

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES

1

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION

REGULAR Meeting #1834

September 13, 2022

6:30 p.m.

John Daly Jr. Meeting Room (Town Hall)

11 Rye Street, Broad Brook, CT. 06016

(In-person)

AND

via ZOOM Teleconference

Meeting ID: 714 897 1799

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

I. TIME AND PHYSICAL PLACE OF MEETING:

Chairman Gobin called Regular Meeting #1834 of the East Windsor Planning and Zoning Commission dated September 13, 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.

(Access to the meeting is being provided remotely as well)

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

GUESTS/SPEAKERS present in-person: Director of Planning and Development Calabrese hosted the meeting. Also present in person were: James Stanton 225 South Main St., East Windsor, CT 06088 of the East Windsor Investors, LLC; Jay Ussery of the J.R. Russo & Associates, LLC representing Paul Guarino, P.O. Box 330 Broad Brook, CT 06016; John Grigada 84 Old Ellington Road, Broad Brook, CT 06016; Marek Kement representing North Road Materials, LLC, 297 North Road, East Windsor, CT

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

2

GUESTS/SPEAKERS present remotely identified as they sign in: Beth Firzsimmons,
Broad Brook, CT

II. ESTABLISHMENT OF QUORUM:

Chairman Gobin noted a quorum was established as five Regular Members and one Alternate Member Frank Gowdy were present in person at the Call to Order. She noted all members will participate in discussion and votes this evening.

III. ADDED AGENDA ITEMS:

Chairman Gobin reported the Commission has received one additional application which will be received under RECEIPT OF APPLICATIONS as PZ 2022-23 – 14 North Rd, Site Plan Modification. Applicant: Dan's Auto Service Center

Chairman Gobin acknowledged this application as received and added it on to the record.

IV. LEGAL NOTICES:

Chairman Gobin read the legal notices PZ-2022-20, PZ-2022-21, and PZ-2022-22 on the record.

**a) PZ-2022-20 – 225 South Main St– Zone Change from B-2 to M-1. Applicant:
James Stanton.**

The East Windsor Planning and Zoning Commission will hold a Public Hearing on Tuesday, September 13, 2022 at 6:30 pm. Details on how to attend will be published on the Commission's Agenda and will be made available on the Town's website.

The Applicant for **PZ-2022-20** is James Stanton for 225 South Main Street, East Windsor, CT 06088 requesting a zone change from B-2 to M-1 in order to provide an opportunity to increase tax base and employment. A full copy of application is available on the Planning and Zoning Commission's Webpage on the Town's Website. All interested persons may attend this meeting and provide verbal or written comments regarding this application.

**b) PZ-2022-21 – 28 Rye St- Special Use Permit for a Residential Duplex. Applicant:
Paul Guarino**

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

3

The East Windsor Planning and Zoning Commission will hold a Public Hearing on Tuesday, September 13, 2022 at 6:30 pm. Details on how to attend will be published on the Commission's Agenda and will be made available on the Town's website.

The Applicant for **PZ-2022-21** is Paul Guarino for 28 Rye Street, East Windsor, CT 06088 requesting a Special Use Permit for a Residential Duplex. A full copy of application is available on the Planning and Zoning Commission's Webpage on the Town's Website. All interested persons may attend this meeting and provide verbal or written comments regarding this application.

c) PZ-2022-22– 115 Scantic Road – Special Use Permit for Event Hosting. Applicant: East Windsor Historical Society Inc., (Tabled to October 11, 2022)

Chairman Gobin read the legal notice on the record.

The East Windsor Planning and Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 6:30 pm. Details on how to attend will be published on the Commission's Agenda and will be made available on the Town's website.

V. PUBLIC PARTICIPATION:

Chairman Gobin queried the members of the in-person audience for comments regarding items/issues not posted on the Agenda. No one requested to speak. Chairman Gobin then offered the remote participants the same opportunity for public comments; no one requested any changes.

Chairman Gobin closed the public participation to move to the Approval of Minutes.

VI. APPROVAL OF MINUTES:

a. August 23, 2022 – Regular Meeting of PZC:

Chairman Gobin noted the availability of the Minutes for the Commission's Regular Meeting #1833 held on August 23, 2022. She queried the Commission for revisions or edits; none were suggested.

Chairman Gobin called for a motion of approval.

MOTION: To APPROVE the Regular Meeting Minutes of Meeting #1833 dated August 23, 2022.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

4

Kowalski moved/Leason seconded/*DISCUSSION*: None.

VOTE: In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Gowdy

(No one opposed)

VII. RECEIPT OF APPLICATIONS:

Chairman Gobin noted the receipt of the following applications, which will be heard at a future meeting:

PZ 2022-23 – 14 North Rd, Site Plan Modification. Applicant: Dan’s Auto Service Center

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

No requests presented under this Item of Business this evening.

IX. CONTINUED PUBLIC HEARINGS:

a. PZ-2022-19- 197 North Rd- Special Use Permit Renewal for Soil Management Facility. Applicant: North Road Materials LLC

Chairman Gobin read the description of this continued Public Hearing and stated for the record that an order of Cease and Desist was issued. Ruthanne Calabrese has an update for it.

Ruthanne Calabrese: We have been advised by our Town Attorney not to continue with the Public Hearing on this application. We have to postpone it till the next meeting. The Cease & Desist Order has been issued for this project. We are in the process of collecting more information. At this point, there are two items regarding this matter:

1. The filling in an area outside the location that has been approved to be filled and that the acceptance of the dredge material seems to be the problem. It is not of the right composition. Therefore, the Order of Cease and Desist has been issued. Moreover, the applicant is also looking for some plan modification as a means to help remedy the problem.

2. Jay Ussery has been approached to assist with the resolution of the problem.

Marek Kement asked the Commission to table it until the next meeting. His request was accepted by the Commission.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

5

MOTION: To CONTINUE the PZ-2022-19 297 North Rd – Special Use Permit Renewal for Soil Management Facility. Applicant: North Road Materials LLC at the next meeting (September 27, 2022).

Kowalski moved/THURZ seconded/DISCUSSION: None

VOTE: In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Gowdy

UNANIMOUS (No one opposed/No Abstentions)

X. NEW PUBLIC HEARINGS:

- a) **PZ-2022-20—225 South Main St- Zone Change from B2 to M1. Applicant: James Stanton:**

Chairman Gobin read the Application description, and asked the applicant to come forward and make a presentation.

Joining the Commission in-person to discuss this application was James Stanton. Mr. Stanton, the owner of the location reported on the portfolio of his application to show that the location was changed to B-2 as he planned to conduct business from it. Since then, he decided to keep the property in his family and have steady income out of it. He has no desire to sell it to businesses. He is planning to change the appearance of his property to match it with neighboring residential houses.

The Commission commended on Mr. Stanton's decision not to sell the property to businesses.

Chairman Gobin called for any additional comments from the in-person audience, and then offered the same opportunity to the remote participants. No one requested to be acknowledged.

MOTION: To CLOSE THE PUBLIC HEARING on PZ-2022-20—225 South Main St- Zone Change from B2 to M1. Applicant: James Stanton.

Kowalski moved/Thurz seconded/DISCUSSION: None

VOTE: In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Gowdy

UNANIMOUS (No one opposed/No Abstentions)

MOTION: To APPROVE the PZ-2022-20—225 South Main St- Zone Change from B2 to M1. Applicant: James Stanton.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

6

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

Findings:

1. The proposed zone change agrees with the East Windsor Plan of Conservation & Development.

Kowalski moved/THURZ seconded/DISCUSSION: None

VOTE: In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Gowdy

UNANIMOUS (No one opposed/No Abstentions)

Chairman Gobin then moved to NEW PUBLIC HEARING, Item b. PZ-2022-21-28 Rye St- Special /use Permit for a Residential Duplex. Applicant: Paul Guarino:

Chairman Gobin read the application description, and asked the applicant to come forward and make a presentation.

Jay Ussery, J.R. Russo & Associates, LLC represented the applicant. Mr. Ussery demonstrated the project that could be turned into the duplex. He provided the description of the duplex and how it would visually look.

Commissioner Sauerhoefer: We have had problem with water elevation lately with the houses being build lower than the street. It looks like it is 1 foot lower than the street.

Jay Ussery: We have placed drainage on the side of the driveway for the rainwater.

Chairman Gobin: Is there a basement or is it build on the slab?

Jay Ussery: There is a basement.

Chairman Gobin asked if there were any questions from the Commissioners.

Chairman Gobin: This is a public hearing on a proposed change in the regulation. Is there any comment from public?

John Grigada, 84 Old Ellington Rd.: My house is behind the proposed duplex. I am concerned with water drainage issue. In the spring, I get a lot of water into my yard. I am aware that there is an easement for water drainage that this duplex could be

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

7

connected to. The water from this project will end up in my backyard. I am concerned about the erosion and the drainage.

Jay Ussery: I am aware there is a pipe but I am not sure where it goes.

The Commission questioned Mr. Ussery if this could be investigated and the issue with the drainage ought to be mitigated.

Jay Ussery: We might be able to determine where the pipe leads with the help of the Public Works Department and resolve this issue without any problems.

Chairman Gobin called for any additional comments from the in-person audience, and then offered the same opportunity to the remote participants. No one requested to be acknowledged.

MOTION: To CLOSE THE PUBLIC HEARING on PZ-2022-21-28 Rye St- Special /use Permit for a Residential Duplex. Applicant: Paul Guarino.

Kowalski moved/Leason seconded/DISCUSSION: None

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

MOTION: To APPROVE the PZ-2022-21: 28 Rye Street (Map 077, Block 40, Lot 001 & 001-1) requesting a SUP with Site Plan for construction of a Residential Duplex (R-1) Applicant: Guarino Homes/Owner Windsor Locks Group, LLC.

This approval is granted subject to conformance with the submitted application, supporting materials and public hearing presentation (as may be modified by the Commission and this approval) and the following findings and conditions.

Plans incorporated by reference:

- Plot Plan-prepared for Paul Garino 28 Rye Street, East Windsor, Connecticut; Map 077, Block 40, Lot 001-1; sheets 1-2; Zone R-2; dated: 8-8-22
- New Construction (unfinished basement); prepared by Drummond House Plans Sheets 1-7; Dated: May 29, 2018
- 1 Lot Re-subdivision – Rye Street & Old Ellington Road East Windsor, CT Owner/Applicant Christopher Donahue, 26 Rye Street Broad Brook, CT; Prepared by JR Russo & Associates, LLC; sheets 1-3 Last Revised: 1-26-2021

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

8

Finding:

1. The proposed use is in compliance with the standards set forth by Section 701 of the East Windsor Zoning Regulations.

Conditions which must be met prior to signing mylars:

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.

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

4. A single, PDF copy of the final plans, with all necessary revisions shall be provided to the Planning and Development Office.
5. A zoning permit has been obtained from the Planning and Development Office for the project.
6. 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 Compliance:

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

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

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

9

approval shall otherwise be null and void unless an extension has been granted by the Commission.

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.

Kowalski moved/Leason seconded/*DISCUSSION*: None

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

Chairman Gobin then moved to **NEW PUBLIC HEARING, Item c. PZ-2022-22 – 115 Scantic Road – Special Use Permit for Event Hosting. Applicant: East Windsor Historical Society, Inc. (Submitted a request to be tabled until the October 11, 2022 meeting):**

MOTION: To TABLE THE PUBLIC HEARING for PZ-2022-22 – 115 Scantic Road – Special Use Permit for Event Hosting. Applicant: East Windsor Historical Society, Inc.

Kowalski moved/Leason seconded/*DISCUSSION*: None

VOTE: In Favor: Gobin/Kowalski/Leason/Sauerhoefer/Gowdy

(No one opposed/No Abstentions)

XI. OLD BUSINESS: None

XII. NEW BUSINESS: None

XIII. OTHER BUSINESS:

a. ZEO (Zoning Enforcement Ordinance) Report

Ruthanne Calabrese presented the report to the Commission.

Michael Kowalski: Is there any update on the Blight Ordinance Enforcement Regulation?

Ruthanne Calabrese: This week, we will be reviewing changes made at the last Board of Selectmen Meeting. Our new Building Official, Ken Rich is present with us. He will be

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1834 – September 13, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

10

administering the enforcement process. The Board of Selectmen must approve and then call a public meeting for a vote to pass it.

XIV. **CORRESPONDENCE:** None

XV. **BUSINESS MEETING:** None

XVII. **ADJOURNMENT:**

MOTION: To ADJOURN this Meeting at 7:26 p.m.

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

Respectfully submitted,
Sabo Maniscalco, Recording Secretary, East Windsor Planning and Zoning Commission