

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

**REGULAR Meeting #1824
April 12, 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 #1824 of the East Windsor Planning and Zoning Commission dated April 12, 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 were present.

GUESTS/SPEAKERS present in-person: Director of Planning and Community Development/Town Planner Ruth Calabrese hosted the meeting. Also present was Planning Consultant Michael D'Amato, and Deputy First Selectman Marie DeSousa.

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GUESTS/SPEAKERS present remotely identified as they sign in: Diana Steelquist, W D Partners, and Christian LaPointe, W D Partners, representing Walmart; Robert Arsenault, P. E., representing Arvind Persuad/New Construction Company, LLC., Arvind Persuad, applicant; Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISH QUORUM:

Chairman Gobin noted a quorum was established as five Regular Members and one Alternate Member were present at the Call to Order. Chairman Gobin noted all Regular Members will participate in discussion and votes this evening; Alternate Member Leason can participate in discussions as well.

III. ADDED AGENDA ITEMS:

Director of Planning and Community Development/Town Planner Calabrese requested the addition of the following items under **RECEIPT OF APPLICATIONS:**

- **PZ 2022-04 18 Griffin Road – Mario Costa, establishment of a dog kennel.**
- **PZ 2022-05 49 South Main Street, Wynwood Apartments, Site Plan approval for construction of an accessory structure for mail kiosk at the apartment complex.**

MOTION: To ADD Application PZ 2022-04 and PZ 2022-05 under **RECEIPT OF APPLICATIONS.**

Kowalski moved/Thurz seconded/DISCUSSION: None.

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

IV. LEGAL NOTICE:

Chairman Gobin noted for the record the following Legal Notice regarding the application for Walmart at 44 Prospect Hill Road, which will be discussed under **NEW PUBLIC HEARINGS.**

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EAST WINDSOR PLANNING & ZONING COMMISSION

The East Windsor Planning and Zoning Commission will hold a public hearing on Tuesday, March 8, 2022 at 6:30 p.m. Details regarding how to attend will be published on the Commission's Agenda and will be made available on the Town's website.

PZ-2022-1 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.

A full copy of the application is available on the Planning and Zoning Commission's webpage of the Town website. All interest persons may attend this meeting and provide verbal or written comments to the Board regarding this application.

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

V. PUBLIC PARTICIPATION:

Chairman Gobin queried the in-person audience for comments regarding items/issues not posted on the Agenda. No one requested to speak. Chairman Gobin then asked if any of the remote participants had any comments or questions; no one requested to be acknowledged.

VI. APPROVAL OF MINUTES:

a. March 22, 2022, Regular Meeting of PZC:

Chairman Gobin questioned if the Commissioners had any comments or revisions to the Regular Meeting Minutes dated March 22, 2022; no one requested any revisions. Chairman Gobin noted she would be abstaining from voting on the Minutes as she had not attended that meeting, she requested Alternate Member Leason to participate in the vote instead.

MOTION: To APPROVE the Regular Meeting Minutes of Meeting #1823 dated March 22, 2022 as presented.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

VII. RECEIPT OF APPLICATIONS:

Chairman Gobin acknowledged the following new applications to be received tonight, and requested a motion for receipt.

- **PZ 2022-04 18 Griffin Road – Mario Costa, establishment of a dog kennel.**
- **PZ 2022-05 49 South Main Street, Wynwood Apartments, Site Plan approval for construction of an accessory structure for a mail kiosk at the apartment complex.**

MOTION: **To RECEIVE Application PZ 2022-04 and PZ 2022-05.**

Kowalski moved/Thurz seconded/DISCUSSION: None.

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

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

- a. **Request from the Town of East Windsor to extend the required 90 day filing period for mylars associated with the South Road Subdivision:**

Director of Planning and Community Development Calabrese advised the Commission the Town has been working on the easements for the sewer associated with the South Road Subdivision, but the work is not yet complete. The Town is requesting a 60-day extension for filing the mylars to enable the Town to transfer the properties from the Town to the homeowners.

Commissioner Kowalski questioned that the PZC is the agency that should be approving this extension. Director of Planning and Community Development indicated the mylars are filed by the Planning Department,

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although the work is related to the sewer the filing of plans falls to the Planning Department in this case.

MOTION: To APPROVE A 60 DAY EXTENTION of the 90-day filing requirement for filing mylars for the South Road Subdivision.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

IX. CONTINUED PUBLIC HEARINGS: None,

X. NEW PUBLIC HEARINGS:

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

Chairman Gobin read the description of this Agenda item.

Joining the Commission remotely were Diana Steelquist, W D Partners, and Chris LaPointe, W D Partners, representing Walmart.

Chairman Gobin noted the Commission will open the Public Hearing, and take comments from the applicant and the Commission. She explained the process for the Public Hearing, which includes acknowledging the documentation received, and taking comments from the applicant, commissioners, and public. The Commission will consider the discussion which will occur, and may or may not close the Public Hearing this evening. A vote on the application will follow the close of the Public Hearing.

Chairman Gobin noted receipt of the following documentation for the record.

- Legal Notice read at the opening of the meeting this evening.
- Application and Plans dated October 8, 2021 which were received March 11, 2022.

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- Memo from Director of Planning and Community Development Calabrese and Planning Consultant D'Amato dated January 12, 2022 and revised 2/03/22 and 4/5/2022.
- Correspondence dated 3/9/2022 from Christian LaPointe, Senior Project Designer Architecture & Engineering, of W D Partners to the Town of East Windsor responding to Staff comments.

Chairman Gobin opened discussion to the applicant.

Ms. Steelquist noted she and Mr. LaPointe are presenting plans on behalf of Walmart to amend the General Development Plan. Ms. Steelquist reported they are seeking approval for a 5920 square foot addition to the southeast side of the building, and associated parking, to accommodate Walmart's online grocery sales. Ms. Steelquist noted the way people shop today has changed, Walmart is adding this service to enable people to pick up their groceries they've ordered online.

Ms. Steelquist noted this is the second time this request has come before the Commission. In January they received Staff comments regarding parking concerns, outdoor lighting, and landscaping concerns. They had requested time to address those comments, and are before the Commission to share their proposal.

Ms. Steelquist noted they received comments from Chairman Gobin regarding energy sustainability and the addition of electrical vehicle charging stations. Ms. Steelquist noted the existing store has a lot of solar panels on the building roof, Walmart considers this project as being very sustainable already. While Walmart continually evaluates their properties they have requested that any discussions regarding energy upgrades, but because of the tight schedule regarding this expansion they have requested that any discussions regarding energy occur separately from this expansion project. Ms. Steelquist requested the contact information for Paul Farrell, who had been identified by Chairman Gobin. Ms. Steelquist noted the current regulations don't require inclusion of EV charging stations, while she commended Chairman Gobin for looking ahead for the community Ms. Steelquist indicated they can't include the EV charging at this site at this time. Ms. Steelquist shared a page from the Site Plan showing the rooftop solar units currently in place.

Ms. Steelquist reported this project is for a 5,920 square foot addition for online pick up and associated parking, noting people will be in and out in 20 minutes. She noted that one of the concerns at the earlier meetings related to the parking

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requirements. To address that concern they've added 15 parking spaces at the back of the property.

Ms. Steelquist indicated she's reviewed the Staff memo regarding this project. They're willing to accept the conditions noted.

Ms. Steelquist DS queried the Commissioners for questions.

Commissioner Kowalski:

- ***Service expansion vs. new service:*** Commissioner Kowalski requested clarification that the service under discussion is an expansion of an existing service rather than a new service. Ms. Steelquist replied affirmatively, noting they are now dedicating 5,920 square feet specifically for that use.
- ***Parking related to pick-up service vs. entire site:*** Commissioner Kowalski noted with the conversion of the current parking spaces to pick-up spaces has any consideration been given to traffic control? He noted people are accustomed to entering the southeast entrance, this area will now be heavily blocked by Walmart employees delivering goods to pick-up customers, will there be anything to discourage people from using that entrance to drive around the building to other parking? Ms. Steelquist suggested they'll have directional markings on the pavement, and maybe some signage, but they don't plan to install any bollards or curbs. They'll also have the walkways marked with a grid pattern. Commissioner Kowalski suggested so it will continue to be a two-way traffic pattern.

Commissioner Gowdy:

- ***Parking for tractor trailers:*** Commissioner Gowdy suggested you can see on the plan you have parking for trailer trucks in that area. If you have two trailers parked side by side you won't be able to have two-way traffic. Ms. Steelquist noted the width of the drive aisle will still be 24 feet.

Commissioner Kowalski:

- ***Traffic circulation:*** Commissioner Kowalski suggested currently people use the space near the building for pick-up parking, if you now propose people crossing the aisle for those additional pick-up spaces he would consider making it a one-way aisle for the safety of Walmart employees. Ms. Steelquist suggested they could amend the Site Plan if one-way traffic is required entering the area. Discussion continued regarding Commissioner Kowalski's concern for employee safety crossing the drive aisles. Ms. Steelquist suggested they can make 7 spaces near the 5,920

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square foot addition as dedicated pick-up parking spaces. Commissioner Kowalski questioned that they only need 7 spaces? Ms. Steelquist referenced the additional parking spaces being provided in the rear of the new addition. Commissioner Kowalski reiterated for your pick up service, how many spaces do you need designated for pick up of goods?

Christian LaPointe, also from W D Partners, requested to join the conversation. Mr. LaPointe referenced the Site Plan, noting the spaces indicated on the plan as double striped is dedicated to pick-up parking. He suggested they need 38 parking spaces for current operational loads. Commissioner Kowalski questioned that those spaces will be on the opposite side of that drive aisle? Mr. LaPointe replied affirmatively, noting the spaces will be on both sides, as well as in the front, and on that traffic island. Mr. LaPointe noted Walmart provides pedestrian crossing signs, and provide training to associates/employees for crossing traffic as well as visibility vests. Commissioner Kowalski questioned what about the employees bringing carts out across that aisle, do you feel the need to do some type of restriction of the traffic pattern so they're not crossing the two-way traffic? Mr. LaPointe felt they would already be crossing to the pick-up spots. Commissioners Kowalski, Thurz, and Chairman Gobin clarified that currently the pick-up parking spaces are next to the building. Mr. LaPointe cited Walmart has other locations with parking spaces on both sides, and they do provide training where employees would be crossing an active traffic aisle, there is notification signage to drivers that there is a pedestrian crossing. Commissioner Kowalski reiterated his concern for employee safety, Mr. LaPointe indicated he'll bring this concern to Walmart's civil engineer to look into additional "traffic calming" methods. He suggested they may be able to restrict the lanes to one-way traffic or add additional stop bars. Commissioner Thurz joined Commissioner Kowalski in his concerns, noting many local people use this back entrance.

Chairman Gobin:

- ***Adequacy of site parking/traffic analysis:*** Chairman Gobin recalled the Commission raised concerns for the adequacy of the parking during peak times of the year, and when you eliminate parking spaces for garden supplies each season, she questioned if a traffic analysis was done regarding the adequacy of the overall site parking? Mr. LaPointe cited they've added 15 parking spaces to maintain the General Development Plan requirement.

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Commissioner Thurz:

- ***Dedicated employee parking and inclusion of lighting:*** Commissioner Thurz indicated he would like to see the parking in the back dedicated as employee parking, so people would only be accessing that parking twice a day, and, he doesn't see any lighting in the back parking area. Mr. LaPointe suggested they are proposing an additional pole light near the building as well as the existing pole light along the greenway to the south. He questioned if Commissioner Thurz was requesting an additional pole at the 15 parking spaces? Commissioner Thurz replied affirmatively, and reiterated his request that those spaces be designated as employee parking. Mr. LaPointe cited Walmart color codes the employee parking spaces.

Chairman Gobin:

- ***Traffic study:*** Chairman Gobin reiterated her question if the site has been analyzed for traffic adequacy for this business use? Commissioner Sauerhoefer questioned what could be done with the loss of parking spaces for the seasonal goods, he suggested the loss of that many spaces is terrible, 3 lanes on the north side are taken up by seasonal goods each year. Ms. Steelquist indicated Director of Planning and Community Development Calabrese had advised her that Walmart applies annually for the use of 38 parking spaces for the seasonal goods. Chairman Gobin cited the loss of the 3 rows for the seasonal goods, she reiterated the Commission could ask for a traffic analysis. Discussion continued, Ms. Steelquist felt the people using the pick-up parking won't be onsite for an extended length of time, Commissioner Kowalski felt those spaces haven't been included in any analysis of people walking into the store to shop. Ms. Steelquist cited the overall parking spaces number 748.

The Commissioners reiterated their concerns regarding the overall parking adequacy, taking into account the seasonal loss of spaces, and acknowledging that the parking lot is often full most of the time. Commissioner Kowalski requested clarification that the pick-up parking spaces haven't been included in an analysis of the total site as the intent is to not allow people to park in those spots and enter the store to shop? Ms. Steelquist indicated those spots will be designated in some way, either by striping or otherwise, as for pick-up parking only. Planning Consultant D'Amato questioned the Commission's concern – is it that there isn't enough parking on the site, or we don't like this layout, or we don't feel there's enough parking dedicated to this pick-up? Chairman Gobin suggested the concern was the shifting of the parking from in-store customers to the pick-up parking, if there are fewer customers in the store then that works but if the site maintains status quo the parking is tight already. If the pick-up spaces aren't used

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then you're shorting the parking, plus the 3 rows of garden supplies. Planning Consultant D'Amato felt the answer was signage, in theory if anyone wanted to park in that corner of the property and walk in they could. Chairman Gobin questioned if the pick-up parking spaces are under utilized then could overflow parking use those spaces? Ms. Steelquist reiterated the pick-up parking spaces will be marked as pick-up spaces.

Director of Planning and Community Development Calabrese suggested the General Development Plan calls for 4 spaces per 1,000 square feet of building area, and they're meeting that requirement by what they're proposing. If Walmart is no longer using the site based on this building size the parking is doable. They're not actually seeking a reduction in parking at this time, Ms. Steelquist concurred. Commissioner Sauerhoefer reiterated his comments regarding the current condition of the site being packed most of the time, and we're reducing the parking by the 38 pick-up spaces, and the further reducing the parking due to the seasonal use for gardening supplies. Commissioner Kowalski suggested the Commission require Ms. Steelquist acquire a traffic study for the request for the seasonal reduction. Ms. Steelquist asked if the Commission would prefer that they do a traffic study for this expansion and also for the seasonal use? Commissioner Kowalski suggested he would like to see a traffic study based on the use of the eastern entrance, as he felt people were under-estimating it's current use. Discussion kept circling around the change in use of shopping habits, which has led to the proposal before the Commission.

Chairman Gobin queried the in-person audience for comments.

Deputy First Selectman DeSousa: She didn't feel the comment about closing off the tractor trailer parking area with a chain-link fence was appropriate as the trailers enter and exit through that access. She felt if that area was closed off then they would go through the parking lot which would create another traffic hazard. She felt designating the 15 parking spaces for employees would take care of that concern. She felt people are parking across from the parking spaces along the building with the signage because there's not enough room. Now it will be marked. Deputy First Selectman DeSousa felt people would cut across the back side of the pick-up parking spaces to get to the front of the building.

Chairman Gobin then queried the online participants for comments; no one requested to be acknowledged.

Chairman Gobin suggested it appears the issues regarding safety on the site and the traffic concerns aren't fully resolved, she questioned the Commission's

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preference for delaying the traffic study on the seasonal display, or continuing the Hearing and let the applicant continue working on the issues. She queried the Commissioners for comments regarding moving forward with the Public Hearing.

Commissioner Sauerhoefer continued discussion on methods to slow traffic on site, he questioned if some type of speed bump could be installed? Ms. Steelquist suggested acquiring the traffic analysis before considering installing the speed bumps as part of this expansion application.

Ms. Steelquist indicated she would like to acquire an approval of the expansion application, and seek the traffic study when the request for seasonal parking occurs. Chairman Gobin questioned if some type of traffic calming plan can be written into the approval motion? Ms. Steelquist suggested requiring some type of “traffic calming” device on the 24 wide aisle.

Another round of discussion began regarding methods to slow down traffic making an immediate left turn into the back row of pick-up spaces. Commissioner Thurz reiterated his concern for the employees access the parking spaces in the rear. Chairman Gobin suggested installing a door from the rear of the building directly to the employee parking. Commissioner Thurz reiterated his concern for the addition of a light pole in the employee parking area, Ms. Steelquist indicated they had not yet made that proposal but could add a shielded light to prevent spillage of lighting to the next property owner. Commissioner Kowalski reiterated his concern was for the safety of the Walmart employees, who will be busy loading cars and not be aware of other drivers cutting through.

Discussion turned to revising the current plan to include the items discussed prior to application approval. Ms. Steelquist indicated the tight schedule for this expansion, she questioned the ability for a conditional approval? The consensus of the Commission was their discomfort with a conditional approval. Ms. Steelquist requested a continuation of the Hearing until the Commission’s next meeting.

MOTION: To CONTINUE the Public Hearing on Application #PZ 2022-01 (Walmart) for 44 Prospect Hill Road for an amendment of the General Development Plan until the Commission’s next regularly scheduled Meeting on April 26, 2022.

Kowalski moved/Thurz seconded/DISCUSSION: None

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

XI. OLD BUSINESS:

- a. **PZ 2022-03 298 South Main St, Site Plan Review for New Construction Auto Sales, Applicant: Arvind Persuad. Variance approved with conditions by ZBA Monday, April 4, 2022:**

Chairman Gobin read the description of this Agenda item.

Chairman Gobin noted the applicant, Arvind Persuad d/b/a New Construction Auto Sales, received a variance, with conditions, from the Zoning Board of Appeals regarding the buffer requirement.

Chairman Gobin queried the online participants if anyone is present to discuss this application. Robert Arsenault, engineer for the applicant, and Arvind Persuad, the applicant, joined the Commission remotely.

Mr. Arsenault advised the Commission the property at 298 South Main Street, East Windsor, is a 0.53 acre parcel located in a B-2 Zone. Mr. Persuad is proposing to construct a 1,500 square foot building and associated parking.

Mr. Arsenault shared a Site Plan with the Commission, noting the location of current buffer requirements of 100 feet and 50 feet under the existing regulations, he noted both buffer requirements render the property nearly unusable. Mr. Arsenault reported Mr. Persuad received his variance request from the Zoning Board of Appeals (ZBA). In response Mr. Persuad will install 6-foot vinyl fence 15 feet in on the north side of the property. Although the South Windsor Planner only requested the installation of a row of arborvitae Mr. Arsenault reported Mr. Persuad wanted to be a good neighbor so they will install a 6-foot vinyl fence along the south property boundary, with the arborvitae, as well.

Mr. Arsenault advised the Commission that the Site Plan before them is the same as has been presented previously other than the ZBA variance. He also noted Mr. Persuad also received approval from the Inland Wetlands Commission.

Mr. Arsenault reviewed questions raised by the Commission during previous meetings:

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- ***Will Mr. Persuad do any body work or painting of vehicles at this location?*** Mr. Arsenault reported Mr. Persuad contracts all body work out to another contractor at a separate location.
- ***Architectural elevations of the proposed building:*** Mr. Arsenault reported Mr. Persuad is proposing a metal building, the bottom 3 feet will be a dark brown color (Mr. Persaud later describes the bottom color as burgundy) while the remainder of the building will be beige. Mr. Arsenault indicated the only reason there is no front “door” on this building is the people who make this building don’t provide doors. In place of an entrance door there will be double glass doors for people to enter at the front of the building, and 3 overhead doors on the side for vehicles to enter to be worked on, and a garage door to the rear. Commissioner Gowdy questioned that the double glass doors would be the only pedestrian entrance? Mr. Arsenault replied affirmatively, noting there will be a couple of emergency doors on the back of the building as well. Mr. Arsenault suggested employees would enter either through the double glass doors or the overhead doors.
- ***Parking requirements:*** Referencing the Site Plan Mr. Arsenault noted 11 parking spaces would be located “here”, with a 12th spot “here”, and 3 parking spaces “here” for customer parking. Mr. Arsenault also noted the 4 parking spaces in front of the building for display parking.

Chairman Gobin:

- ***Status of approval for emergency access:*** Chairman Gobin questioned if the applicant had received approval from the Fire Marshal regarding the emergency vehicle access? Director of Planning and Community Development Calabrese indicated she spoke with the Fire Marshal this afternoon; he has no problem with the access as proposed.
- ***Submission of building elevations:*** Chairman Gobin questioned if the photos of the building façade had been submitted to the Town? Mr. Arsenault indicated he had just received them this morning; he’ll submit them to the Planning Office.

Planning Consultant D’Amato:

- ***Building façade:*** Planning Consultant D’Amato questioned what material will be on the bottom portion of the building? Mr. Persuad indicated the bottom 36 inches will be a burgundy color, trim on the building will be black, the remainder of the building will be “Cobblestone” beige. Chairman Gobin questioned if the Commission had requested a stone façade on other businesses along Route 5? Mr. Arsenault reiterated this building will be all metal. Chairman Gobin referenced Section 900.3 of the regulations, she

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queried Staff if other businesses along Route 5 had been required to provide the stone façade? Planning Consultant D’Amato recalled 198 South Main Street had been required to provide the split façade on the side of the building facing the street. Chairman Gobin cited the requirement for the stone façade for other businesses, she asked if Mr. Persuad would be amenable to using the stone as well? Mr. Persuad indicated he could use the stone veneers for the first 36 inches.

Commissioner Thurz:

- ***Parking requirements:*** Commissioner Thurz indicated he couldn’t recall parking in front of the overhead doors counted towards parking requirements. Director of Planning and Community Development Calabrese suggested the number of parking spaces required based on the regulations is 9.

Commissioner Sauerhoefer:

- ***Sidewalks:*** Commissioner Sauerhoefer questioned if the applicant would be providing sidewalks on the street side of the property? Mr. Arsenault replied negatively. Planning Consultant D’Amato didn’t recall the Commission requiring sidewalks along Route 5 as he didn’t think the State had any intention for sidewalks along Route 5. Director of Planning and Development Calabrese noted Noble Gas on Route 140 was required to install sidewalks, Commissioner Sauerhoefer noted Cota Construction on Newberry Road was also required to install sidewalks, he questioned the difference with Route 5. Planning Consultant D’Amato indicated the sidewalks would be located within the State right-of-way. Commissioner Sauerhoefer suggested the sidewalks at Noble Gas is also within the State right-of-way on Route 140, presumably the new car wash will have sidewalks as well, and sidewalks were installed in front of Calamar – also on Route 140. Mr. Arsenault suggested he didn’t feel there were any sidewalks in this area of Route 5, Chairman Gobin noted the option for the applicant to pay a fee-in-lieu of the sidewalk installation.

Chairman Gobin suggested the applicant should provide revised architectural elevations reflecting the stone façade, and make a decision on the sidewalks, or a fee-in-lieu, for the next meeting. Mr. Arsenault requested a conditional approval, as he will be having back surgery imminently. He questioned the ability to get a conditional approval based on the revisions discussed.

Commissioner Thurz:

- ***Abutters interest:*** Commissioner Thurz asked if the neighbors to the north in the mobile home park had been advised of the changes? Director of Planning and

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Community Development Calabrese reported the person with the rear property and people from the mobile home park appeared at the ZBA meeting, everyone was satisfied with the ZBA variance.

In response to Mr. Arsenault's comments about impending surgery Chairman Gobin requested Planning Consultant to draft an approval motion. The proposed motion was shown to Mr. Arsenault and Mr. Persaud, Mr. Persaud indicated he was ok with the motion as proposed.

Chairman Gobin queried the Commissioners for additional comments; no one raised any questions or comments. Chairman Gobin called for a motion of approval.

MOTION TO APPROVE:

PZ 2022-03 298 South Main St, Site Plan Application to construct a new 1,500sf "commercial use with cars for vehicle repair & sales" with associated site improvements. New Construction Company LLC, Applicant: Arvind Persaud. B-2 zone.

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

Referenced Plans:

"Site Plan New Construction Company LLC" 298 South Main St. Prepared by Gary B. LeClair, LLC; Sheets 1-6 inclusive. Dated:12-21,2021 (sheet 1) and 02-02-2022 (sheets 2-6).

"AE Design Group" Architectural Rendering Sheets 1 and 2

Conditions which must be met prior to- the submission of final plans:

1. A copy of this approval motion has been incorporated into the plans
2. A copy of the final approved plans with any necessary revisions shall be submitted to the Planning & Development Office for review and comment.
3. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.

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4. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns.
5. The plans shall be revised as follows:
 - a. Indicate that the front building wall facing South Main Street will be constructed with a split face, textured façade.
 - b. A copy of Variance issued by the East Windsor Zoning Board of Appeals shall be incorporated.

Conditions which must be met prior to the issuance of any permits:

6. A single, PDF copy of the final plans, with all necessary revisions shall be provided to the Planning and Development Office.
7. A zoning permit has been obtained from the Planning and Development Office for the project.
8. An Erosion Control Bond has been provided, such estimate shall be reviewed and approved by the Town Engineer.
9. A fee in lieu of sidewalks, has been provided subject to approval by the Town Engineer.

Conditions which must be met prior to the issuance of a Certificate of Compliance:

10. Final grading, stabilization and seeding shall be in place or adequate bond filed with the Town for the unfinished work.
11. One electronic PDF and paper copy of the final as-built survey showing structures, pins, driveways, final floor elevations and spot grades shall be submitted.

General Conditions:

12. In accordance with Section 900.3(h) of the Zoning Regulations, the construction of any buildings associated with this approval shall commence within one year of this approval date and all improvements shall be completed within five years. Such approval shall otherwise be null and void unless an extension has been granted by the Commission.
13. This project shall be constructed and maintained in accordance with the final plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff

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review and approval.

14. Any modifications to the proposed drainage or grading as depicted on the site plan are subject to review and approval by the Town Engineer.
15. Additional erosion control measures may be required by Town staff if field conditions necessitate.
16. By acceptance of this approval and its conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.
17. The approval granted by the East Windsor Inland Wetland and Watercourses Agency is hereby incorporated into this approval. Any deviations from plans approved by the IWWA shall be subject to the requirements of the Inland Wetlands and Watercourses Agency Regulations.
18. Autobody and/or vehicle painting activities shall not be conducted on site without prior approval by the Commission.

Kowalski moved/Gowdy seconded/DISCUSSION: None

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

(No one opposed/No abstentions)

XII. NEW BUSINESS: None.

XIII. OTHER BUSINESS: None.

XIV. CORRESPONDENCE: None.

XV. BUSINESS MEETING: None.

XVI. EXECUTIVE SESSION

A. Pursuant to CGS 1-200(6)(D) to include: None.

VII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:06 p.m.

Gowdy moved/Sauerhoefer seconded/DISCUSSION: None

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**VOTE: In Favor: Unanimous
(No one opposed/No abstentions)**

Respectfully submitted,

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