

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

**REGULAR Meeting #1822
March 8, 2022**

***THIS MEETING IS BEING HELD IN-PERSON
In the John Daly, Jr. Meeting Room,
Town Hall, 11 Rye Street, Broad Brook, CT.,
AND
VIA REMOTE ACCESS
via ZOOM Teleconference
Meeting ID: 714 897 1799***

MEETING MINUTES

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

I. TIME AND PHYSICAL PLACE OF MEETING:

Chairman Gobin called Regular Meeting #1822 of the East Windsor Planning and Zoning Commission dated March 8, 2022 to Order at 6:30 p.m. The Meeting is being held in-person in the John Daly, Jr. Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT., and via telconference as well.

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

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

ABSENT: No one; all Regular and Alternate Members present.

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, Heidi Alexander, Robert Arsenault, P. E, Arvind Persud, Gil Tougas, First Selectman Bowsza (7:53 p.m.), Peg (Margaret) Hoffman, Recording Secretary.

GUESTS/SPEAKERS present in-person: John Burnham, Jay Ussery, of J. R. Russo & Associates, Lorri DiBattisto, architectural consultant. Deputy First Selectman DeSousa, Abbott and Nancy Shultz, **Sign-in list of**

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attendees: Gale and Lester Boisvert, Richard and Angela Bevin, Carol Brennan, Mike Doran.

II. ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members and one Alternate Member were present in-person at the Call to Order. Chairman Gobin noted all Regular Members will participate in votes this evening, all Members will participate in discussions.

III. ADDED AGENDA ITEMS: None.

IV. LEGAL NOTICE:

Chairman Gobin acknowledged the following Legal Notices:

- **PZ 2022-01** Applicant: Walmart, 44 Prospect Hill Road proposes to construct a grocery pick up expansion and is requesting a reduction to the Bulk Parking Requirements previously approved under a General Development Plan. Map 092, Block 17, Lot 030, Zone M-1.

Journal Inquirer editions: February 11, 2022 and February 25, 2022.

- **The East Windsor Planning and Zoning Commission** is proposing zoning amendments pertaining to accessory apartments as an as-of-right use with single family residential units and a new Planned Commercial Development District, including uses, requirements, and design consideration.

Journal Inquirer editions: February 17, and February 24, 2022.

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

Chairman Gobin queried the in-person audience for comments regarding items/issues not posted on the Agenda. No one requested to speak. She then asked if anyone signed in remotely would like to offer comments; no one requested to be acknowledged.

VI. APPROVAL OF MINUTES:

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a. February 22, 2022:

Chairman Gobin asked if any of the Commissioners would like to make any revisions to the Minutes? Commissioner Gowdy indicated he would be abstaining from the vote as he was not present for that meeting; Chairman Gobin requested Alternate Commissioner Leason participate in the vote as he had been present. Chairman Gobin then called for a motion of approval.

MOTION: To APPROVE the Minutes of Regular Meeting #1821 dated February 22, 2022 as presented.

Kowalski moved/Thurz seconded/DISCUSSION: None.

**VOTE: In Favor: Gobin/Kowalski/Leason/
Sauerhoefer/Thurz**

Opposed: No one

Abstentions: Gowdy

VII. RECEIPT OF APPLICATIONS:

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

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

No requests presented under this Item of Business this evening.

IX. CONTINUED PUBLIC HEARINGS:

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

Chairman Gobin read the description of this Item of Business.

Chairman Gobin noted Planning Consultant D'Amato has given the Commission a new memo offering options regarding this application. She queried the Commissioners for comments; no one raised any questions.

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Chairman Gobin then asked the in-person audience if anyone present would like to comment; no one requested to be heard. She then offered the participants signed in remotely if they had any comments; no one requested to be acknowledged.

Chairman Gobin then called for a motion to close the Public Hearing on the application of Gil Tougas.

MOTION: To CLOSE the Public Hearing on Application PZ 2022-02 – 268 South Main St, Zone Change from B-2 to R-1, Owner/Applicant: Gil Tougas.

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz
(No one opposed/No abstentions)**

Chairman Gobin noted the vote on this Application will be taken up under **NEW BUSINESS**.

X. NEW PUBLIC HEARINGS:

a. Town Initiated Text Amendment: Planned Commercial Development Regulations (Section 817 – new)

Chairman Gobin requested Planning Consultant D’Amato to review this proposed Text Amendment with the Commission.

Planning Consultant D’Amato reported that a number of months ago the Commission started talking about creating a new type of zoning regulation which is a traditional Special Development District but offers the property owner two different paths to obtain approval. The proposal before the

Commission this evening would create the Planned Special Development District and offers a property owner or developer two paths for completion of their project which meets the eligibility requirements listed in subsection III.

Planning Consultant D’Amato indicated this alternative approach creates the Planned Development District, which must meet the following requirements:

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- The property must be located in an area designated as the Route 5 corridor, or the industrial core, or the northern business corridor in the most recently adopted POCD.
- The property must be a minimum of 4 acres in size.
- The property must be delineated on the applicant's Master Plan subject to approval by the Commission.

Planning Consultant D'Amato described the traditional path would involve a pre-application Staff conference, submission of a Special Use Permit and Zone Change application including a concept plan showing approximately 70% of the design work. The Commission would hold a Public Hearing on the Zone Change and the Special Permit, the Commission would then review and approve the Master Plan. After approval of the Zone Change for the property the applicant would then prepare a Site Plan at 100% design, that application would return to the Commission for approval.

Planning Consultant D'Amato suggested if the 100% plan meets the design criteria based on the 70% approval then the last step is a Site Plan approval. There is no Public Hearing, which benefits the property owner in moving the parcel to market more quickly.

Planning Consultant D'Amato indicated the alternative path would require the same steps, just in a different order. The Zone Change application comes in at the front at a 30% design plan level, a Public Hearing is held on the Zone Change only and the Commission reviews the submission in relation to the Master Plan. If the applicant receives approval they would return with their 100% design, and the Commission would then hold a Public Hearing on the Special Use Permit submission.

Planning Consultant D'Amato suggested the benefit of his pro-active approach to the property owner is it allows them to get the approval ahead of time without spending thousands of dollars on engineering and design work up front prior to acquiring a tenant. This pro-active approach will move the process along and get the sites shovel-ready.

Planning Consultant D'Amato suggested the difference between a Special Development District and a traditional approval is because under the Development District process if someone submits an application and the Commission approves a Master Plan and it shows the building to be 26 feet from the property line then that affectively becomes the zoning

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requirement for that project. The Special Development District creates little mini-zones for each project that it's approved under and each project is approved with bulk standards for that project. The project will be reviewed on its Master Plan rather than the Zoning regulations.

Chairman Gobin called for comments from the Commissioners, no one raised any questions.

Chairman Gobin indicated her understanding of this approach is to promote a new and creative way to get economic development in East Windsor. It appears the traditional path is slow and not effective for large developers, hopefully this alternative path will make East Windsor more development-friendly.

Planning Consultant D'Amato noted this approach provides the developer a 5% bonus if they build a green certified building which is incredibly efficient, we're requiring that they employ low-impact development standards for dealing with drainage which includes treatment of the water if necessary before returning it to the ground, and we included a provision for EV charging.

Chairman Gobin offered the in-person audience the opportunity to comment, no one requested to speak. She then offered the remote participants an opportunity to comment as well; no one requested to be acknowledged.

Chairman Gobin questioned if there were other documents that should go on the record? Town Planner Calabrese referenced a memo from **First Selectman Bowsza**, which she read for the record.

"Please accept these comments in support of the proposed Text Amendment adding Section 817 to the Town's Zoning Regulations. The intention of adding a Planned Commercial Development Regulations is to encourage economic development within the community. By adopting the regulations as presented the Commission can facilitate a more expeditious process on the part of the developers looking to bring new businesses to the community while continuing to meet Statutory and Regulatory oversight requirements necessary to protect the interests of the Town. These regulations will allow the Town to work pro-actively with property owners along economic development corridors as identified in the Town's Plan of Conservation and Development, perform conceptual development

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review, and then market properties for more unique development. This Text Amendment effectively allows the Town to develop a strategy that we've seen work in other communities to prepare projects for a shovel-ready status. We know that businesses, when considering locations, are concerned with the time from the beginning of an application and the completion of a project. We also understand that our new system in Connecticut can create a problematic development even under the best of circumstances. By passing these regulations we allow for a significant portion of the permit review process to commence prior to the final design plan.

Thank you for your consideration."

Chairman Gobin asked if comments had been received from CRCOG? Town Planner Calabrese reported CRCOG sees "no adverse impact on surrounding communities."

Chairman Gobin once again opened discussion to the in-person and remote audience; no one requested to speak.

Chairman Gobin noted the Commission has been discussing this proposal for some time, and is trying to make East Windsor more developer friendly for Route 5, Route 140, and the Industrial Park and facilitate development in those areas. She asked if the Commission was ready to close the Public Hearing on this Text Amendment?

MOTION: To CLOSE the Public Hearing on the Town Initiated Text Amendment: Planned Commercial Development Regulations (Section 817 – new)

Kowalski moved/Thurz seconded/DISCUSSION: None
**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz**
(No one opposed/No abstentions)

Chairman Gobin asked if the Commission was ready to adopt the proposed regulations?

MOTION: To ADOPT the Town Initiated Text Amendment: Planned Commercial Development Regulations (Section

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**817), adoption to be effective 15 days after publication
of Legal Notice of Decisions/Actions.**

**Kowalski moved/Thurz seconded/DISCUSSION: None
VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz
(No one opposed/No abstentions)**

**b. Town Initiated Text Amendment: Accessory Apartments As An As-
of-Right Use (Section 406 + 407):**

Chairman Gobin read the description of this Item of Business, and asked Planning Consultant D’Amato to review the proposal before the Commission.

Planning Consultant D’Amato reported these proposed regulations have been written in response to Public Act 21-29, which identified a long list of Legislative changes made during the last session. Towns can no longer require how large a home must be, so Section 406 relates to affected Building, Housing, and Health Codes. Section 407, which is the Town’s existing regulations for accessory apartments, is being modified to reflect Statutory changes which now prohibit Towns requiring accessory dwelling units by Special Permit, they must be allowed by right. We can no longer require the accessory dwelling unit to be in character with the neighborhood, or that the unit must be occupied by a relative of the owner.

Planning Consultant D’Amato suggested the proposed regulation revisions is now compliant with the current Statutes.

Chairman Gobin requested comments from the Commissioners.

Commissioner Kowalski questioned if items “f” and “j” were identical? Planning Consultant D’Amato concurred, noting one can be deleted from the proposed regulations.

Chairman Gobin noted this application is a Public Hearing, she asked if anyone from the in-person audience would like to comment?

John Burnham, 178 Scantic Road: Mr. Burnham questioned if this regulation also affects the lot sizes? He suggested all these two family

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houses with in-law apartments, it doesn't matter what the lot size is anymore? Town Planner Calabrese noted the units must meet the bulk and area requirements if it's detached. Mr. Burnham suggested he assumed an in-law apartment would be attached. Commissioner Kowalski indicated these regulations related to detached units. Mr. Burnham requested clarification that every 30,000 square foot lot can have two units on it?

Planning Consultant D'Amato referenced item "d" talks about the size, the difference between an accessory dwelling unit and a duplex is we are capping the size so this wouldn't allow someone to build an additional unit equal to the size of the primary dwelling. They still need to meet the Health Department requirements for septic if they are on an existing septic system, and they have to demonstrate they have adequate water. They also have to meet the bulk requirements, such as set backs and coverage. Planning Consultant D'Amato suggested the only real change is if you could put a shed in your back yard previously now that shed could be replaced with an accessory dwelling unit.

Mr. Burnham indicated he realized this is State mandated, but this regulation turns every single family lot into a two-family lot. You could double the housing in East Windsor and not create any new lots.

Commissioner Thurz questioned the utilities would have to be permanent? Planning Consultant D'Amato concurred, noting this is not like a temporary healthcare structure, this building would have to meet all of the building codes for insulation, water, electricity.

Mr. Burnham indicated he knows the Town must do this.

Chairman Gobin called for additional comments from the in-person audience; no one else requested to speak. She then offered the participants signed in remotely to comment; no one requested to speak.

Chairman Gobin asked if there were any other documents to be added to the record; had we received any comments from CRCOG? Town Planner Calabrese indicated CRCOG had commended us for making the change.

Chairman Gobin questioned if the Commission was ready to close the Public Hearing?

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MOTION: To CLOSE the Public Hearing on the Town Initiated Text Amendment: Accessory Apartments As An As-of-Right Use (Section 406 + 407).

Kowalski moved/Thurz seconded/**DISCUSSION:** Chairman Gobin indicated the Commission is required by the State Statutes to adopt these regulations, and a positive part of the intent is when someone has an elderly parent they need to care for it gives them a way to provide space at home if their lot is big enough and they can meet all the requirements. Planning Consultant D'Amato noted Staff had listed this as an As-of Right use but the applicant must still demonstrate compliance to Staff and obtain the necessary approvals; this isn't something someone can just go and do. The criteria will still be evaluated. Chairman Gobin questioned if someone would get a Zoning Permit before getting a Building Permit to do this; Planning Consultant D'Amato replied affirmatively.

**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz
(No one opposed/No abstentions)**

Chairman Gobin asked if the Commission was ready to take action this evening.

MOTION: To ADOPT the Town Initiated Text Amendment: Accessory Apartments As An As-of-Right Use (Section 406 + 407), with the elimination of J under Section 407; adoption to be effective 15 days after publication of Notice of Decisions/Actions.

Kowalski moved/Thurz seconded/**DISCUSSION:** Nothing further.

**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz
(No one opposed/No abstentions)**

XI. OLD BUSINESS:

a. PZ-2022-01 – 44 Prospect Hill Road – Site Plan Modification – (Walmart) Applicant: Susan Doerschlag:

Chairman Gobin noted the applicant, Walmart, has requested an extension until the Commission's April 12, 2022 Meeting. She noted that doesn't give the applicant a lot of time, as the decision would need to be made that

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evening. Town Planner Calabrese noted they have asked for a 65 extension on the application as well.

Chairman Gobin requested a motion to continue the application.

**MOTION: To CONTINUE Application PZ-2022-01 – 44 Prospect Hill Road – Site Plan Modification – (Walmart)
Applicant: Susan Doerschlag until the Commission's April 12, 2022 Meeting.**

**Kowalski moved/Thurz seconded/DISCUSSION: None
VOTE: In Favor: Gobin/Gowdy/Kowalski
/Sauerhoefer/Thurz
(No one opposed/No abstentions)**

XII. NEW BUSINESS:

a. PZ 2-2022-03 – 298 South Main St, Site Plan Review for New Construction Auto Sale, Applicant: Arvind Persud:

Chairman Gobin read the description of this Agenda item.

Joining the Commission remotely were Bob Arsenault, engineer for this project, and Arvind Persud, the property owner and applicant.

Chairman Gobin noted the Commission has received Staff comments; she also noted this proposal remains pending at the Wetlands Commission. Town Planner Calabrese reported the Commission has received comments from Town Engineer Norton, and an updated drainage report from Mr. Arsenault. Town Planner Calabrese suggested the biggest hurdle at this point is buffering.

Mr. Arsenault shared a survey of the property indicating their location on South Main Street. Mr. Arsenault then referenced the Site Plan, he noted he's revised the front radius to 26 feet as requested. The drainage discharge has changed based on Town Engineer Norton's request, they are now proposing a plunge pool and a level spreader. Because of the recent rainstorms Town Engineer Norton requested Mr. Arsenault to analyze the drainage for back-to-back 100 year storms. Mr. Arsenault reported he understands Town Engineer Norton is now satisfied with the drainage study. The soils for the bulk of the area are sand and gravel, especially

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where the drainage system is going. They will do test holes prior to construction, if the infiltration rate changes they have the flexibility to increase the system. The catch basin is a double chamber, which removes both soils and sediment. The site is served by sewer and water off of Route 5.

Mr. Arsenault reported portions of the mobile home to the north have been found to extend over the property line. The deck of the mobile home is 1 foot over the property line while the shed is 4 feet over. That's an issue with regard to the buffers.

Mr. Arsenault noted the South Windsor Town Planner has requested a row of arborvitae along the property line. They have revised the Landscaping Plan to include a row of 6 foot high arborvitae spaced 6 feet apart along a location referenced by Mr. Arsenault.

Regarding the lighting, Mr. Arsenault noted they are proposing 4 post lights in the locations identified in red, including locations to the front, rear and sides of the property. The fixtures have been revised to a Colonial style, on 14 foot high posts. They would be completely shielded so the light is cast within the site. Mr. Arsenault also noted they are proposing fixtures on the building as well, one facing Route 5, and others between each of the overhead doors on the side of the building.

Regarding the buffers, Mr. Arsenault referenced a blue line which represents a 50 foot buffer from the north property line, while the red line represents a 100 foot buffer. Both locations would render the site pretty much unusable. Mr. Arsenault indicated they're asking that the Commission substantially reduce the buffer requirement. Mr. Persud would be willing to install a 6 foot high vinyl fence along the property line to the north, and add additional plantings as well. Mr. Arsenault indicated his concern is the fence would be about 2 feet from the deck of the mobile home; his suggestion for the Commission's consideration would be to install the fence along the back of the pavement.

Mr. Arsenault noted previous comments from the Commissioners had addressed the aesthetics of the building. Mr. Persud joined the discussion, noting that on the front he was proposing commercial double glass doors, and the size of the window will be doubled as well. There will also be a canopy in front of the entrance. He noted Mr. Arsenault had mentioned the Commission would like the building to have different materials, Mr.

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Persud indicated he was ok with the building having the required curb appeal. Mr. Persud indicated when he submits construction plans it will be a more accurate visual of the building.

Mr. Arsenault then referenced a survey done on the property some time ago. He noted the mobile home was built over the property line but that's been corrected, except for the shed. Mr. Arsenault indicated he mentions this because there's been discussion of the possibility of fill having been added in the rear. He felt the owners of the mobile home felt this was their back yard; when Mr. Arsenault does the test holes they'll be able to tell how much is fill and how much is native soils. Mr. Arsenault also noted there are a lot of trees of substantial size, he doubts that filling occurred recently. The size of the drainage system can be increased if necessary.

Regarding parking, Mr. Arsenault indicated they are currently proposing 12 spaces vs. the required 14. They had assumed they could include 3 spaces in a location referenced by Mr. Arsenault near the building; he also noted parking will be available within the building for the cars being worked on. Mr. Arsenault noted Mr. Persud doesn't propose to do any body work or painting at this location; it's strictly repair and sales. Mr. Persud contracts out the body work and painting to another company.

Mr. Arsenault noted they're scheduled to appear before the Wetlands Commission on April 6th.

Mr. Arsenault requested questions from the Commissioners.

Town Planner Calabrese noted Staff made the same assumptions as Mr. Arsenault regarding the requirement for 14 parking spaces, on a subsequent review they have decided the required parking would be 9 spaces – 6 plus 1 for each of the bays based on building size. They wondered if any vehicle storage was proposed on the property? Also, is there adequacy for emergency vehicles?

Chairman Gobin questioned if Town Planner Calabrese and Planning Consultant D'Amato felt the buffer could be legally reduced? Town Planner Calabrese felt the Commission could go from 100 to 50 feet with the addition of plantings. Planning Consultant D'Amato indicated the buffer can't be reduced beyond 50 feet by the PZC, it would require a Zoning Board of Appeals application for anything less than 50 feet. The

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buffer requirements change based on the use of the property. Mr. Arsenault reiterated a 50 foot buffer would pretty much render the property unusable.

Commissioner Thurz questioned if one of the parking spaces referenced by Mr. Arsenault should be striped if it's a handicapped spot? Mr. Arsenault replied it's a handicapped spot. Commissioner Thurz also noted the need for the submission of a Photometric Plan indicating no light spillage to the adjacent properties. Mr. Arsenault indicated he had planned to submit that along with the construction drawings.

Chairman Gobin noted the various pending items, including the appearance before the Wetlands Commission. She thanked Mr. Arsenault for updating the Commission on this application. Town Planner Calabrese advised Mr. Arsenault she'll discuss the ZBA application with him tomorrow.

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

Chairman Gobin noted the Commission has received a Staff memo proposing two paths for the Commission to consider – one option is approval if the Commission feels the proposed change would be consistent with the Town's POCD, while the second option would be denial. A third consideration suggested by Commissioner Kowalski and Planning Consultant D'Amato would be to allow an additional residence if there was a commercial use on the first floor.

Gil Tougas, the applicant, joined the Commission virtually.

Chairman Gobin called for comments from the Commission.

Commissioner Kowalski requested a clarification if occupancy would be allowable when there's an absence of a commercial use, are the dwellings an accessory use? Discussion followed. The Commission felt one unit should be set aside for a commercial use.

Chairman Gobin requested a motion.

MOTION: To DENY Application PZ-2022-02 – 268 South Main St, Zone Change from B-2 to R-1, Gil Tougas.

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Findings:

- 1. The Zone Change request is not consistent with the Plan of Conservation and Development.**
- 2. Section 502(6) of the Zoning Regulations would allow for the establishment of an additional residential unit below the first story commercial unit by Special Use Permit subject to the listed criteria without the need for a zone change.**

Kowalski moved/Thurz seconded/DISCUSSION: None

**VOTE: In Favor: Gobin/Kowalski/Thurz
Opposed: Gowdy/Sauerhoefer
Abstained: No one**

XIII. OTHER BUSINESS:

a. Informal Discussion East Windsor Historical Society:

Joining the Commission in-person was Jay Ussery, of J. R. Russo & Associates, LLC, and John Burnham, representing the East Windsor Historical Society. Later in the presentation Mr. Russo was joined by Lorri DiBattisto, architectural consultant.

Mr. Ussery shared plans with the Commission during the in-person presentation. Mr. Ussery described the location of the property, indicating the Academy as the anchor building located on Scantic Road. He noted the property has been approximately 2 acres for decades. An opportunity came along about 5 or 6 years ago for the Society to purchase about 36 acres which had been part of the Morell Farm behind the Society. Most people knew the property as David Tyler's, he married Beverly Morell; they retired and moved out of town and sold 36 acres of their property to the Historical Society, while cutting out 6 acres and the Tyler home to another property owner. The Society now owns all of the farm buildings, including a dairy barn which dates back to the early 1900s, 2 other farm barns, and a newer building that Dave was using to board horses.

Mr. Ussery noted an issue for the Society is sustaining the Academy and its related buildings. While the Society has depended on membership and donors they're looking to potential uses of the new property to generate income going forward. Mr. Ussery noted there are some B-1 and B-2 uses surrounding the Society, but it's been an agriculturally zoned property for

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100 years. Mr. Ussery indicated he met with Staff, and reviewed the Farm Regulations, Mr. Ussery gave the Commissioners a handout which identifies sections of the Farm Regulations, and how they could be interpreted. Mr. Ussery then discussed the following Sections:

Section 305.1 - first paragraph – Purpose: (adopted in 2011) – to promote preservation of agricultural land and support agriculture as an important viable business and lifestyle in the Town of East Windsor while preserving public health, safety and welfare.

Mr. Ussery noted the Society has a long-term lease with a local farmer to continue to farm the hay areas on the Society's property. Mr. Ussery referenced the lease locations on the Site Plan.

Section 305.7, page 21 - other related uses. Mr. Ussery referenced sub-section "b" – uses requiring a Special Use Permit, then Item #5 – event hosting, such as banquet and rental facilities. Mr. Ussery suggested the Society had considered using one of the buildings as a rental facility to generate income. Discussion amongst the membership considered having a Farmer's Market which is in keeping with the farm use. Other potential events considered were Future Farmers and 4-H events, a horse show, agricultural products of East Windsor, the ice cream social which is an annual event currently, hosting organizational events for the Rotary or Lions Club, hayrides, adult educational classes, location for blood drives, an emergency preparedness facility for the Town, graduations for the high school, youth sports, Veterans events, weddings, and high school reunions, cross country and hiking paths, and other uses that could potentially fit.

Mr. Ussery indicated they're looking to use the largest building, which had been used for a horse barn and contains 8,600 square feet. Renovations would include bringing in sewer, Mr. Ussery noted they currently have an application before the WPCA. They need to put in parking, paving, landscaping, buffers and screening, lighting, and drainage. Mr. Ussery indicated they wanted to come before the commission with this informal discussion so the commission could think about it and provide the Society with feedback before filing a formal Special Use Permit application.

Mr. Ussery then introduced Lorri DiBattisto, who discussed the architectural improvements. Ms. DiBattisto noted the building is currently a metal building, the proposal is to cover it with foam and then wood to

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give it a barn motif. The north façade would include a 12 foot by 12 foot glass entry and portico area, they're proposing to install a concrete floor to accommodate events, bathrooms and showers should the Town use the building for emergency situations. The southeast side will be all windows and glass, the westside would include a large door and a kitchen area. Their goal is to look at using solar energy, and geothermal for cooling and heating, radiant heat would be included in the concrete floor.

Commissioner Sauerhoefer suggested geothermal is expensive; Ms. DiBattisto concurred, but noted it has a long life. Commissioner Thurz felt the cost for geothermal was prohibitive, Ms. DiBattisto gave examples of organizations currently using geothermal. Commissioner Sauerhoefer questioned where the utilities would be located, Mr. Ussery indicated all utilities, including the sewer, would be located on the east side of the building. Mr. Ussery believes they'll be able to use the existing well. They also intend to install a generator as part of the utilities. Mr. Ussery reiterated the potential use of the building as an emergency facility if the need arose.

Commissioner Kowalski questioned that the building was free-standing truss construction? Mr. Ussery concurred. Noting the potential use for sporting events Commissioner Kowalski questioned the clearance to the bottom of the trusses? Ms. DiBattisto replied ?????????

Commissioner Thurz cited the biggest concern would be the abutters. Mr. Ussery agreed; he noted that he understood John Burnham had personally contacted the abutters, who are all present in the audience this evening. Mr. Ussery indicated the Society's intent is to make the abutters part of the plan for what they do there. Mr. Ussery suggested there are safeguards built into the regulations regarding buffers. The intention is to provide a 50 foot buffer, with plantings and screening, the building will be spray foam insulated which will reduce noise as they'll need to meet required decibel levels at the property line, and the west wall, which faces the two closest residences, will be a solid wall without doors or glass with sheeting on the inside and outside and spray foam insulation.

Commissioner Kowalski questioned if the previous events been done with temporary permitting? Mr. Ussery noted he's a member of the Historical Society but he doesn't know.

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Several of the abutting residents were present. Mrs. Boisvert began discussion from the audience. Chairman Gobin clarified that this is not a formal application but rather an FYI discussion for everyone to learn about the potential project.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert reported she, and her husband, Lester, live in the old parsonage, which directly abuts the property; the blue barn is 80 feet from their back door. She suggested that any large event would severely impact them. You're talking about events such as reunions and weddings which will produce noise. If they're looking to bring income in does that mean every weekend? Friday and Saturday, with 200 people, 80 feet from her back door, loud music, drinking. It impacts everyone in Scantic on all of those roads. We have a lot of bicyclers, joggers, and walkers. Events like that would severely impact them. If you put up outdoor lighting that's shining half the night; now that's shining into our yard. When they did the Osborn House it took them a year to turn off lights that were on until midnight.

They have a lot of concerns. They're reaching out to all the neighbors, not just the abutters, with that kind of traffic and potentially those types of conditions it's just not impacting us directly.

Chairman Gobin questioned that the traffic would be on the State Highway (Scantic Road)? Commissioner Thurz suggested the entrance is proposed for Cemetery Road.

Commissioner Gowdy questioned if permits were pulled for these other events?

John Burnham, 178 Scantic Road, speaking on behalf of the Historical Society: For the past 20 years they've had an ice cream social, which started off with a ding-dong cart and 2 boxes of ice cream sandwiches, and it got much bigger. You question if we came in for a Special Use Permit, I'm going to say no. If you've never seen me before we probably didn't. We got the cop, and the port-a-potties and the rest of it, but... Beyond the ice cream social, the Society is all volunteers.

Mr. Burnham noted the Osborn House was a big undertaking. As a volunteer he suggested most of the people there, it takes time to complete it and get it right. We've always tried to be responsive.

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To answer Commissioner Gowdy's question Mr. Burnham would bet that not everything that's happened there has had a permit.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert indicated she was advising the Commission, she could confirm, because she asked, that a wine tasting was held there before the pandemic. She went over because she was concerned because they were serving alcohol. She asked the person serving, and he couldn't run away from her fast enough. She assumed the answer was no because he couldn't say yes, she gave him credit for not lying.

Commissioner Sauerhoefer indicated he understands needing a permit for alcohol, but he questioned the need for a permit for an ice cream social? Town Planner Calabrese suggested it would a temporary event permit if the activity is open to the public. Discussion followed regarding various events. Commissioner Sauerhoefer cited he's just as guilty as the Society, they've had a walk for 11 years (Abby's Helping Hand) and they've never even knew we had to pull a permit. We didn't sell alcohol but we've had attendance up to 1,000 people.

Lester Boisvert, 112 Scantic Road: Mr. Boisvert questioned if there was a Site Plan for this project? Chairman Gobin noted this is an informal discussion. Mr. Boisvert suggested they've been working on it for 6 months without any plan at all, he cited a neighbor who couldn't get water to his house because of all the excavation going on there. Regarding the drainage, there's no gutters on the barn, he noted removal of trees which made the area swampy. He noted they also cut down trees when they purchased the church property, and some on Town property. If they want to build this, if they want to buy my house I'll be out of there.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert suggested it's been agricultural, how would you feel – it had been rezoned, maybe 25 or 30 years ago, she thought it had originally been residential. We were for it, agricultural, great, we'll never see another house back there. With this plan, I'd take 30 houses behind me before I'd take this. Think about it, if you had a building this size, that could house 200 to 300 people 80 feet from your doorstep with the potential for a couple of activities there a couple of times a weekend – how would you feel? And how's your quality of life going to be affected?

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Lester Boisvert, 112 Scantic Road: Mr. Boisvert recalled when Ellsworth (Stoughton) was around he had his water company there, and that was all an aquifer. And then Dave (Tyler) comes in and gets on the Wetlands Commission and he builds a barn there. My mother went nuts. The other 2 barns, he didn't even pull a permit. I went to Town Hall to check and he didn't have a Building or a Zoning permit.

Unidentified speaker: He suggested this will be in their back yard, and if they want to enjoy their back yard they won't be able to. Commissioner Gowdy requested clarification that the speaker wasn't against the concept, but just not in his back yard?

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert suggested there's a lot of property on Route 5 and Route 140 that this type of development is good for. It's commercially zoned. That's what they're turning this into, a commercial effort under an agricultural Special Use Permit. She noted the Commission just denied someone a commercial use on South Main Street because it doesn't fit in with your plan. She questioned that this commercial use in a basically residential zone.

Regarding the comment he made about a couple of the lots are B-1, Mrs. Boisvert indicated her house is a B-2 and it was zoned like that so the people who owned it 40 or 50 years ago could have a nursery school in it. Mr. Stoughton's property was zoned the same way, he had his Historic Society and he rented an apartment. It wasn't like some big business-zoned property.

Abbott Schultz, 9 Cemetery Road: To put a little bit of a positive spin on this, he and his wife also had some of the same emotions when this idea was first brought to them, they were a little overwhelmed. We thought, oh my God, rock concerts every week, and other promotions. When you break down this list a little and see what the possibilities are – some of the things we can do for our kids using this kind of event, Mr. Schultz felt it would be a really good use of the property to bring in the kids and show them a different life and different things – like the 4-H events and the Farmers' Markets – these are just possibilities. It's not going to be 7 days a week until midnight, rock concerts and everything. Mr. Schultz indicated he can understand everyone's concerns that are closer to this, we're not as close to the blue barn as everyone else is. But I think it would be a great addition, especially for the children and getting involved with the schools, and maybe utilizing it in that kind of a way.

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Gale Boisvert, 112 Scantic Road: Mrs., Boisvert indicated they said it was a way to fund their expenses, the question she would ask is are they going to charge the Town for all of those events, because if they aren't those wouldn't be the key events they would go after, it would be weddings and those type of events where you can make a fortune. If you're just renting out a barn and people are responsible for getting their own caterers, etc. then it would be a flat rate, and that's where the big concern comes in.

Mr. Schultz, 9 Cemetery Road: Mr. Schultz suggested that's one out of 30 possibilities that may, or may not, happen at that facility. He suggested you could do a nice craft show where you could charge a fee and for the people coming through and maybe the parking. He suggested there's many ways to generate income that don't include a wedding.

Lester Boisvert, 112 Scantic Road: Mr. Boisvert suggested with all that land they could move the building. I'm saying not in my back yard.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert suggested they could do it on Route 5, or Route 140. She suggested the person who is funding this owns half of Route 5, they could find property there where you could see the river but there's pasture-type land out that way, it's a commercial zone. This goes back to this is a commercial enterprise on agricultural land. They're doing it to make money to fund themselves, how is that part of the plan of the Town?

John Burnham, 178 Scantic Road: Mr. Burnham noted he called the abutters – the Boisverts, Scott Daniels who is a relative of the Onofrios and owns the horse farm, Bill ????? who has the 20 year farming lease with the Society, and I talked to Richie. I told them they may, or may not, have an opportunity to speak because sometimes the meetings run until 11 o'clock.

Commissioner Gowdy noted you purchased this property and you're looking for some ways to make some money, could you give me a general background of the financial status of this project or where the money is coming from? Mr. Burnham indicated donations, and we're applying for grants, and seeking support for (Senator) Anwar, and (Representative) Hall, and (First Selectman Bowsza)/Jason. He noted he understands they'll irritate some of the neighbors but they'll put in the buffers and fences, and follow the zoning requirements – they already put in the

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arborvitae this Summer. Mr. Burnham noted it costs money to run the show, it's about \$75,000 a year to pay for the electricity and insurance and other expenses. Chairman Gobin noted there are a lot of volunteers doing the labor as well; Mr. Burnham concurred. Mr. Burnham gave a comparison to the operations at Scout Hall, noting that in the beginning half of the building was rented out and half was given to the youth groups of East Windsor free forever. This is sort of based on that model. We want to have the displays and promote the history of the Town, that's our 501(c) mission but we also need to provide funding to keep this alive.

Commissioner Kowalski addressed the rentals, he felt there were several permits associated with that. Even if the Commission approves a Special Use Permit you still need to pull a liquor permit and a food permit, and others. If the Commission grants the Special Use Permit how can they guarantee the other permits are obtained? The Commission wouldn't know when it's rented out so we can follow up on the other permits. Commissioner Thurz cited the Scout Hall model.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert suggested no one is going to have a wedding at Scout Hall, this is purposely geared towards large gatherings. Mr. Burnham reiterated the events held at Scout Hall, ranging from little kid's birthday parties to graduation parties, and corporate training events and OSHA training, all of which could happen in the Historical Society building and generate income for the Society.

Commissioner Gowdy questioned who pays for the police for the events, will that come from the taxes? Commissioner Kowalski suggested that would be part of the additional permits.

Gale Boisvert, 112 Scantic Road: Mrs. Boisvert thanked Mr. Burnham for being sensitive to the concerns of the abutters, but she suggested she wouldn't be so quick to dismiss alcohol consumption at large events. She suggested half of the people attending a wedding leave inebriated, which means they'll be on the roads around them. Mrs. Boisvert suggested they'll be more opposition once they share information with others.

Commissioner Kowalski requested clarification that it's the noise you're concerned about? Mr. Boisvert indicated it's the privacy of being in our back yard. Mrs. Boisvert indicated it's traffic on the roads, possible alcohol consumption, noise events on a regular basis, lighting spilling into

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the yard, she questioned the ability to provide a buffer, and didn't consider one row of arborvitae enough.

Chairman Gobin indicated all those things would be taken into consideration if they submit a project. It's good they've heard your concerns so they can factor them into their plan. The Boisverts questioned that the Society can't do any more excavation or sell topsoil until they acquire permits? Town Planner Calabrese reported she's been out there in response to the complaints, and if they keep under 100 cubic yards. Mr. Burnham clarified that the material they've removing from the barn is being spread elsewhere on the property. Mr. Burnham reported that some of that material came out of the inside of the barn (manure), which had nothing to do with excavation. The stuff kept on site is spectacular topsoil, none of which has been sold. There's 20 acres of farmland that we'd like to maintain.

Chairman Gobin suggested that the Commission appears to have completed the informal discussion. Mr. Ussery thanked everyone for listening to the discussion; he hoped to receive feedback from the Commission and Staff. Mr. Ussery also thanked the neighbors for coming to voice their concerns which will be taken into consideration. Mr. Ussery felt prior to the Commission seeing a formal application another informal discussion might be requested, and you may see a meeting with the neighbors as well.

John Burnham noted he's invited Town Planner Calabrese and the Building Officials to the property, he invited the Commissioners to call him or stop in to see the property for themselves, he'll give you a tour of the whole facility.

XIV. CORRESPONDENCE: None.

XV. BUSINESS MEETING:

Nothing presented this evening.

Chairman Gobin asked if First Selectman Bowsza, who had signed in remotely, had any comments? First Selectman Bowsza replied he had nothing to add.

XVI. EXECUTIVE SESSION: None.

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XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:30 p.m.

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

Respectfully submitted,

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