

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

**REGULAR Meeting #1825
April 26, 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 PLACE OF MEETING:

Chairman Gobin called Regular Meeting #1825 of the East Windsor Planning and Zoning Commission dated April 26, 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 in person.

Director of Planning and Development/Town Planner Calabrese hosted the meeting.

GUESTS/SPEAKERS present in person: Planning Consultant Michael D'Amato, of Tyche; Erigels Kroil assisting Mario Costa, Mario Costa, Kaley Curtis, East Windsor Animal Control Officer assisting Mario Costa; Kris Van Nauessen, AECOM; Larry Hogan, AECOM, and David Clymer, Raytheon Technologies.

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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; Greg DiBona, Bohler Engineering MA, LLC, also representing Walmart; Rock Emond, SLR International Corporation, representing Wynwood/Wyndwood Apartments; Tim French; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members were present at the Call to Order. Chairman Gobin noted all Regular Members will participate in discussion and votes this evening.

III. ADDED AGENDA ITEMS: None.

Staff advised Chairman Gobin there are no **ADDED AGENDA** Items this evening, although there will be an item of correspondence introduced at under that Agenda Item.

IV. LEGAL NOTICE:

The following Legal Notices were read by Chairman Gobin:

The following Legal Notice ran in the Journal Inquirer on April 15th and 18th. The Legal Notice states:

The East Windsor Planning and Zoning will hold a Public Hearing on Tuesday, April 26th, 2022, at 6:30 p.m. This will be a virtual meeting, details on how to attend will be published on the Commission's Agenda, and will be available on the Town's website.

The topic is **PZ 2022-4**, it's an application for a Special Use Permit. The applicant is Mario Costa, requesting to establish a dog kennel at 18 Griffin Road, in Broad Brook. Map 19, Block 72, Lot 8, Zone A-1.

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

V. PUBLIC PARTICIPATION:

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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 offered the opportunity to comment regarding items/issues not on the Agenda to the remote participants; no one requested to be recognized.

VI. APPROVAL OF MINUTES:

a. April 12, 2022 Regular Meeting of PZC:

Chairman Gobin noted the meeting Minutes from Regular Meeting #1824, which was held April 12, 2022. Chairman Gobin queried the Commissioners for changes or revisions. Hearing no request for revisions Chairman Gobin called for a motion for approval.

MOTION: To APPROVE the Meeting Minutes of Regular Meeting #1824 dated April 12, 2022 as presented.

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

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. PZ-2022-01 44 Prospect Hill Road – Modification to General Development Plan (Walmart). Applicant: Susan Doerschlag:

Chairman Gobin read the description of this Agenda item. Joining the Commission remotely to discuss this application were Diana Steelquist, W D Partners, and Christian LaPointe, W D Partners, and Greg DiBona,

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Bohler Engineering MA, LLC. All participants are speaking on behalf of Walmart.

Ms. Steelquist introduced the application team. She presented the Commission with a new Site Plan developed after the comments from the previous meeting regarding the Commission's concerns for the safety of people driving through the additional parking being provided for the grocery pick-up. Ms. Steelquist noted their civil engineer has proposed changing the area as you enter from Newberry Road to a one-way EXIT from the parking lot. Shoppers can only ENTER at the second entrance from Newberry Road but can only EXIT from the first access near the addition for the grocery pick-up. Ms. Steelquist noted they've also changed the angle of the parking spaces, and added cross-walks and a ramp.

Mr. DiBona joined the discussion remotely, noting the ramp has been added to access the angled pick-up parking spaces to make it easier for Walmart's associates, there is a stop-bar and a "do not enter" bar at the end of the driveway. That area will no longer be the cut-through for people used to entering this location to get to the front of the store. Mr. DiBona indicated Walmart likes this option the best, as they feel this layout will be the best for the operation and will provide the most safety options for their associates who work in this area. Mr. DiBona also noted they moved the pick-up parking spaces further down into the area. That resulted in a reduction of one more space; to make that up they've added one more parking space at the employee parking area in the rear of the building. Employee parking was previously 14 spaces, this Site Plan shows 15 employee parking spaces, those spaces are identified with "employee striping". There will still be full access around the building, we still have two-way travel behind the building for truck entering and exiting loading.

Ms. Steelquist indicated they've reviewed the Staff memo proposing the approval motion, she indicated they have no problem with the conditions proposed.

Commissioner Kowalski:

- ***Access to Newberry Road entrance near delivery pick-up parking:***
Regarding the eastern entrance, which is almost in line with your loading dock, will the entire entrance be one-way, or just the aisle going to the grocery pick-up area? Mr. DiBona suggested just the

entrance only. Commissioner Kowalski questioned that tractor trailer traffic will still be able to pull in there? Mr. DiBona concurred, noting there will be no changes to the actual access point on Newberry Road, that will still be two-way and will still be the primary access for the tractor trailers. Commissioner Kowalski questioned if the trucks will they have to back in from the street, there isn't enough room for them to turn around back there. Referencing the overall Site Plan Mr. DiBona suggested the tractor trailers come in from the other (Prospect Hill) side and still have the ability to do their "loop", they weren't supposed to be using that two-way access for any type of truck movements. Commissioner Kowalski referenced the dock that's near your new employee area, how will they get onto that dock, will they have to drive around the building and then back up into there? Currently they pull in to where the grocery pick-up area is and they back up to the docks. Mr., DiBona suggested if they're coming in from Newberry they're supposed to be driving past the docks, using the "truck spin" at the northern corner (of the building) and coming back so they're facing Newberry Road, and then back into a loading space.

- ***Non-grocery pick-up access:*** Commissioner Kowalski questioned that everyone not using the grocery pick-up, they'll have to drive eastward into that area? Mr. DiBona concurred, noting they want people to enter from the second entrance (closer to Route 5), or Prospect Hill Road. Commissioner Kowalski noted that currently, the spaces up against the building are "straight on" spaces. Traditionally, people like to back up to that area because most people load through the hatch of a SUV or back seat or trunk. There's a curb there. Commissioner Gowdy felt the spaces are facing the wrong way. Commissioner Kowalski concurred, the angle of the spaces are facing the wrong way for someone to back into those spaces. Mr. DiBona noted the angled spots are intended for head-on parking, not backing in. Commissioner Kowalski felt your customers are going to back up to the curb. The one's closest to Newberry Road will be head-on parking because they have no option, but what you've established for so many years is they come out and walk along the curb against the building, everyone is accustomed to backing up to the building. Ms. Steelquist noted there will be signage so people know it's one way now. Commissioner Kowalski suggested it's better for your employees that they don't have to stand out in the drive aisle. If you just changed the angle. Mr. DiBona reiterated this layout or orientation follows Walmart's template. It's been reviewed by

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Walmart design managers, they're having us change all of their sites for head-on parking, the intent is for customers to pull in forward and it does mean loading takes place in the driveway area.

- ***Raised crossway/crosswalk:*** Commissioner Kowalski questioned how high will the crosswalk be raised? Mr. DiBona noted the crosswalk you see is flush at grade, we're not doing any speed bumps, that's not intended to be raised. The ramp is a traditional 6 inch curb ramp to get back up to the sidewalk grade, it's a traditional crosswalk flush on pavement. Commissioner Kowalski indicated he understood it would be a "speed limiting" device. Mr. DiBona suggested they do not want to put in the hump in the middle as that would be more challenging operationally moving the carts over the hump.

Commissioner Thurz:

- ***Stop bar:*** Regarding the stop bar, how will that work? Mr. DiBona indicated it's a painted pavement marker that has the word "stop" and "do not enter", it's a thick painted marker across the whole ground.
- ***Signage/grocery pick-up only:*** Commissioner Thurz questioned if when entering that area, are you planning any signage that says "grocery pick-up only" to stop people from cutting through? Mr. DiBona suggested they don't have that sign but could add signage that says "area reserved for online parking only".

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

Chairman Gobin then offered the in-person audience an opportunity to speak; no one responded. Chairman Gobin then offered those individuals signed in remotely the same opportunity to comment; no one requested to be acknowledged.

Chairman Gobin then asked if the Commission was ready to close the Public Hearing.

MOTION: To CLOSE THE PUBLIC HEARING on Application PZ-2022-01 for an amendment to the General Development Plan for 44 Prospect Hill Road, Walmart, extension and modification of site to create an online pick-up area.

Kowalski moved/Gowdy seconded/DISCUSSION:

None.

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

Chairman Gobin noted receipt of a Staff memo from Director Calabrese and Planning Consultant D'Amato proposing 17 conditions. She questioned if the Commission had any questions for either party, if not she would ask for a motion to approve.

Commissioner Thurz:

- ***New signage:*** Commissioner Thurz liked the condition regarding the signage noting the area is for online pick-up only.
- ***Access for second Newberry Road entrance/exit:*** Commissioner Thurz questioned if Mr. DiBona saw any problem with the other entrance for people coming in or out? Mr. DiBona requested clarification that Commissioner Thurz was talking about the basic circulation for the Walmart now? Commissioner Thurz replied affirmatively. Mr. DiBona indicated he doesn't see it as too much of a problem, many Walmart sites have only one entrance to a parking lot without the ability for a cut-through; he felt there may be a number of people who will have to relearn that entrance. Chairman Gobin felt the concern may be that there will be a back-up of traffic up to Route 5. Commissioner Thurz suggested going in may be ok but everyone will have to come out of that access now, his concern was a back-up from traffic on Newberry Road, he noted the traffic from Lincoln Tech

Commissioner Sauerhoefer:

- ***Parking lot lighting:*** Commissioner Sauerhoefer questioned if sufficient lighting had been determined at the last meeting? Chairman Gobin noted the Public Hearing has been closed, if there are additional conditions the Commission wants to add we need to discuss them.

Commissioner Kowalski questioned Ms. Steelquist if she was ok with the addition of condition 18 regarding signage designating on-line pick up only; Ms. Steelquist had no problem with the addition.

MOTION TO APPROVE:

Application #PZ 2022-01: Amendment to General Development Plan, 44 Prospect Hill Rd, "Walmart". Building Expansion and Modification of site to create an online order pickup area.

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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

1. Walmart: 44 Prospect Hill Rd. Prepared for WD Partners. Site Plan Prepared by Bohler Engineering. Sheets 1-52 Inclusive. Dated 10/08/21. **Revised 04/20/22.**
2. Photometric Plan. Prepared by GE Current. Sheet 1 of 1. Dated 01/28/22

Conditions which must be met prior to the signing of mylars:

1. A copy of the final approved plans with any necessary revisions shall be submitted to the Planning & Development Office for review and comment.
2. A copy of this approval motion has been incorporated into a final plan set to include sheets: C1-C10 (inclusive), E1.2, A1, OP1.0-OP1.2 and the lighting fixture plan prepared by GR Current.
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.
4. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns

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

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

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

8. Final grading, stabilization and seeding shall be in place or adequate bond filed with the Town for the unfinished work.
9. 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:

- ADDITIONAL CONDITION:**

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

X. NEW PUBLIC HEARINGS:

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a. **PZ 2022-04 18 Griffin Road – Special Use Permit – to establish a private dog kennel – Applicant: Mario Costa:**

Chairman Gobin read the description of this Agenda item.

Joining the Commission in-person to discuss the application was Erigels Kroi, who is speaking on behalf of Mario Costa. Mr. Kroi reported Mr. Costa currently has 4 dogs, he would like to increase the number of dogs, which requires that he apply for the Special Use Permit for a kennel use. Mr. Costa has a kennel facility currently on his property which was approved by Zoning some time ago, he would like to have 1 to 3 additional dogs for hunting.

Commissioner Kowalski:

- ***Private vs public use:*** Commissioner Kowalski questioned if this would be strictly for Mr. Costa's private use, he wouldn't be boarding dogs for the public? Mr. Kroi replied affirmatively.

Chairman Gobin:

- ***Distance to abutters:*** Chairman Gobin questioned how close the current kennel to the neighboring property? Mr. Kroi indicated there is the house, then the existing kennel, then a vacant lot, then the neighbor; it's a good distance. Director Calabrese reported she hasn't visited the property but she has reached out to Kaley Curtis, who is an Animal Control Officer (ACO) in East Windsor. ACO Curtis joined the discussion, noting that if Mr. Costa will be owning more than 3 dogs he'll be required to acquire a Commercial Kennel License through the Town Clerk's Office.

Commissioner Kowalski:

- ***Commercial Kennel License:*** Commissioner Kowalski questioned anyone who has a litter of more than 3 puppies is required to get a Commercial Kennel License? ACO Curtis replied affirmatively, if the person will be keeping any of them.
- ***Litter requirements:*** Commissioner Kowalski questioned what's the length of time, people keep puppies for at least 8 weeks. ACO Curtis suggested any dog over 8 weeks of age requires the Commercial Kennel License, if they have anything over 2 litters per year they also have to carry a Breeder's License.

Commissioner Thurz:

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- ***Commercial Kennel License:*** Commissioner Thurz questioned if the Commercial Kennel License difficult to obtain? ACO Curtis replied negatively, noting it's an application through the Town Clerk's Office.
- ***Insurance:*** Is any special insurance required? ACO Curtis replied negatively.

Chairman Gobin:

- ***Complaints:*** Any complaints about the current dogs? ACO Curtis reported they received a complaint of two of Mr. Costa's dogs roaming but that was resolved, proper documentation was provided, that was the only current violation.

Commissioner Kowalski:

- ***Condition of approval:*** Commissioner Kowalski asked if the requirement for the Commercial Kennel License a condition of approval? Director Calabrese replied affirmatively.

Commissioner Gowdy:

- ***Commercial Kennel License:*** Commissioner Gowdy questioned if the Commercial Kennel License is just paperwork? ACO Curtis replied affirmatively, noting it covers any dog on the property so the person doesn't have to get a license for each dog.

Chairman Gobin queried the Commissioners for additional comments, no one raised any additional comments.

Tim French, signed in remotely, requested to speak. Mr. French reported he lives next to Mr. Costa, he questioned if having the Commercial Kennel License would allow him to have 30 dogs? ACO Curtis clarified there is no limit on the number of dogs, but there has to be space for proper accommodations for the dogs, so if there is a specific number of "runs" the person can only have that many dogs.

Commissioner Gowdy:

- ***Commercial Kennel License/number of dogs:*** Commissioner Gowdy questioned that with the Commercial Kennel License he can have more than 3 dogs, ACO Curtis replied affirmatively.

Planning Consultant D'Amato noted that Staff currently limited the number of dogs to 6 under the proposed motion. This is a little different than how things were done previously. There is increased confidence or guidance that

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Commissions can't just establish timeframes on Special Use Permits and required the applicant to return in a couple of years to renew. Based on the understanding that it can take a lot of time and money to establish a permit, and having to come back in 2 years to renew, which a Commission could deny, has created issues. Planning Consultant D'Amato referenced condition 3 under General Conditions cites if there is a material change in the circumstances – which he has identified – then the person would need to obtain a new permit from the Commission. If the Town receives complaints then we would say the conditions have changed and we want to look at the permit again. Planning Consultant D'Amato noted he included the 6 month or older age limit because the current Zoning Regulations reference that age limit.

Chairman Gobin offered the opportunity to speak to the in-person audience, and then the remote audience. No one requested to speak.

Commissioner Thurz questioned how did this all come about? Director Calabrese reported that in 2012 Mr. Costa got a Zoning Permit to build a dog kennel but he didn't go over the threshold for the number of dogs, a condition on the Zoning Permit was for him to return if he has more dogs so he came in. Commissioner Thurz suggested Mr. Costa is following the rules? Director Calabrese replied affirmatively.

Chairman Gobin asked the Commission if they felt they had the information they need to close the Public Hearing? The Commission concurred.

**MOTION: To CLOSE THE PUBLIC on Application PZ 2022-04
18 Griffin Road – Special Use Permit – to establish a
private dog kennel – Applicant: Mario Costa. Map 19,
Block 72, Lot 08, Zone A-1.**

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

Chairman Gobin noted the receipt of a Staff memo from Planning Consultant D'Amato. She questioned if the Commission would consider approving the application?

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MOTION TO APPROVE:

Application #PZ 2022-04: Special Permit for a Private Dog Kennel. 18 Griffin Rd. MBL: 019-72-08. Zone A-1.

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

General Conditions:

1. The conditions of this approval shall be binding upon the applicant, landowners, and their heirs, successors and assigns
2. This approval shall not be valid until a copy of the Certificate of Approval has been filed with the East Windsor Town Clerk.
3. This approval shall remain in effect unless a material change to the operation or circumstance has occurred. Should such a change occur, the Town Planner or ZEO shall notify that permittee that a new Special Permit is required. A material change shall be defined at a minimum as:
 - a. An increase in the number of animals (6 months or older) and/or kennels/runs on the property beyond 6.
 - b. The transition from a private to a public kennel or boarding facility.
 - c. The receipt of documented complaints from residents and/or the Animal Control Officer regarding excessive barking and/or roaming dogs.
 - d. The receipt of documentation from the Animal Control Officer which demonstrates non-compliance with applicable local or State laws and regulations.
4. Not more than thirty (30) days from the date staff provides written notice that a material change to the operation or circumstance has occurred, the permittee or their heir/successor/assign shall submit an application to the Planning & Zoning Commission seeking Special Permit approval. If such application is not filed, this approval shall be deemed null and void.
5. All dogs kept on the property shall be licensed and vaccinated as required by CT Department of Agriculture.
6. The kennel building shall be maintained in accordance with any/all applicable requirements and standards for Commercial Kennels.

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7. A Commercial Kennel license shall be obtained as required by the CT Department of Agriculture from the East Windsor Town Clerk's Office.
8. By acceptance of this approval and its conditions, the permittee, owner and/or their successors and assigns acknowledge the right of Town staff, including the Animal Control Officer to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

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

XI. OLD BUSINESS: None.

XII. NEW BUSINESS:

- a. **PZ 2022-05 49 South Main St – Site Plan Review – Construction of a mail kiosk with pick up/drop off area – Applicant: Wyndwood Apartments:**

Chairman Gobin read the description of this Item of Business.

Joining the Commission remotely to discuss the application was Rock Emond, Associate Civil Engineer, with SLR International Corporation, Cheshire, CT., representing Figure 8 Properties located at 49 South Main Street and Regina Drive.

Mr. Emond reported he's present to discuss a mail kiosk for the apartments. Mr. Emond referenced a Site Plan of the 25 acre parcel, noting the owners are looking specifically for a mail kiosk for Fed Ex, Amazon, and UPS deliveries for the residents of the apartments. Mr. Emond then shared an architectural rendering of the mail kiosk, which would be located on Regina Drive, which is a private drive. The proposal is for traffic circulation to wrap around the kiosk and would allow the driver's side of the vehicles to be perpendicular to the kiosk. If someone needs ADA accessibility they'll be able to exit their vehicle and access the sidewalk to access the kiosk.

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Mr. Emond noted the kiosk is 351+/- square feet, the total configuration requires an additional 4600 square feet of impervious coverage. Regarding stormwater management they've isolated this area, stormwater will be picked up and go into an existing underground detention basin located near the kiosk. The stormwater will then discharge and go to an existing drainage system. Mr. Emond reported he received comments from Town Engineer Norton, they've modified the plans and drainage to address his concerns. Town Engineer Norton requested calculations for two 25-year storms, these plans show a Storm Tech MC 3500, which is a larger unit which holds more capacity. We can show we're meeting, or decreasing the amount of peak flow up to the two 25-year storms. Mr. Emond noted they'll also be providing a Landscape Plan related to the kiosk. Mr. Emond then referenced a drawing showing the configuration of the kiosk, which residents will access via the walkway to get to their mailbox. The architectural rendering shows a pitch roof, the lower portion of the structure will be a textured brick/stone material. Mr. Emond then showed current condition of the proposed location, and then referenced another architectural rendering of the site after construction of the kiosk to show the circulation of vehicles. There will be lighting within the kiosk, and a security camera as well.

Commissioner Gowdy:

- ***Number of vehicles:*** Commissioner Gowdy questioned how many cars will be able to park at a time? Mr. Emond suggested about 3 cars will be able to park near the sidewalk and allow other vehicles to pass by, the circulation area is about 20 feet wide.

Mr. Edmond noted he has received a memo from Town Engineer Norton indicating his comments have been addressed. A Staff memo has been prepared by (Director) Ruth Calabrese. Mr. Emond indicated they have no problems with the conditions of approval as proposed.

Commissioner Kowalski:

- ***Pavement layout:*** Commissioner Kowalski questioned if Mr. Emond planned on any striping in this layout? Mr. Emond suggested they are proposing one-way arrows, stop arrows and stop signs. If the concern is for parking, Mr. Emond indicated they are not looking for the parking at the kiosk to be parking spaces.
- ***ADA accessibility:*** Commissioner Kowalski referenced an earlier architectural rendering, he suggested it appears the sidewalk is tapered in the center for ADA accessibility. Mr. Emond concurred.

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- ADA accessibility: Mr. Edmon concurred. Commissioner Kowalski questioned if there should be some markings to prevent someone from parking at the ADA accessibility to prevent someone from blocking that? Mr. Emond concurred, he proposed adding a 5 x 5 painted cross-hatch marking as suggested. Mr. Emond reported he would agree to that as a condition of approval.
- ***Current delivery system vs kiosk availability:*** Commissioner Kowalski questioned MK – how is the mail currently delivered? Mr. Emond reported delivery is currently door to door. Commissioner Kowalski questioned that now everyone will have to come to the kiosk to pick up their mail? Mr. Emond replied positively.
- ***Consideration of sidewalks:*** Commissioner Kowalski suggested if people will be walking to the kiosk, should you consider sidewalks? Mr. Emond felt the units were too far away to walk to the kiosk, and he didn't feel the property owners will encourage people to walk to the kiosk.
- ***Potential for congestion:*** Commissioner Kowalski suggested if you only room for 3 cars and walking isn't being encouraged he questioned that the area might become congested. Commissioner Gowdy suggested not everyone gets their mail at the same time. Commissioner Thurz noted Mill Pond Apartments on Depot Street currently has this set up and he's never seen more than 3 or 4 cars at the kiosk at a time.

Chairman Gobin queried the Commissioners for additional comments. No one offered any suggestions. Commissioner Kowalski reviewed proposed condition 15; Mr. Emond agreed to the additional condition.

Chairman Gobin called for a motion of approval.

MOTION TO APPROVE:

Application #PZ 2022-05: 49 South Main Street & Regina Drive-(Wyndwood Apartments) for the construction of a mail drop-off and pickup kiosk.

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

1. Proposed Mail Kiosk. Wyndwood Apartments, 49 South Main Street & Regina Drive, East Windsor, Connecticut dated: April 8, 2022; Prepared by SLR. Sheets 1-5 Inclusive.

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2. Mailbox Kiosk-Overall Site Plan and Elevation Drawings for Wyndwood Apartments – 55 Regina Drive; Prepared by QA+M architecture; not dated.
3. Proposed Mail Kiosk Hydrologic Analysis 49 south Main Street & Regina Drive prepared by SLR International Corporation April 7, 2022.

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

1. The plans shall be revised as follows:
 - a. To incorporate a copy of the Certificate of Approval.
 - b. To indicate the location of any lighting to be installed on the building and the height of the proposed free standing pole lights.
 - c. To include additional silt fence be placed at the toe of the slope in the area of the fill section and below the proposed drainage pipe that connects to the existing catch basin.
2. Test pit data, confirming soils in the project area are as mapped has been provided to the Town Engineer.
3. A copy of the final approved plans with any necessary revisions shall be submitted to the Planning & Development Office for review and comment. Following Planning & Development staff approval, a single paper copy and a PDF copy of the final plans, will all necessary revisions shall be provided to the Planning & Development Office.
4. 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.
5. An Erosion Control Bond shall be provided, such estimate shall be reviewed and approved by the Town Engineer.

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

6. Final grading, stabilization and seeding shall be in place or adequate bond filed with the Town for the unfinished work.
7. 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:

8. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns
9. 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.

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10. 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 review and approval.
11. Any modifications to the proposed drainage or grading as depicted on the site plan are subject to review and approval by the Town Engineer.
12. Additional erosion control measures may be required by Town staff if field conditions necessitate.
13. 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.
14. A zoning permit must be obtained from the Planning and Development Office prior to the commencement of the project.

ADDITIONAL CONDITION:

15. **ADA hatched painting where access ramp will be added to prohibit parking.**

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

XIII. OTHER BUSINESS:

- a. **Informal Discussion – 8 Mill Street – Remedial activities & associated excavation, Zoning Regulation applicability:**

Chairman Gobin introduced this Agenda item.

Director Calabrese introduced Kris Van Nauessen, AECOM; Larry Hogan, AECOM, and David Clymer, Raytheon Technologies. She reported they've put together a remediation plan, which has been approved by the Wetlands Commission. The plan has been approved by CT DEEP. They'll be doing excavation at the site, and have done an assessment of the conditions.

PLEASE NOTE: Mr. Van Nauessen shared Site Plan information and a PowerPoint presentation which illustrates the presentation made by the remediation team. Please refer to the YouTube video of this meeting for more detailed information.

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Mr. Van Nauessen introduced himself and Mr. Hogan, both of AECOM. He provided the Commissioners with a handout of a table which indicates how the proposed work relates to the current Zoning Regulations. He referenced a location plan showing 8 Mill Street, which was part of the Broad Brook Mill. Mr. Van Nauessen suggested the discussion tonight involves the first phase of the work, which occurs in this central area. The map being reviewed tonight came from the Inland Wetlands application for which they received an Agent Decision approval 2 months ago. The site is behind Broad Brook, there's a 150 foot upland review area where this remediation work will occur.

Mr. Van Nauessen indicated the work being proposed would involve removal of the contaminated soil. Mr. Clymer indicated the proposal being discussed this evening only addresses a part of the work, they're waiting to see how they proceed with the rest of the buildings. Commissioner Thurz recalled that the mill burned down, condos were built in a remaining portion of the mill, eventually the residents were removed from the condos. Mr. Clymer cited about half of the cost of remediation is coming from the State via the Superfund. Most of the contamination across the site is from historic mill operations, while "this" material goes back to the Hamilton Sunstrand days. Commissioner Thurz recalled that at one point remediation was to involve excavation of the material and removal from the site, while capping the remaining area. Mr. Clymer indicated the intended remediation plan is to cap the area. Director Calabrese clarified that the contamination is being removed prior to capping, Mr. Clymer indicated the material would be going out of state. Director Calabrese noted the amount of material under consideration is well over 100 cubic yards of material. Mr. Clymer indicated that clean fill will be brought into the site prior to capping. The excavation work is anticipated to continue for 4 weeks while restoration may take 8 to 12 weeks.

Mr. Van Nauessen reviewed a PowerPoint presentation, identifying PCSA 4, 6, and 8 Overview. He reviewed the former activities which occurred on each location which were the sources of the contamination, and the contaminants identified within each location. He then reviewed the remediation objectives and methods, noting the goal is to remove as much of the contamination as possible. Discussion included possible contamination of groundwater and its effect on private wells in the remediation area. Mr. Van Nauessen then referenced the Remediation Layout, noting material may be stockpiled for a short time to dry out.

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Commissioner Kowalski questioned if this activity requires any State inspection prior to backfilling the site again? Mr. Van Nauessen replied negatively. Commissioner Sauerhoefer questioned that the plan is to “live load”, what’s the plan if you’re not able to do that? Mr. Van Nauessen suggested stockpiling it. Commissioner Sauerhoefer asked if they were anticipating digging the material out, stockpiling it, letting it dry out, and then hauling it out? Mr. Van Nauessen suggested they may have to return the material to the hole and de-watering it. The majority of the material is above the water table. Commissioner Sauerhoefer noted the area isn’t as dry as you think it is, if you can’t “live load” that will stretch the project out. Mr. Van Nauessen suggested referenced the total volume they’re anticipating regarding removal.

Commissioner Thurz suggested the first issue you’ll have to deal with is the truck traffic. Commissioner Sauerhoefer noted they won’t be able to use the 1-291 bridge because of the load limit, that repair won’t occur for the next year and a half. You’ll probably have to go out to Route 140 to I-91 rather than down Rye Street and into South Windsor.

Commissioner Kowalski questioned the hours of operation? Mr. Van Nauessen Monday through Friday 7:00 a.m. to 5:00 p.m., no weekends.

Commissioner Sauerhoefer questioned if they putting the driveway back in? Mr. Van Nauessen referenced the Restoration Plan, noting he doubted that they would restore all the utilities, maybe just the storm sewers. Commissioner Sauerhoefer questioned if that would include the water line? Mr. Clymer indicated that’s a detail to be ironed out. Commissioner Gowdy asked if any buildings remain on the site? Mr. Clymer suggested they’re hoping to have a decision on buildings before the remediation, if not then shortly thereafter. Commissioner Thurz suggested it will make a nice park.

Mr. Van Nauessen indicated the next slide relates to the Zoning Regulations and how they relate to this project. He suggested it appears that the Regulations relate more to sand and gravel excavation rather than this remedial work. Regarding the soil stockpiling, the intent for this work is to take soil away. Regarding the depth to the water table, the work will involve the groundwater.

Commissioner Kowalski questioned if the Commission have the ability to create a Remediation Permit? We obviously don’t want to do anything to

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delay this. Planning Consultant D'Amato suggested this sort of falls into the category of the solar facilities, where there's a higher authority involved. To rewrite the Regulations would take 60 to 90 days, Commissioner Sauerhoefer suggested that in reviewing documentation acquired over the years it appears the area is growing. To bottleneck the project on the Commission's part is a disservice to the community. He suggested perhaps work could be done on the weekend to reduce the traffic impact within the center of town. Commissioner Kowalski suggested it's not an excavation permit, or a Site Plan Modification, it's a Restoration Plan. Discussion continued regarding the anticipated amount of truck traffic and the route to be followed to remove the material out of town.

The Commission thanked the remediation team for their time.

b. ZEO Report:

Director Calabrese provided the Commission with a sample ZEO Report, noting this is a work in progress; she's looking for feedback from the Commission regarding format and presentation of the information.

Commissioner Thurz questioned the comments about a Blight Ordinance. Director Calabrese noted some things are difficult to manage through the Zoning Regulations. Staff has been working on a Blight Ordinance, which they'll ultimately take to the Board of Selectmen for approval. Commissioner Gobin questioned the difference between a blighted property vs a messy property. Commissioner Thurz noted 124 Wells Road has been on people's radar for several years, no one lives at the property. Commissioner Gowdy suggested the addition of a column to indicate current activity, such as what letters have been sent out. Director Calabrese will advise ZEO Miller of the suggested additions.

XIV. CORRESPONDENCE:

Chairman Gobin noted the Commission has received a letter from the Assistant Town Planner in Enfield noting a Public Hearing is being held on Thursday, April 28th regarding a change of zone from Business General to Industrial for the prior Burlington Coat Factory property on Route 5. The property spans the town line between Enfield and East Windsor.

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Director Calabrese indicated the developer will be coming to this Commission for a Site Plan Modification for an interior storage facility. Commissioner Sauerhoefer questioned if this would be indoor storage only, they won't be storing campers and such outside? Director Calabrese understood the proposal to be for indoor storage. Referencing a Site Plan of the property location Chairman Gobin noted several abutting properties in front of the subject property, she questioned what was presently located in those properties. Commissioner Thurz noted one is a dentist's office which is for sale. Commissioner Sauerhoefer noted the letter references storage for retailers like Penny's so it's more of a distribution center than a storage facility. Discussion continued regarding tax revenue from the facility.

XV. BUSINESS MEETING

Nothing presented this evening.

XVI. EXECUTIVE SESSION

A. Pursuant to CGS 1-200(6)(D) to include:

No **EXECUTIVE SESSION** this evening.

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:05 p.m.

Thurz moved/Gowdy seconded/DISCUSSION: None.

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

Respectfully submitted,

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