

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

**REGULAR Meeting #1821
February 22, 2022**

***DUE TO INCREASED COVID ACTIVITY
THIS MEETING IS BEING HELD VIA
REMOTE ACCESS ONLY
via ZOOM Teleconference
Meeting ID: 714 897 1799***

MEETING MINUTES

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

I. TIME AND PLACE OF MEETING: Virtually, via Zoom.

Chairman Gobin called Regular Meeting #1821 of the East Windsor Planning and Zoning Commission to Order at 6:30 p.m. The meeting is being held remotely.

PRESENT: **Regular Members:** Anne Gobin (Chairman), Michael Kowalski (Vice Chairman), Joseph Sauerhoefer, and Jim Thurz (Secretary).

Alternate Members: David Leason. There are presently two vacancies for Alternate members.

ABSENT: Regular Member Frank Gowdy.

GUESTS/SPEAKERS present remotely identified as they sign in: Director of Planning and Development/Town Planner Calabrese hosted the meeting. Also signed in remotely were: Planning Consultant Michael D'Amato, Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission; First Selectman Jason Bowsza (joined at 8:00 p.m.); Robert Arsenault, P.E.; Lucy Foster, Danielle Miller, Gil Tougas, Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

Chairman Gobin noted a quorum was established as four Regular Members and one Alternate Member were present at the Call to Order. Chairman Gobin requested Alternate Member Leason to join the Board regarding discussion and action on all Items of Business this evening as well.

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III. ADDED AGENDA ITEMS:

Chairman Gobin noted receipt of correspondence Town Planner Calabrese has requested be acknowledged regarding a March 3rd training invitation. Discussion followed regarding the need to add by motion, or consensus. The consensus of the Commission felt there was no need for a motion.

IV. LEGAL NOTICE:

V a. Public Hearing, PZ 2022-02 – 268 South Main St, Zone Change from B-2 to R-1, Gil Tougas:

Chairman Gobin noted the Legal Notice for the Public Hearing for Application PZ 2022-02 – 268 South Main Street, request for Zone Change from B-2 to R-1 submitted by Gil Tougas was read into the record at the previous meeting.

VI. PUBLIC PARTICIPATION (FOR ITEMS NOT LISTED ON THE AGENDA):

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

VII. APPROVAL OF MINUTES:

a. February 8, 2022 – Regular Minutes of PZC

Chairman Gobin queried the Commissioners for comments, or edits to the Minutes of Planning and Zoning Commission Regular Meeting #1820 dated February 8, 2022. No one requested any revisions. Chairman Gobin requested a motion for approval.

MOTION: To APPROVE the Regular Meeting Minutes of Meeting #1820 dated February 8, 2022 as presented.

Kowalski moved/Leason/DISCUSSION: None.

VOTE by show of hands:

**In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Thurz
(No one opposed/No Abstentions)**

VIII. RECEIPT OF APPLICATIONS:

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a. PZ 2022-03 298 South Main St, Site Plan Review for New Construction Auto Sale, Arvind Persud

Chairman Gobin acknowledged receipt of Application #PZ 2022-03 for 298 South Main Street, Site Plan Review for New Construction Auto Sales, Arvind Persud. Chairman Gobin noted the Commission wouldn't be discussing this application this evening.

Town Planner Calabrese advised Chairman Gobin Bob Arsenault, the engineer for this application, has signed in to the meeting tonight and would like to give an overview of the project. Town Planner Calabrese requested discussion be moved to **NEW BUSINESS**. Discussion followed regarding addition by motion or consensus; the Commission agreed to hear the discussion by consensus.

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

No requests presented under this Item of Business this evening.

X. CONTINUED PUBLIC HEARINGS:

XI. a. Public Hearing Notice, PZ 2022-02, 268 South Main St, Zone Change from B-2 to R-1, Gil Tougas:

Chairman Gobin read the description of this Item of Business.

Gil Tougas, the applicant, joined the Commission remotely.

Mr. Tougas advised the Commission he's been trying to do this for 4 to 5 years, he reported he appeared before the Zoning Board of Appeals and was denied. Mr. Tougas reported he's run 3 different businesses in 1987 or 1988 at this location which were not successful, he reported he's not had a business in there since that time; it's been vacant. Mr. Tougas reported the traffic passing his location is terrible, making it difficult to get in and out. Mr. Tougas advised the Commission he's been a taxpayer for 35 years, he questioned why he can't do what he wants with his property. Mr. Tougas felt that was ironic.

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Mr. Tougas also noted he had Building Official Stanley and the Fire Marshal inspect the property, they told him he needed approval from the Town.

Chairman Gobin suggested from a Zoning perspective Route 5 is zoned business and it's a State highway corridor. She noted the comment made on the record at the opening of the Public Hearing held at the previous meeting in opposition to the concept of adding residential at that location.

Chairman Gobin noted Commissioner Kowalski raised a question if the Zone Change was really necessary. Chairman Gobin referred to Town Planner Calabrese and Planning Consultant D'Amato for comments.

Town Planner Calabrese referenced file documentation dated February 25, 2019, from Judi Mosso, the Assistant Town Planner at that time. It's in regards to 268 South Main Street, and is addressed to Mr. Tougas. Town Planner Calabrese read the following into the record:

"Thank you for coming in earlier this week to discuss your options for your property at 268 South Main Street in East Windsor. Upon reviewing your property's history and various records, I offer the following:

Per the conditions of the 1988 Site Plan approval residential use was terminated once the beauty salon occupied the building. Per the conditions of said approval any change of use must obtain permits and approvals. The most recent variance request, 2019-03 to allow residential use, was denied.

As you may be aware, using the property as a 3-family residence in a B-2 Zone has been a violation of East Windsor's Zoning Regulations since 2009. In order to achieve compliance, you have two options. The first is to maintain a commercial, non-residential use at the subject site – current Use Table is enclosed to apply for the following two permits: A Zone Change from B-2 to R-1, and Special Permit Site Plan for a three-family home, the maximum number of units in the R-1 Zone when a lot is less than 4 acres."

Town Planner Calabrese noted the remainder of the correspondence notes inclusion of maps and applications and such.

Town Planner Calabrese advised the Commission when Mr. Tougas came into the Planning Office to discuss his options she originally thought the

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path would be a Zone Change. But based on Commissioner Kowalski's question from the previous meeting about what would be allowed in the B-2 Zone without a Zone Change, if you kept the commercial aspect of the property, it could be a dwelling unit on the top floor. then, in conversation with Planning Consultant D'amato they discussed doing something with a Special Use Permit, similar to what was done at Pasco's Commons which also allowed for some living quarters on the main floor, provided an aspect of commercial use is still part of that building.

Town Planner Calabrese asked if Planning Consultant D'Amato had anything to add? Planning Consultant D'Amato suggested that was a good overview.

Chairman Gobin:

- ***Spot zoning:*** Chairman Gobin questioned if a Zone Change of the one parcel in the middle of the business zone which is the Route 5 corridor would be spot zoning? Town Planner Calabrese concurred, noting it's inconsistent with the POCD. Mr. Tougas responded that he has neighbors who live in houses, they're residential. Mr. Tougas questioned that he can't have residential, his neighbors do, they're in the B-2 Zone on Route 5. Mr. Tougas requested clarification. Mr. Tougas reported his house is a dilapidated building which is falling apart, it was built in the 1800s. Mr. Tougas suggested that as it sits its unusable as commercial space. He noted Dunkin Donuts offered him money to buy the property but they didn't want the house on it; they wanted to demolish the house. Mr. Tougas reiterated he can't see the property being a commercial use. Mr. Tougas suggested the Commission doesn't understand the dilemma that he faces.

Chairman Gobin queried the Commissioners for comments.

Commissioner Kowalski:

- ***Zoning of Abutting properties:*** Are the properties next door located in a R-1 Zone or a B-2 Zone? Chairman Gobin suggested that in reviewing the map everything appeared to be in a B-2 Zone, she suggested it may be a pre-existing use. Commissioner Kowalski indicated he was trying to confirm if it was a non-conforming pre-existing use. Town Planner Calabrese recalled that in reviewing the Route 5 Corridor Study it was suggested that single family homes could remain as single-family homes. Commissioner Thurz questioned that the reference was to single

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family homes, not 2 or 3 family homes? Town Planner Calabrese concurred. Mr. Tougas questioned that the zoning was B-2? Town Planner Calabrese suggested those remaining would be legally non-conforming. Town Planner Calabrese noted 266 South Main Street is B-2 owned by White Eagle Transportation, and 272 South Main Street is also B-2 owned by MBM Associates, LLC.

Noting that the Commission hadn't received a copy of the opposition comments from the previous meeting, Chairman Gobin requested identification of the owner, and the zone, of the person who opposed Mr. Tougas' application. Town Planner Calabrese indicated opposition comments were made by Garrison Hudgkins.

Commissioner Thurz:

- ***Occupancy of property*** – Commissioner Thurz questioned if someone is currently living at the property? Is there a tenant? Mr. Tougas indicated there is a residential use on the second floor of his building; that use has been there since the original approval under the B-2 Zone. It was residential on the second floor and commercial on the first. Commissioner Thurz questioned that Mr. Tougas was in legal standing the way he is now. Chairman Gobin felt she heard Town Planner Calabrese say there was some question if it was legal without the commercial use; Chairman Gobin questioned if she misunderstood? Town Planner Calabrese suggested if there's commercial space that's vacant; she assumed there were other circumstances with residential on the second floor and the commercial tenant was gone from the first floor.

Commissioner Kowalski:

- ***Clarification of statement by previous Assistant Town Planner:*** Referencing the statement read by Town Planner Calabrese earlier he questioned if that said the commercial use was forfeited when the hair salon went out? Town Planner Calabrese indicated that was her understanding when reading the letter, that was 1988. It appears in 2019 the Assistant Town Planner was saying Mr. Tougas would need to maintain the commercial use.

Chairman Gobin asked if any other Commissions had any comments; no one requested to be heard. Chairman Gobin questioned the Commission's preference to hold the Public Hearing open, or close it. She noted the Commission wouldn't act on the application this evening as they hadn't received a draft motion.

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Chairman Gobin also queried the public for comments.

Selectman Baker: Indicated he assumed this project was like a mixed retail, multi-use project, he questioned if that wasn't the case. Chairman Gobin suggested that's what the history from the 1980s through the early 90s, there was a hair salon on the first floor and the owner of the hair salon lived upstairs. Chairman Gobin asked Mr. Tougas for additional information.

Mr. Tougas reported he owned a coffee shop and a UPS type of thing. He reiterated he has a half vacant building, with someone living on the second floor. Mr. Tougas questioned who the opponent to his opponent was?

Continuing his inquiry, Selectman Baker suggested the Commission keep the Public Hearing open to be able to take in additional information.

Mr. Tougas expressed his displeasure with his situation. He noted his history as a taxpayer for 35 years. He felt he should be able to do what he wanted with his property. Chairman Gobin indicated the Commission has regulations and Statutory requirements and laws they must follow. Chairman Gobin suggested keeping the Public Hearing open to the next meeting to give Town staff time to draft a motion.

MOTION: To CONTINUE the Public Hearing on Application PZ 2022-02, 268 South Main St, Zone Change from B-2 to R-1, Gil Tougas until the Commission's regularly scheduled meeting to be held on March 8, 2022.

Kowalski moved/Thurz/DISCUSSION: None.

VOTE by show of hands:

**In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Thurz
(No one opposed/No Abstentions)**

XII. NEW PUBLIC HEARINGS: None.

XIII. OLD BUSINESS: None

XIV. NEW BUSINESS:

- a. **PZ 2022-03 298 South Main St, Site Plan Review for New Construction Auto Sale, Arvind Persud:**

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Chairman Gobin noted Mr. Arsenault, the engineer for this applicant, had requested to give the Commission an overview of the project.

Mr. Arsenault introduced himself to the Commission. He noted he understands he'll have to return to the Commission with the application, but he wanted the Commission to be aware of the project. Mr. Arsenault noted they also have an application before the Wetlands Commission, which needs to be heard first.

Mr. Arsenault displayed a Site Plan for the proposal submitted by the applicant, New Construction, LLC, for property at 298 South Main Street; Mr. Arvind Persud is the owner. The property contains .53 acres and borders the town of South Windsor on the south; the parcel is zoned B-2. Mr. Persud is looking to construct a 1,500 square foot building for auto sales and repairs. They are proposing 15 vehicle parking spaces, there will be 3 overhead doors on the north side of the building; there will be another overhead door on the rear of the building, and a pedestrian door in the front. Mr. Arsenault reported the vehicles would enter from the north; the rear door would be an exit for the vehicles after they're taken out of the building. Mr. Arsenault referenced a location on the Site Plan which Mr. Persud would like to use for display vehicles. Mr. Arsenault referenced locations on the Site Plan for the overhead doors and display areas; he noted this Site Plan meets all set-back and other requirements.

Mr. Arsenault noted that one of Town Planner Calabrese's comments was the Fire Marshal likes to see a 26-foot radius at the entrance. The original proposal was for a 22-foot radius, the red line on the Site Plan is the increase to the 26 feet preferred.

Referencing the Site Plan, Mr. Arsenault noted the site is fairly wooded. They'll be removing some of the trees on the north side. The parcel is served by public sewer and water. Mr. Arsenault reported the parcel is very sandy material. Regarding stormwater management Mr. Arsenault is proposing collection to a catch basin with an underground recharge system. Mr. Arsenault reported the proposed system will "hold" up to a 100-year storm; there's hardly any discharge at all.

Referencing the Landscape Plan, Mr. Arsenault reported they're proposing landscaping in the front of the building, and a couple of ornamental trees around the side of the building.

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Regarding lighting, Mr. Arsenault indicated they're proposing 4 pole lights – one to illuminate the display area, one to the rear, one on the side, and one by the walk. They're also proposing wall-packs on the building between the doors. All lighting will be fully shielded, with full cut-offs. The dumpster pad will be in the rear of the building; there will be curbing around the parking lot.

Mr. Arsenault requested questions from the Commission.

Chairman Gobin:

- ***Light spillage onto abutting property:*** Chairman Gobin noted there's a mobile home with a deck abutting the property, which seems close. Will the lighting impact the mobile home? Mr. Arsenault reported the lights will be projected to the south and the east. He reiterated the building lights will be shielded. Mr. Arsenault felt there shouldn't be any light spillage/pollution. Commissioner Thurz requested a Photometric Plan. Mr. Arsenault returned to the plan depicting the area where the trees are being removed, he suggested perhaps instead of the proposed dogwood trees they should add evergreen trees.
- ***Zone for property to the south:*** Chairman Gobin referenced the property to the south, she questioned if that property is located in South Windsor? Mr. Arsenault replied affirmatively. Chairman Gobin questioned if that was a residential property? Mr. Arsenault concurred, noting it's a ranch dwelling. Chairman Gobin questioned if South Windsor, and that neighbor, are aware of this proposal? Mr. Arsenault indicated it was brought to the attention of the Town that this application was coming before this Commission.
- ***Auto repair/emissions:*** Chairman Gobin questioned if the applicant would be painting cars in the auto repair area? Mr. Arsenault wasn't sure but would discuss that with the applicant. Chairman Gobin indicated she would be concerned with potential odors for the residential neighbors. Mr. Arsenault felt the applicant would be purchasing cars, doing the repairs, and cleaning them up for resale.

Chairman Gobin called for comments from the other Commissioners.

Commissioner Kowalski:

- ***Proposed driveway location:*** Commissioner Kowalski referenced the proposed access location, he questioned if that's an existing

curb cut? Mr. Arsenault reported there's an existing curb cut, or opening, between two trees. He indicated it's not an official curb cut, but it's been used for access to the rear. Mr. Arsenault indicated they'll need to go for a curb cut permit.

- ***Identify area of tree removal:*** Commissioner Kowalski indicated he would like to see a better identification of what trees are being removed. Mr. Arsenault referenced a location where the trees will be removed, as well as the location of those remaining. Commissioner Kowalski suggested some of the trees will block the display area; Mr. Arsenault suggested just part of it. Mr. Arsenault suggested it's lightly wooded and will be cleaned up.
- ***Stormwater management:*** Commissioner Kowalski suggested there may be a requirement to add some type of treatment to the catch basin being added. Mr. Arsenault concurred, noting the catch basin is double-chambered, with the oil/grease separator prior to going into the underground infiltrators. Mr. Arsenault reiterated there's enough here to handle up to a 100-year storm. He suggested there really isn't going to be any discharge.

Chairman Gobin:

- ***Architectural features:*** Chairman Gobin questioned Planning Consultant D'Amato if there were any architectural standards – so it's not all one type of material - regarding the side of the building facing the street? Planning Consultant D'Amato suggested because of the timing of the receipt of the application he didn't think Staff had had an opportunity to do any review, but there will be "improvements" made to the portion of the building that faces the street.

Commissioner Kowalski:

- ***Signage:*** Commissioner Kowalski questioned if signage is being proposed? Mr. Arsenault indicated he's still discussing that with the applicant. He questioned if that could be a separate application? Planning Consultant D'Amato suggested Staff can note that signage hasn't been reviewed as part of the application.

Chairman Gobin:

- ***Review by Town Engineer:*** Chairman Gobin noted the Town Engineer will need to review the plans. Town Planner Calabrese indicated the plans had been referred to him.

Discussion followed regarding when this application will be heard. Mr. Arsenault indicated he understood the Town would be returning to in-person meetings, and he has back surgery scheduled. Town Planner Calabrese suggested they would be holding hybrid meetings by the March 8th meeting; Mr. Arsenault can attend remotely if he's ready.

XV. OTHER BUSINESS:

a. Informal Discussion to include Lucy Foster regarding Tiny Homes:

Chairman Gobin acknowledged the discussion regarding tiny homes. Joining the Commission for this discussion was Lucy Foster. Chairman Gobin requested Town Planner Calabrese give the Commission an idea what Mrs. Foster is considering.

Town Planner Calabrese reported that Mrs. Foster has been in contact with the Planning Office, and has also had some discussions with Planning Consultant D'Amato, regarding tiny homes. Mrs. Foster has an interest in East Windsor.

Mrs. Foster advised the Commission she and her husband would like to park a tiny home on wheels at her grandparent's property located at 95 Barber Hill Road in Broad Brook. She noted this would allow them to live in close proximity to her grandparents, who are in their 80s; she and her husband could assist her grandparents with their daily needs.

Mrs. Foster noted that tiny homes are a sustainable and affordable living solution which allows accessibility to family and financial freedom. Mrs. Foster indicated they're interested in a tiny home on wheels, which is different from an RV in that it's not motorized. It differs from a manufactured home because it's built like a house but isn't built on a foundation. The reason it has wheels is for ease of relocation should that be necessary.

Mrs. Foster indicated the current regulations don't allow tiny homes; she's considering proposing a Text Amendment but wanted to discuss this with the Commission informally. Commissioner Thurz indicated the Commission has been discussing this for some time; he felt the Commission was leaning towards amending the regulations to allow tiny homes. Chairman Gobin recalled previous discussion of the accessory dwelling units and the granny pods, which this is somewhat the reverse of that. She suggested the on wheels concept hadn't been part of the

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previous discussions. Mrs. Foster indicated this would allow them to purchase a tiny home which is already built and locate it at her grandparent's property.

Planning Consultant D'Amato cited discussions with Mrs. Foster about how they could distinguish between an RV, which is a Winnebago, and a mobile manufactured home. He noted other parts of the state have written regulations regarding "cottage communities", which isn't what Mrs. Foster is proposing, but the language in the regulations addresses the distinctions and could be applied here.

Planning Consultant D'Amato suggested the other thing he and Mrs. Foster discussed was that the State of Maine created a definition for tiny homes which makes them separate and distinct from the other units. Planning Consultant D'Amato felt there is enough information to draft something to address the tiny homes but not the other structures. Planning Consultant D'Amato reviewed some of the requirements, noting that Statutes require the manufactured mobile home must be treated as a single-family dwelling, they can't be towed by a traditional passenger vehicle, they are not capable of being immediately removed from a site, and other requirements.

Commissioner Kowalski:

- ***Camper vs. tiny homes:*** Commissioner Kowalski questioned what would differentiate this from a tow-behind camper? Planning Consultant D'Amato felt the regulations could differentiate based on utilities. Also, the tow-behind isn't designed for year-round living so the construction is not as substantial regarding insulation and roofing materials. Planning Consultant D'Amato referenced the language created by the State of Maine in its definition. Mrs. Foster concurred, noting the tiny home has insulation, plumbing, roofing, washer/dryer hook-up; it's built like a house but on a smaller scale and fits on a trailer on wheels for ease of relocation. Commissioner Kowalski referenced "park model" RV which are similar in that they have roof shingles, etc. but they still have the ability to be hooked up and towed around.

Chairman Gobin:

- ***Regulation requirements:*** Chairman Gobin questioned Planning Consultant D'Amato if there would be set back requirements written into the regulations, people couldn't locate these in their front yards? Planning Consultant D'Amato felt the approach

would be an accessory use by Special Permit. He suggested this is not an accessory dwelling unit, and not a manufactured mobile home, so he felt some of the restrictions that can't be imposed on those structures could be encompassed in these regulations. You could require some familial connection to the property owner, or not be on separate utilities, they must be owned rather than rented, decks/attachments wouldn't be allowed. Chairman Gobin questioned that they have their own electrical service rather than having an extension running across the lawn? Mrs. Foster cited her grandparents actually have an outside electrical hook-up so they could connect the tiny home directly to that.

Commissioner Thurz:

- ***Utilities:*** Commissioner Thurz questioned how septic would be handled? Mrs. Foster indicated they're looking into that, as Planning Consultant D'Amato had said there might be restrictions on no compost toilets. Commissioner Thurz recalled during previous discussions the Building Department had wanted people to hook up to a full main service, or a full septic.

Commissioner Sauerhoefer:

- ***Health and Building Code requirements:*** Commissioner Sauerhoefer suggested the Health Code is going to require that the septic system already on the property probably isn't going to be big enough to handle another bathroom. Building Codes won't allow you to just plug in, you'll have to run a temporary service or something else.
- ***Motor vehicle registration:*** Commissioner Sauerhoefer questioned if the tiny home, being on a trailer, was registered? If it's considered a motor vehicle then it will have to be registered. Mrs. Foster indicated they're not considered a motor vehicle, it doesn't have an engine, it must be transported by another vehicle.
- ***Property size:*** Commissioner Sauerhoefer cited the lot being considered is less than acre. Mrs. Foster indicated her grandparents also have an extension of their property that runs closer to Griffin Road, which they could purchase and located the tiny home there.
- ***Utilities:*** Commissioner Sauerhoefer noted there's no city water or sewer at the grandparent's location.

Planning Consultant D'Amato indicated they would have to meet the Health Department requirements, and he'll work with the Building

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Department regarding their requirements. He recommended Mrs. Foster reach out to the North Central Health District regarding their design requirements.

Commissioner Thurz suggested reviewing what the State of Maine did. This will be coming up more and more. Chairman Gobin noted the Health Code is a State regulation, the Commission can't change that.

Commissioner Kowalski:

- ***Optional regulation approach:*** Commissioner Kowalski questioned what if the Commission looked at this more like a camper, which is self-contained, you do a pump and haul, you have your own water tank. If was for the sole purpose of assisting a family member, with an annual renewal so it wouldn't be permitted forever, maybe the Commission could draft regulations using that approach. Commissioner Sauerhoefer felt using the camper approach would be more difficult for the Health Department.

Chairman Gobin suggested Mrs. Foster needs to have a discussion with the North Central Health District regarding their requirements.

Commissioner Sauerhoefer:

- ***Sleeping quarters:*** Commissioner Sauerhoefer questioned how it could be handled if they said they were only going to sleep there? Planning Consultant D'Amato felt the Health Department would have requirements for that as well.

Planning Consultant D'Amato questioned if the Health Department and Building Department components could be addressed would it be worth Mrs. Foster pursuing a Text Amendment? Chairman Gobin requested an amendment limit the number of units to one per property, so you couldn't put multiple units in the back yard.

Mrs. Foster indicated she'll work with Planning Consultant D'Amato, and thanked the Commission for their time.

b. Appointing Danielle Miller, the New Zoning Official:

Chairman Gobin welcomed Ms. Miller to East Windsor.

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Town Planner Calabrese requested the Commissioner appoint Ms. Miller as the additional Zoning Enforcement Official so it doesn't affect issues Town Planner Calabrese has been working on previously. Chairman Gobin questioned if Ms. Miller will need to become certified in her capacity? Town Planner Calabrese concurred, noting Ms. Miller will have 3 years to become certified; it's done in stages.

Ms. Miller advised the Commission she's come to us from Gretna, Louisiana, where she had been the Planner for the city for the last 4 years. She's recently become certified in green infrastructure, she noted she's interested in environmental work, especially with planning. She thinks it's wonderful that in Connecticut there's so much focus on the wetlands and watercourses. She concurred, it's a bit of a process to become certified as a Zoning Enforcement Officer up here; they didn't have that in Gretna. She noted she's already signed up for classes as they become available. She indicated she's excited to be here, and is trying to learn the codes and meet everyone.

Chairman Gobin called for a motion to appoint Danielle as the Zoning Enforcement Officer.

MOTION: To APPOINT Danielle Miller the additional Zoning Enforcement Official for the Town of East Windsor.

Sauerhoefer moved/Kowalski seconded/**DISCUSSION:** Chairman Gobin welcomed ZEO Miller to Town.

VOTE by show of hands:

**In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Thurz
(No one opposed/No Abstentions)**

c. Warehouse Point Study: Zoning Regulation Approach:

Town Planner Calabrese noted the upcoming Public Hearing on the Planned Commercial Development. She and Planning Consultant D'Amato have been reviewing how to approach the proposed recommendations from the Warehouse Point Study. She noted Planning Consultant D'Amato has some ideas about merging some of the multiple zones that were proposed, as well as proposing a different approach called Form Based Code.

Planning Consultant D'Amato cited the issue they struggled with regarding the Warehouse Point Study was for the Commission to adopt 7

new zoning designations for an area that is very small. He cited the difficulty writing regulations for those different zones that don't overlap, as well as the difficulty administering those zones is complicated. As a result, they discovered Form Based Codes, which is moving away from Euclidean Zoning, which regulates building height, number of parking spaces etc. Form Based Codes focuses more on design and how buildings relate to abutting buildings and the street, and creates pedestrian amenities, such as bike lanes and benches and sidewalks, near the street.

Planning Consultant D'Amato shared a table of the proposed uses recommended in the Warehouse Point Study, noting the left column shows the allowable uses, while the right column shows the new proposed zones in which they are allowable. He noted the overlap of uses allowable in the various zones, which led them to consider consolidation of some of the zones.

Planning Consultant D'Amato then shared a neighborhood map, which depicted the recommended zones. He cited many of the proposed zones are small areas containing a limited number of properties, which makes it difficult to write regulations that are cohesive. Planning Consultant D'Amato then shared a pictorial comparison of traditional zoning vs. Form Based Codes. He reiterated that the Form Based Codes is focused on how the property looks from the street, and includes pedestrian amenities, with parking to the rear. He noted Form Based Codes doesn't get into the particular uses within the buildings but is based on the inter-relationship of the properties to each other, and the street. Planning Consultant D'Amato shared a depiction of Geissler's Plaza, noting it contains a significant amount of parking area. The sketch proposed utilizing many of the parking spaces towards the street as an area for the pedestrian amenities.

Planning Consultant D'Amato requested comments from the Commission.

Chairman Gobin questioned if the Town could have Euclidian Zoning for most of the town, and the Form Based Codes for Warehouse Point, or is Planning Consultant D'Amato proposing the Form Based Codes for all of East Windsor? Planning Consultant D'Amato suggested the Form Based Codes are generally used for a specific area; their intent is to establish the neighborhoods where the Form Based Codes would apply, while some larger parcels would be more conducive to traditional zoning. Town Planner Calabrese suggested Form Based Codes create a sense of place, like what you experience in Essex. She noted she lives in an Historic

District, which gives you a sense of place, which is the subset of the whole. Chairman Gobin felt that was what Terri Hahn was trying to accomplish, but she felt the intent was to get Warehouse Point to be a place with multi-use so you could have residential and commercial together. Commissioner Thurz felt it was heading that way when the casino and the train station development was coming in. Commissioner Kowalski felt this fits what the Commission is trying to accomplish.

Chairman Gobin wondered if downtown Broad Brook needs the same thing? Planning Consultant D'Amato suggested Broad Brook is a bit more residential but many of the concepts and the design criteria might work for Broad Brook as well.

The consensus of the Commission was for Planning Consultant D'Amato and Town Planner Calabrese to continue investigating this concept.

XVI. CORRESPONDENCE:

a. Discussion of invitation for Commission training:

Town Planner Calabrese reported the correspondence came as an invitation from Planning Consultant D'Amato/Tyche, working with Halloran and Sage, for a ZOOM Meeting on March 3rd at 7:00 p.m. Planning Consultant D'Amato noted many towns are experiencing commission turnover, many of their towns were looking for a training overview of what it means to be a Planning and Zoning Commissioner, how do you have an effective meeting, and what's changed with the Statutes.

Chairman Gobin requested Commissioners register if they plan to attend the session.

XVII. BUSINESS MEETING

a. Registration/Nomination/Connecticut Federation of Planning and Zoning Commissions 74th Annual Conference:

Town Planner Calabrese noted Commissioners Thurz, Kowalski, Gowdy, Sauerhoefer, Leason and herself have been registered to attend. They've nominated Commissioners Thurz and Gowdy for recognition of service.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1821 – February 22, 2022
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

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First Selectman Bowsza advised the Commission the Board of Selectmen will be presenting a plaque to Joe Ouellette for his 19 years of service. If anyone from the Commission would like to attend in person that's on the Agenda for Thursday. The Commission noted he deserves it; Chairman Gobin thanked First Selectman Bowsza for doing that.

First Selectman Bowsza also noted they presented at the North Central Chamber of Commerce Economic Development Breakfast to explain some of the things East Windsor is trying to do from a recruitment and retention perspective and from an overall attitude perspective. He cited many of those topics would have come through PZC. First Selectman Bowsza indicated they talked about the developable properties list, outreach to businesses regarding concept reviews, and the Planned Development concept, the E.R.A.S.E. Grants, and some of the business showcase stuff that's happening on the website. First Selectman Bowsza noted the Town has gotten good recognition from the neighbors in the area about the things we're doing. One of the things he highlighted was having one of the major decision-making boards all on the same page and rowing in the same direction. He felt the support that the PZC has shown for the concept plans is going to pay off. First Selectman Bowsza wanted the Commission to know he appreciates their support and it's been shared with other towns as a success strategy.

Chairman Gobin suggested the Commission appreciates First Selectman Bowsza's support as well.

Discussion followed regarding the resignation of Building Inspector Stanley, and the retirement of long-time Building Permitting Clerk Powers, and the process going forward to mitigate impact on the department.

XVIII. EXECUTIVE SESSION: None,

XIX. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:09 p.m.

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

Respectfully submitted,

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