar project, and the requirements for installation of sidewalks. Planning Consultant D'Amato indicated the Town doesn't have money specifically related to sidewalks in our bond requirements, but the sidewalks were a requirement of the DOT and would be covered by their bonding. It's his understanding that DOT is in the process of calling that bond as of last week.

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Commissioner Kowalski questioned the status of the Calamar project? Planning Consultant D'Amato suggested he understands there's a new project manager who is working on both the East Windsor and Manchester projects but he hasn't been in contact with that individual. He understands the new person is working with Building Inspector Stanley; they haven't totally walked away from the project.

IX. CONTINUED PUBLIC HEARINGS: None.

X. NEW PUBLIC HEARINGS:

- A. PZ 2021-22, Special Use Permit, 7A Pasco Drive** to divide existing office space into a combination of both residential and commercial uses. Map 071, Block 19, Lot 096. Zone B-2. Applicant/Owner: Rene E. Dupuis:

Vice Chairman Gobin read the description of this Public Hearing. Rene Dupuis, the applicant, joined the Commission remotely. Vice Chairman Gobin requested Mr. Dupuis to give the Commission an overview of his proposal.

Mr. Dupuis reported he's the owner of this building, which was built in 1998, in Pasco Commons. Mr. Dupuis reported he moved his business from East Hartford and operated it at this location for several years, until he sold it in 2018. In 2020 the owner of the business moved to Simsbury; the current occupant of unit 7A has been there for about 18 months. Mr. Dupuis reported this building is the only building that contains 3 levels. Unit 7A contains approximately 2400 square feet of space; his proposal is to divide the unit into 800 square feet of office space and 1500 square feet of living space which would be separated by a common wall. Mr. Dupuis noted Pasco Commons is zoned for business and residential uses. Mr. Dupuis reviewed his hand-drawn floor plan with the Commission.

Mr. Dupuis noted current media reports that COVID has changed the way people are working; many people are working from home and meeting with clients remotely as we are this evening. Mr. Dupuis noted many large businesses, such as Amazon, Facebook, and Microsoft, are allowing employees to work from home. Mr. Dupuis shared examples of individual businessowners to whom this work/living arrangement would be conducive.

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Vice Chairman Gobin noted the Staff memo prepared by Planning Consultant D'Amato, which includes a condition that the Fire Marsal has required a "Knox box" to be installed at the unit. She requested clarification of the condition. Commissioner Kowalski suggested Knox is the manufacturer of the box; a key would be left in the box and the fire department would have access to the box so they could use the key to enter the unit without damaging it physically if there was an emergency.

Vice Chairman Gobin asked the other Commissioners if they had additional comments?

Commissioner Thurz was ok with the presentation, as the Commission has had similar discussions earlier.

Commissioner Gowdy and Commissioner Kowalski had no comments.

Vice Chairman Gobin asked if the Commission was ready to close the Public Hearing, and take action this evening?

MOTION: To CLOSE THE PUBLIC HEARING for PZ 2021-22, for a Special Use Permit, 7A Pasco Drive to divide existing office space into a combination of both residential and commercial uses. Map 071, Block 19, Lot 096. Zone B-2. Applicant/Owner: Rene E. Dupuis.

**Kowalski moved/Gowdy seconded/DISCUSSION: None.
VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

MOTION TO APPROVE:

Application #PZ 2021-22: Special Use Permit, 7A Pasco Drive to allow a 1,550SF residential unit and an 850SF office use on the same floor. Owner/Applicant: Rene Dupuis

This approval is granted subject to the conformance with the application materials (as may be modified by the Commission and this approval) and the following conditions/modifications.

Conditions:

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1. Prior to the issuance of any permits, the owner/applicant shall:
 - a. File a copy of the Certificate of Approval on the Land Records.
2. The office space shall be occupied by the tenant of the residential unit.
3. An internal connection between the residential unit and office unit shall be maintained.
4. The structure shall be maintained in accordance with Section 502(6).
5. If requested by the Fire Marshal, a “Knox box” shall be provided.
6. This approval shall apply only to 7A Pasco Drive. This issuance of this approval shall not extinguish, expand, modify or void any previously issued approvals and their conditions for the property known as Pasco’s Common.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

**VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

- B. PZ 2021-23, Special Use Permit, 69 Depot Street** for an accessory apartment. Map 098, Block 53, Lot 024. Zone R-2. Applicant: Jacob’s Home Improvement, Owner: Brian & John Vincent Pica-Sneeden:

Vice Chairman Gobin noted the notification to the abutters was not done correctly for this application. She requested a motion to postpone opening the Public Hearing until the Commission’s next meeting.

MOTION: To POSTPONE the Public Hearing on Application PZ 2021-23, Special Use Permit, 69 Depot Street for an accessory apartment. Map 098, Block 53, Lot 024. Zone R-2. Applicant: Jacob’s Home Improvement, Owner: Brian & John Vincent Pica-Sneeden until the Commission’s next regularly scheduled meeting on July 27, 2021.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

**VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

XI. OLD BUSINESS: None.

XII. NEW BUSINESS:

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- A. PZ-2021-19, Text Amendment** Application to East Windsor Zoning Regulations Section 802.1 and 802.4 Multi-Family Development District (MFDD). Applicant: SJK Properties, LLC:

Vice Chairman Gobin noted this application has received a lot of public comment, and during the previous applications the Commission had not been in consensus regarding their votes. She questioned if, with the absence of the Chairman this evening, and the possibility of a tie vote as four Commission members are present, if it might be better to postpone the decision on this application until the Commission's next meeting if the members present this evening thought they would be available on July 27th. Planning Consultant D'Amato noted the Commission has 65 days after closing the Public Hearing to make a decision; the Commission could postpone the decision until the next meeting without an extension of the application time limit, or the consent of the applicant.

The members of the Commission felt they would be available on July 27th. Commissioner Kowalski suggested if the decision would be postponed he would like to be provided a comparison of the lot size requirements in the R-1, R-2, and R-3 Zone. Planning Consultant D'Amato indicated he will provide that information to all of the Commissioners prior to the next meeting.

MOTION: To POSTPONE Application PZ-2021-19 Text Amendment Application to East Windsor Zoning Regulations Section 802.1 and 802.4 Multi-Family Development District (MFDD). Applicant: SJK Properties, LLC until the Commission's next regularly scheduled meeting on July 27, 2021.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

**VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

Mr. Kement noted for the record that the Commission had the family's consent to postpone the decision on the Text Amendment application.

XIII. OTHER BUSINESS: None.

XIV. CORRESPONDENCE: None.

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XV. BUSINESS MEETING:

- A. Discussion regarding 198 South Main Street, Central AS LLC Plan Changes and DOT comments:

Tim Coon, of J. R. Russo & Associates, joined the Commission in-person.

Planning Consultant D'Amato reported that Mr. Coon had contacted the Planning Office with a request for approval of Site Plan modifications for the application previously approved for 198 South Main Street for Central AS LLC. Planning Consultant D'Amato felt the Commission should discuss the proposed changes; he has asked Mr. Coon to attend the meeting to explain the reason for the changes.

Mr. Coon recalled he appeared before the Commission in February and March of 2021 and received approval for the Site Plan on March 9th. During the presentations Mr. Coon had proposed the site access to be slightly to the north within the property; Chairman Ouellette had requested if the applicant would consider relocating the driveway to be opposite the driveway for Kingsway Liquor across Route 5.

Mr. Coon reported they subsequently appeared before DOT for approval; DOT has indicated the driveway as proposed affects the curb line and also affects their ability to plow snow. To proceed with the driveway to the southerly location as currently proposed the DOT has requested the applicant move a catch basin. Mr. Coon indicated the cost of the relocation of the catch basin is approximately \$16,500 without taking into consideration the cost of repaving the area around the catch basin. Mr. Coon reported DOT has said the existing driveway is the best access location.

Mr. Coon suggested there is no requirement in the regulations for the driveway location as requested by Chairman Ouellette. Vice Chairman Gobin noted Chairman Ouellette's experience with DOT; she questioned if the driveway at Kingsway Liquor gets a lot of traffic? Mr. Coon noted Kingsway Liquor has 2 access drives onto Route 5.

Commissioner Kowalski felt the liquor store would have more traffic, but the fact that it has 2 access points makes a difference for him. He also didn't recall the Commission discussing the curb cut.

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Commissioner Gowdy noted the relocation of the access driveway was a suggestion made by Chairman Ouellette; he felt the Commission could return the access location to the original proposal based on DOT's comments.

Commissioner Thurz cited cost shouldn't be a consideration for the Commission, but he agreed the 2 curb cuts for the liquor store would alter how vehicles enter and exit that property.

Vice Chairman Gobin felt people would be dropping off cars at 198 South Main Street in the morning which wouldn't conflict with the liquor store traffic.

Planning Consultant D'Amato suggested the Commission make a motion to enable him to work with Mr. Coon on the Site Plan modifications.

MOTION: To ALLOW STAFF the authorization to make modifications for the driveway location of 198 South Main Street which is occupied by Central AS LLC.

**Kowalski moved/Gowdy seconded/DISCUSSION: None.
VOTE by a show of hands: In Favor: Gobin/Gowdy/Kowalski/Thurz
(No one opposed/No Abstentions)**

XVI. EXECUTIVE SESSION: None.

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:16 p.m.

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

Respectfully submitted,

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