

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

REGULAR Meeting #1841

December 27, 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

MEETING MINUTES

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

I. TIME AND PHYSICAL PLACE OF MEETING:

Chairman Kowalski called Regular Meeting #1841 of the East Windsor Planning and Zoning Commission being held on December 27, 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, Michael Kowalski (Chairman), David Leason (Secretary), and Jim Thurz (Vice Chairman). There is currently a vacancy for one Regular Member.

Alternate Members: Frank Gowdy. 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 Development/Town Planner Calabrese hosted the meeting. Also present in person were Planning Consultant Michael D'Amato, Deputy First Selectman DeSousa, Selectman Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission, Selectman Muska, Selectman Nordell; **Representing the East Windsor Historical Society:** Nancy Masters; Jay Ussery, of J. R. Russo & Associates, LLC; Tim Coon, of J. R. Russo & Associates,

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

2

LLC; Lorri DiBattisto, of DiBattisto Architects; Scott Hesketh, of F. A. Hesketh & Associates; **Representing Gayle and Lester Boisvert:** Scott Lingenfelter, Esquire; **Other speakers:** Angela Bevan; Christine Braun; Robin Chesky; Chritina Dahl; Mike Greer; Tyler Ness; Gary Roy; Michael Smith.

GUESTS/SPEAKERS present remotely identified as they sign in: Sheryl Foster; Hallwaypc; Iphone; Izzy; Ivalente; Kris; John B; Carl Landolina; Snowb; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISH QUORUM:

A quorum was established as four Regular Members, and one Alternate Member, were present at the Call to Order. Chairman Kowalski asked if Alternate Member Gowdy had had an opportunity to read the Minutes to bring himself up to speed on the previous meeting? Alternate Member Gowdy replied affirmatively. Chairman Kowalski asked that Alternate Member Gowdy participate in discussion and votes this evening.

III. ADDED AGENDA ITEMS: None.

IV. LEGAL NOTICE: None

V. PUBLIC PARTICIPATION (For items not listed on the Agenda:

Chairman Kowalski queried the in-person audience for comments regarding items/issues not posted on the Agenda. No one requested to speak. He then offered an opportunity for the remote participants to comment or raise questions; no one requested to be acknowledged.

VI. APPROVAL OF MINUTES:

A. December 13, 2022 – ~~Regular~~ Special Meeting of PZC:

Chairman Kowalski noted the availability of the Minutes of the Commission's previous Meeting #1840 held on December 13, 2022; he asked if anyone had any comments or revisions? Alternate Member Gowdy noted he had read the Minutes, and had no alterations or comments. Hearing no other requests for revisions or comments, Chairman Kowalski called for a motion of approval.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

3

MOTION: To APPROVE the Minutes of *Special Meeting #1840* held on December 13, 2022 as presented.

Gobin moved/Leason seconded/DISCUSSION: None.

VOTE: In Favor: Gobin/Kowalski/Leason/Thurz
Opposed: No one
Abstained: Gowdy (not present)

VII. RECEIPT OF APPLICATIONS:

A. PZ-2022-28 15 Kreyssig Rd – Special Use Permit for a Dog Daycare/Dog Grooming Service. Applicant Kimberly Lanz:

Chairman Kowalski acknowledged receipt of application **PZ-2022-28** for 15 Kreyssig Road – Special Use Permit for a Dog Daycare/Dog Grooming Service. The applicant is Kimberly Lanz.

Chairman Kowalski noted this application will be heard at a future meeting.

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

No requests presented under this Item of Business this evening.

IX. CONTINUED PUBLIC HEARINGS:

A. PZ-2022-26 115 Scantic Rd – Special Use Permit for Event Hosting. Applicant: East Windsor Historical Society:

Chairman Kowalski read the description of this Public Hearing.

Chairman Kowalski requested representatives for the applicant open discussion with their presentation.

Jay Ussery, of J. R. Russo & Associates, LLC joined the Commission, noting he, and the following individuals, are representing the East Windsor Historical Society. Mr. Ussery noted he would be assisted this evening by his colleague, Tim Coon, P. E., also of J. R. Russo & Associates. Scott Hesketh, of F. A. Hesketh & Associates, is present to discuss revisions to the traffic study, and Lorri DiBattisto, of DiBattisto

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

4

Associates, will discuss the renovations to the blue barn, including the installation of additional insulation to reduce sound levels.

Mr. Ussery also noted John Burnham, of the East Windsor Historical Society, and Attorney Carl Landolina, attorney for the East Windsor Historical Society, are present via ZOOM.

Mr. Ussery submitted the following documents for review by the Commission this evening:

- Revised Plan set
- Revised Traffic Report
- Additional information regarding sightline distances on Cemetery Road
- Turning radius information from the Warehouse Point Fire Department for their 95-foot Pierce Ladder Truck regarding emergency access
- Truck turning movements for a SU-30 box truck entering and exiting the site
- Lighting cut sheets for proposed parking lot and ornamental lighting along the driveway
- Listing of potential events and associated rental agreement

Mr. Ussery noted comments provided by Staff regarding screening in the landscaping regulations, which requires a fence and staggered evergreens facing the residential use. Mr. Ussery noted they had previously proposed a berm with evergreens planted on the berm, the revised Site Plan submitted this evening shows the addition of a 6 foot solid board fence with staggered evergreens at 10 feet on center.

Mr. Ussery noted that discussion at the previous meeting occurred regarding the requirement for a drainage easement across the property of Abbott Schultz, which Mr. Schultz had refused to grant. Mr. Ussery indicated the revised Site Plan submitted this evening includes a note citing the map and deed documenting an existing drainage easement granted by the former owner of the Schultz home, David Tyler; Mr. Ussery suggested the water has gone there for some time. Mr. Ussery indicated that drainage is not part of their system, nor are they incorporating it into their system; the water will continue to flow through that easement as it does today. Mr. Ussery indicated his partner, Tim Coon, will discuss the drainage easement shortly.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

5

Regarding references to the POCD (Plan of Conservation and Development), and the criteria for the Special Use Permit, Mr. Ussery recalled that Attorney Needelman had suggested they agreed with the criteria but disagreed with the manner by which it was being addressed. Mr. Ussery cited Attorney Needelman suggested the Commission "must" conform to the POCD but Mr. Ussery suggested the regulations says the POCD is a guidance document to rely on for consideration of proposed development. Mr. Ussery indicated they feel they are meeting the POCD criteria, noting that Chapter 2 addresses the preservation of community resources and more open space. Mr. Ussery suggested this proposal will allow the East Windsor Historical Society to continue to stay in this location and continue the work they've been doing for 50 or 60 years. This proposal will enable them to create a venue which will provide income and will enable them to continue to maintain the agricultural and open space area of the property and to continue doing what they've done in the community by bringing historical buildings to the property to preserve their history and background.

Mr. Ussery noted the POCD also talks about protecting the environmental quality. Mr. Ussery recalled that Attorney Needelman had suggested they would pollute the Scantic River. Mr. Ussery noted the drainage system proposed meets all the Town's requirements and has been designed by a professional engineer. Mr. Ussery noted the proposed drainage system has been reviewed by the Town Engineer, and is similar to drainage systems on many other properties which this Commission has approved.

Mr. Ussery noted the POCD cites under Primary Strategies creating village plans for each of the villages which include architectural guidelines and lot requirements to preserve the rural character and enhance the architectural character of each of the villages. Mr. Ussery noted that they are taking a pre-fab building and making it look more like a farm building, so it enhances the rural village character of Scantic. Mr. Ussery referenced Lorri DeBattisto's rendering of the proposed improvements, noting it enhances the village character of Scantic, while preserving the agricultural nature by keeping the farmland. Mr. Ussery suggested they feel that they've met the primary strategy by allowing the East Windsor Historical Society to continue their work preserving the historical resources of East Windsor, and continuing to preserve the natural resources.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

6

Mr. Ussery noted this property has substantial frontage on the Scantic River and the Scantic corridor has been a joint project of South Windsor, East Windsor, Enfield, and Somers for 40+ years, the project is the development of a linear park running from the mouth of the Connecticut River to the Massachusetts border. Mr. Ussery suggested a lot of that project has been accomplished, easements allowing access to the Scantic River have been purchased. The East Windsor Historical Society owns substantial frontage along the Scantic River, which will continue/contribute to the linear park.

Mr. Ussery reiterated that in terms of the POCD, this application meets many of the goals of the POCD, which meets the Special Use Permit criteria.

Mr. Ussery then reviewed various sections of the regulations.

Section 701.1 requires the Commission to review the POCD to determine if the approval criteria of the regulations are in general accordance with the POCD. Mr. Ussery suggested they feel they are in accordance with the POCD.

Section 701.2 requires that the proposed development be in harmony with the adjacent properties. Mr. Ussery suggested they feel it's in harmony with the adjacent area as it's an existing barn on the existing location which they are enhancing. Mr. Ussery indicated they aren't increasing the size of the building, and feel the development won't be detrimental to the orderly development of the adjacent properties

Mr. Ussery indicated in subsection (b) it says "the height, size, and location of the structure and nature and extent of the landscaping on the lot will not discourage appropriate use of adjoining property, or diminish the value thereof". Mr. Ussery reiterated they aren't increasing the size or height or location of the existing structure, they're only enhancing the building architecturally, which they feel is in keeping with the area.

Mr. Ussery reiterated his earlier comments regarding enhancing the landscaping to meet regulation requirements; they're proposing fencing, screening, and evergreens to screen the use from the properties to the west.

Regarding diminishing the value of adjacent properties, Mr. Ussery recalled that going back 40 years the East Windsor Historical Society's

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

7

property was a mess, with broken down and dilapidated equipment all over the place. The East Windsor Historical Society spent thousands of dollars cleaning all of that up so they've actually enhanced the property values. Mr. Ussery suggested that Attorney Needelman had said the proposed parking area was taking away agricultural land. Mr. Ussery suggested, in reality, the parking area was a dump, with delapidated farm and construction equipment all over the area to the east of the existing farm buildings. The area was never used as agricultural land, it was a dump which the East Windsor Historical Society cleaned up. Rather than diminishing property values Mr. Ussery suggested they probably have enhanced property values.

Section 701.2(c) regarding the proposed use won't alter the essential characteristics or adversely affect the property value in the neighborhood. In discussing the neighborhood, Mr. Ussery suggested someone living a mile down Scantic Road, or at the bottom of the road on Cemetery Road, or half a mile down the road on Phelps Road won't be affected by this proposal.

Section. 701.3 regarding adequate access. Mr. Ussery referenced information provided this evening which shows there is adequate access for emergency vehicles and for box trucks and catering trucks that might be coming in for deliveries.

Regarding adequate infrastructure including water supply, and sewage disposal, and stormwater drainage systems, Mr. Ussery indicated Mr. Coon will discuss the drainage system. Mr. Ussery suggested Attorney Needelman's contention that the stormwater drainage system is inadequate is untrue. Mr. Ussery noted the approval of the sewer system by the WPCA (Water Pollution Control Authority); he noted they have power, and a generator, as well as a fire suppression system. Mr. Ussery suggested they meet the criteria for adequate infrastructure.

Section 701.5 regarding natural resource conservation. Mr. Ussery recalled Attorney Needelman had suggested this proposal would pollute the Scantic River. Mr. Ussery suggested their plan provides for adequate stormwater management. Mr. Ussery suggested they are actually protecting the environment with their substantial frontage on the Scantic River which they are hoping to preserve in perpetuity.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

8

Section 701.6 regarding compatibility with existing designs. Mr. Ussery suggested that the proposed improvements are more attractive than the existing metal building. He suggested they feel the proposed improvements are in keeping with the agricultural nature of this area of East Windsor.

Section 701.7 regarding public health, safety, and welfare. In relation to public health, safety, and welfare Mr. Ussery noted the property has sewer capacity and water and a storm drainage system. They feel with the work that's been done and the work that will be done in the future it will enhance the property values in the neighborhood.

Section 701.8 regarding residential impacts. Mr. Ussery noted we're talking about the impact of the proposed use as if it's adjacent to a residential zone, but the reality is the property to the west is located in a B Zone although it's being treated as a residential zone.

Section 701.9 regarding traffic impact study. Mr. Ussery noted Mr. Hesketh will be discussing a revised traffic study this evening.

Mr. Ussery suggested they feel they have met all the criteria for the Special Use Permit, although he felt Attorney Needelman and the neighbors won't agree.

Mr. Ussery concluded his presentation, and submitted the information noted earlier for the Commission's review during continuing discussions.

Commissioner Thurz questioned why this additional information had been submitted at the meeting, as it's a lot of information for the Commission to consider this evening. Mr. Ussery noted some of the material had been submitted in response to questions the Commission had raised at a previous meeting, while the traffic study was revised and reviewed by the Town Engineer; the drainage report has also been reviewed by the Town Engineer as well. Mr. Ussery indicated the only new information is information regarding the turning radius, and the list of potential events. Commissioner Gowdy agreed that the submission of this material this evening made it difficult for the commission, he hoped Mr. Ussery didn't expect a decision this evening. Mr. Ussery indicated he expected the Public Hearing would be held open to the Commission's next meeting. Commissioner Gowdy reported that he read the Minutes of the previous

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

9

meeting, although he hadn't attended, but the questions he would have asked have been answered.

Mr. Ussery noted that the turning templates regarding emergency access have been submitted in response to comments made by the Fire Marshal, and the assertion of Attorney Needelman, who is a firefighter, that the turning radius was not adequate.

Mr. Ussery then introduced his colleague, Tim Coon, to discuss the drainage report.

Mr. Coon advised the Commission he is a P. E. with J. R. Russo & Associates, LLC. Mr. Coon indicated Attorney Needelman had questioned the drainage system as he felt it didn't include the offsite area on the other side of Scantic Road which Attorney Needelman felt should have been included. Mr. Coon indicated they don't really know if the structures are connected to the East Windsor Historical Society. He referenced piping which is coming from that direction but there's no mapping evidence to indicate there is a connection. Commissioner Thurz questioned if there is a catch basin in that area which is currently flooded? Mr. Coon referenced the location of the catch basin under discussion, and the associated piping, but he noted there is no map to verify the connection. Mr. Coon suggested that even if the connection was verified that area is unchanged by the proposed development. If it is connected, it comes through the existing drainage system at the south end of the property, while the proposed activity is at the north of the East Windsor Historical Society's property. Mr. Coon indicated the new drainage system will be collecting the drainage from the north. They will be reducing some of the flow to that area. Because it's an isolated system, and because it's an area that's unchanged and doesn't impact their proposed drainage system and doesn't go into their basin it wasn't included in the information. Mr. Coon indicated they will not be impacting the Scantic River. The basin is a wet basin designed following the requirements of the Connecticut Stormwater Guidelines. Mr. Coon noted their proposal is an accepted primary stormwater treatment basin, which has been reviewed and approved by the Town Engineer.

Mr. Ussery then asked Scott Hesketh to come forward to discuss the revisions to the traffic study.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

10

Mr. Hesketh advised everyone he's a P. E. with F. A. Hesketh & Associates, and is the author of the November 7, 2022 traffic study. Mr. Hesketh reported he's done more research, and has included a memo dated December 22, 2022 which provides additional information.

Mr. Hesketh noted the traffic report is based on 2019 counts. He reported the ConnDOT updates the counts on a 3-year rotating basis. The counts have remained relatively unchanged from 2011 – 2019, and may be less during the time impacted by COVID.

In response to the Commission's question regarding more recent data, Mr. Hesketh reported they recently installed traffic counters and confirmed that the total vehicles are much the same as the 2019 counts. Mr. Hesketh reported that they installed traffic counters at I-91 North of Scantic Road, and found that area experienced average daily trips of 2172, with the peak hourly volume of 252 trips. Mr. Hesketh reported they also installed traffic counters at Cemetery Road east of Scantic and found that area experienced average daily trips of 1931, with a peak hourly volume of 217. Mr. Hesketh reported that those volumes are very similar to those reported with the 2019 traffic counts.

Mr. Hesketh reported they also performed a manual turning movement count analysis of the intersection at Scantic Road and Cemetery Road during the peak afternoon hours. The capacity analysis indicated that the intersection operates at a level of service "A" during the combined and background traffic conditions, with vehicles moving through the intersection in 10 seconds or less. Mr. Hesketh reported he's confident that the level of service at this intersection is excellent under the combined traffic conditions.

Regarding the accident data, Mr. Hesketh reported that they researched the data for the intersection of I-91 at Tromley Road. The previous report indicated 5 accidents at that intersection, while their additional research found there to have been 4 accidents which occurred at the intersection; no comments were made regarding the sight distance limits. Mr. Hesketh indicated that there are no sight distance limitations at the intersection of Cemetery Road and Scantic, which has the 4-way stop signs at the church. The accident data information indicated there was one accident at that intersection over the last 3 years.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

11

Mr. Hesketh indicated the December 22, 2022 revised traffic study indicates the 88 parking spaces being proposed for this use exceeds the Town's parking requirements. Therefore, there is sufficient parking for this proposed use.

Regarding the question if the proposed use was designed to accommodate truck deliveries, Mr. Hesketh noted truck turning diagrams have been provided to the Commission for a SU-30 vehicle which is the largest vehicle they anticipate at the site which would be used for garbage pick up. Mr. Hesketh suggested they don't anticipate many deliveries, other than caterers who tend to use smaller cargo vans. Table and chairs would likely be delivered to the site once and stored on site by whoever is marketing the facility.

Mr. Hesketh noted the Commission has been provided information regarding the turning movements for the largest piece of fire apparatus owned by the Town. Mr. Hesketh suggested the turning movement information demonstrates that the vehicle has adequate access in and out of the site without a concern for hitting other vehicles.

Mr. Hesketh suggested a question had been raised as to how to limit capacity to 250 guests for proposed events. Mr. Hesketh noted the list of potential events submitted by Mr. Ussery this evening; he suggested Section 405 of the Zoning Regulations could allow a higher number of patrons via a temporary permit for seasonal events as the Historical Society has done in the past.

Regarding questions related to the width of Cemetery Road, Mr. Hesketh suggested his report had indicated a width of 22 feet while a member of the public spoke with Town Staff, who indicated it was 20 feet. Mr. Hesketh reported they took measurements at 5 different utility poles and found 20.5 feet at one pole, and at another location 21.1 feet, while the remaining 3 locations/poles measured a width of 22.6 feet.

Regarding the intersection sight distance, Mr. Hesketh reported they initially reported a sight distance of 450 feet at the property driveway on Cemetery Road. He remeasured and found a sight distance of 500 feet looking left out of the property driveway on Cemetery Road at 10 feet behind the existing curb line, while looking to the right you can see to the intersection at Scantic Road for a sight distance of 388 feet; Mr. Hesketh

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

12

also noted you can see across the intersection for a distance of 425 to 440 feet. The 500 foot sight distance meets the 85 percentile speed of Cemetery Road at the site/property driveway, which was measured to be 38 to 39 miles per hour. Mr. Hesketh reported that the speed at the intersection of Cemetery and Scantic Road is effectively zero because of the 4-way stop. Mr. Hesketh suggested they didn't find anything in their new observations to indicate that the existing roadway width isn't sufficient to support the proposed use.

Mr. Hesketh indicated he would take questions from the Commission.

Commissioner Gowdy:

- ***Access visibility at Cemetery Road:*** Commissioner Gowdy noted Mr. Hesketh's comments indicated he was looking through trees. Mr. Hesketh suggested there are some trees at the site driveway. If the tree was a flowering tree of 3 ½ feet it wouldn't be necessary to remove it because it would be above someone's eye level sitting in their vehicle, but he felt there may be one tree between the two site driveways that would have to come down. Mr. Ussery joined the discussion, noting he had asked the same question Commissioner Gowdy had. In actuality, there is nothing in the way of shrubbery that would have to come down.

Commissioner Thurz:

- ***Revised traffic study:*** The Commissioners had not received the revised traffic study in their packets; Planning Director Calabrese suggested it's being submitted this evening.
- ***Traffic Counts:*** Commissioner Thurz noted the traffic counts were taken before and after the holidays, and may have been lower. Mr. Hesketh reported they were taken on a Wednesday, Thursday, and Friday after the last public hearing. The counts were consistent with those taken in the area over the past 10 years.
- ***Employee parking:*** The Commission didn't discuss employee parking at the previous meeting, Commissioner Thurz questioned that there should be 30 parking spots for employees? Mr. Hesketh indicated the parking spaces being provided meet the regulation requirements, and don't specify specific parking for employees.

Chairman Kowalski:

- ***Parking calculations as it relates to occupancy:*** Chairman Kowalski noted one of his questions during the previous meeting was that the calculation for parking is based on a controlled number of vehicles, while some of the proposed events, like a farmers' market, would be open to the public and you can't control how many people would attend. How do you do parking and traffic calculations based on that? Mr. Hesketh indicated trip generation was based on the occupancy. Chairman Kowalski referenced a public event, like a farmers market, which would be difficult to anticipate how many people would attend. When you get to a certain point you get to maximum saturation and you run out of parking spots, when you hold the ice cream socials people park across the street. Mr. Hesketh suggested he would defer to the people running the events, and then he and Chairman Kowalski could return to this discussion.

Commissioner Leason:

- ***Parking control:*** Commissioner Leason noted he attends car and motorcycle shows, and he has a trailer for his show vehicles. Commissioner Leason suggested the parking doesn't indicate where the person bringing the trailer in will park the trailers. It's more people turning around and backing up.

Commissioner Gobin:

- ***EV chargers:*** Commissioner Gobin noted consideration for the inclusion of EV chargers was still on the table for her.

Mr. Ussery rejoined the discussion.

Regarding the parking requirements, Mr. Ussery noted the regulations require parking based on occupancy. An event anticipating 250 guests would require 88 parking spaces, which would also include staff. Mr. Ussery suggested if the Commission is uncomfortable with that number they have ample area off of Cemetery Road to add an 18 - 20 additional spaces.

Mr. Ussery also cited Section 405 of the Zoning Regulations allows for a Temporary Event Permit, which is how the East Windsor Historical Society manages the Ice Cream Social. Mr. Ussery cited other organizations have similar events, noting the Broad Brook Fire Department ran their carnival at the corner of Main Street, Broad Brook and Route 140 for decades they asked for a Temporary Event Permit. Mr.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

14

Ussery suggested farmers markets vary regarding occupancy; he noted Ellington experiences lower numbers than Coventry, which has a large attendance. Mr. Ussery indicated they meet the requirements for an event with a capacity of 250 guests; he suggested if there's something on the proposed event list which concerns the Commission then they need to discuss it.

Regarding the EV chargers Mr. Ussery indicated they have the capacity to add the charging stations, which they would probably put closer to the building because of the wiring.

Mr. Ussery indicated they need to consider the trailer usage at the car/motorcycle shows.

Mr. Ussery suggested at this point he'd like Lorri DiBattisto to join the discussion regarding the improvements to the blue barn related to noise/sound, and hours of operation.

Lorri DiBattisto, came forward, noting she's a registered architect and structural engineer in the state of Connecticut. Ms. DiBattisto opened discussions by addressing questions from the previous meeting.

Regarding a sprinkler system, Ms. DiBattisto indicated they are proposing a sprinkler system under NFP-13, she cited the property has a well system which will require installation of a holding tank. The systems are based on the hazard within the building, if you have cars in it there is criteria based on the size of the building, the occupancy, etc. They will have an emergency generator on site, Ms. DiBattisto referenced the location of the holding tank within a heated area. There will be a fire pump which will pump up to the building. There will be no drain on the existing well system, or the drinking water.

Ms. DiBattisto also recalled there had been a question regarding the separation of the closest building wall to the residential structure. According to the fire separation code with no fire rated exterior wall system the distance is 30 feet, this proposal provides 79.6 feet to the actual property line, while the requirement is to the building.

Regarding the sound insulation, Ms. Battisto recalled discussion at the previous meeting regarding installation of foam insulation on the exterior walls of the blue barn to control noise. Ms. DiBattisto indicated they

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

15

would actually be building 2 walls; they'll add stripping to the exterior metal wall of the building and then add new wood shakes which will give the building a farm look; that system will include an air gap. Inside, they'll be another 2 foot by 6 foot wall with foam to meet the insulation requirements for energy. Ms. DiBattisto indicated the exterior wall will then have a 100 db (decibel) or stc rating. Ms. DiBattisto suggested they feel that will increase the comfort for the surrounding neighbors, especially sound from music held inside the building.

Ms. DiBattisto opened discussion to the Commission.

Commissioner Gobin:

- ***Sound from the patio:*** Commissioner Gobin recalled discussion at the previous meeting regarding leaving the doors to the patio open, or if the activity is on the patio, what's the noise at the property line from that activity? Ms. Battisto suggested when the activity is on patio the structure would be blocking that activity; in addition they have the 6 foot berm and a 6 foot fence.
- ***Impact on the (Shultz) house behind the cemetery:*** Ms. DiBattisto suggested sound dissipates as it crosses the distance; she suggested a rock and roll band might function at a 100 to 220 db level if someone were sitting 2 or 3 rows in front of it. Ms. DiBattisto felt the Commission hadn't set the decibel levels, but she can address that at the next meeting. Commissioner Gobin felt that with regard to other applications where they were concerned with noise the Commission had applied the standards of the State grades at the property line. Ms. DiBattisto inquired if that would be 55 during the day and 45 at night? Commissioner Gobin concurred.

Regarding noise levels and use of the building, Mr. Ussery cited the proposed renovation of the barn as located on the plans, he noted no activities are proposed on the side closest to the residences, which are about 80 feet away. There will not be any doors or windows on the side of the barn facing the residences. Mr. Ussery reiterated there is no activity proposed on the north or south side of the building. The patio is on the east side of the property. Mr. Ussery suggested the Schultz property is a few hundred feet away, he felt that if there was a band playing inside the barn the doors to the patio would be closed. Commissioner Thurz suggested his concern would be even with the doors closed Mr. Schultz would hear a loud thud all night long. Mr. Ussery cited other projects with crushing operations and a transfer

station abutting residential zones, he noted they hired an acoustical engineer and found that the background levels exceeded the allowable level of 55 dbs because a car passing on the street, or Mr. Ussery talking, exceeded 55 dbs. Mr. Ussery noted that the RCPC operation (on Apothecaries Hall Road) and the gun club across the road exceeded the 55 dbs, and alarms on trucks backing up at the transfer station exceeded that level as well. Mr. Ussery suggested constructing the double wall on the blue barn is what they have to do to meet that level outside between the proposed use and the residential uses.

Chairman Kowalski:

- ***B-2 Zone setback requirement:*** Chairman Kowalski noted that under Section 304 (after g) of the Zoning Regulations, Chapter 3, General Provisions, says “special permit uses under this section in residential and agricultural zones shall comply with the bulk area requirements of the B-2 Zone District.” Chairman Kowalski cited the B-2 Zone requires a 100 foot setback. Mr. Ussery suggested they did review that, and felt it was a “typo” in the regulations, as did the Planning staff. Chairman Kowalski requested Mr. Ussery review the requirement again and report back at the next meeting. Mr. Ussery noted the regulation states “uses permitted in any zone...” and it talks about various uses, including municipal uses, public places of worship; Chairman Kowalski indicated “g” relates to Farm Regulations. Mr. Ussery reported he would review that interpretation further and return with an answer for the next meeting.

Commissioner Thurz:

- ***Proposed use in other A-1 Zones:*** Commissioner Thurz recalled he asked at the previous meeting what would prevent this from occurring in other A-1 Zones of similar size. Mr. Ussery recalled that in 2010 and 2011 this Commission adopted Farm Regulations under months of public hearings. The Commission came up with a number of permitted uses and Special Permit Uses, one of which was the event hosting facility. Mr. Ussery suggested the regulations allow this use. Commissioner Thurz indicated his concern was any other parcel within town. Mr. Ussery reiterated the regulations allow event hosting on another farm, not on any piece of property, or any A-1 or A-2 piece of property, it must be a farmed property and you need to prove you’re a farm to come in under this regulation. Mr. Ussery cited the East Windsor Historical Society has a lease with a farmer to farm this property. He suggested every Special Use Permit application is

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

17

reviewed individually and has its own set of circumstances, which the Commission must review.

Hearing no further questions Chairman Kowalski opened the public hearing to the public.

Attorney Scott Lingenfelter stepped up to the podium to present comments in opposition of this proposal. Attorney Lingenfelter noted he is with Attorney Needelman's office; he then gave the Commission background regarding his experience as an attorney and a Selectman in Suffield. He also indicated he is currently Town Attorney for the Town of East Granby.

Attorney Lingenfelter cited his concern regarding the information submitted this evening.

Attorney Lingenfelter also cited dismay regarding the comment that a setback was ignored because of a "typo" in the regulations.

Attorney Lingenfelter contended this is a Special Use Permit which doesn't conform with the Town's Plan of Conservation and Development (POCD). One of the essential purposes of the POCD is to preserve farmland. Attorney Lingenfelter suggested this proposal is going to be hosting parties and major events; they'll be paving significant areas of the property to provide parking. Attorney Lingenfelter suggested there is less than adequate parking for the current venue. Attorney Lingenfelter questioned their plans for future expansion, suggesting this use is going to continue to expand.

Attorney Lingenfelter suggested the intent of the POCD is to protect river and streams and groundwater resources. While the applicant contends that the clay isn't permeable Attorney Lingenfelter suggested clay is much more permeable than pavers. The additional parking will create significantly different runoff; oil and gas from the vehicles will be draining towards the Scantic River.

Attorney Lingenfelter suggested their review of the previous drainage report indicated it didn't meet Town requirements. He cited discussion today of the catch basin across the street and the applicant isn't sure those catch basins run through this property. Attorney Lingenfelter felt

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

18

consideration of all water which could be draining into the property should be considered; Attorney Lingenfelter suggested that needs to be established.

Attorney Lingenfelter also cited information regarding an actual easement on the land records regarding drainage through the Schultz property. Attorney Lingenfelter suggested they've seen no documentation regarding that easement.

Attorney Lingenfelter submitted additional photos of the closeness of the barn to the neighbor's property, noting the distance is 79 feet. Attorney Lingenfelter noted the photos with the brown fence are the Boisvert's property and the photos with the white fence are the Bevan's property who are the closest neighbors to this event facility. He cited the possibility of cars driving through that area and people hanging out smoking and drinking less than 80 feet from those neighbor's property lines.

Attorney Lingenfelter suggested some of the photos also show the lack of drainage across the street which is continually filling up with water. He suggested the water will have less and less places to go.

Attorney Lingenfelter noted the discussion regarding the noise levels coming from the facility, and how three walls will soundproof the building, and the back wall will have the screen doors, which may or may not be closed. Attorney Lingenfelter contended the doors won't be closed; music will be blaring from them. He noted the discussion of the 55 dbs being the standard for noise, and that cars driving by create more than that level. Attorney Lingenfelter contended that 88 cars will be driving through that area less than 80 feet from the neighbors late at night creating excessive noise.

Attorney Lingenfelter cited concern for potential seating outside the facility, and how to control the 250 proposed guests. He also suggested some of the proposed parking spaces are in front of the dumpster location.

Attorney Lingenfelter suggested when reading the Fire Marshal's report there were questions regarding the turning radius for the fire apparatus, and how it needed to be extended to provide 26 feet. Attorney Lingenfelter suggested some of the areas related to emergency access are also proposed for parking spaces.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

19

Attorney Lingenfelter suggested the proposed loading area for supplies is also proposed within the parking area; he reiterated his contention that there are not adequate parking spaces.

Attorney Lingenfelter suggested they continue to have concerns regarding traffic generated from this event facility along narrow streets late at night which will create dangerous conditions for the neighbors and others driving through the adjacent streets. They also contend there were more than 4 or 5 accidents at these intersections.

Attorney Lingenfelter referenced the new information presented this evening regarding the holding tank and the fire suppression system, noting they need time to review that information.

Attorney Lingenfelter suggested for a Special Use Permit he concurs they need to comply with certain things in the regulations. Citing Chapter 7 of the regulations Attorney Lingenfelter suggested one of the first things mentioned is the need to consider the public health, safety and general welfare. Attorney Lingenfelter felt the public health, safety, and welfare won't be considered if this proposal is approved close to the neighbors properties, and will be detrimental to their health and the safety concerns regarding the roads.

Section 701.1 states that the proposal is in accordance with the relevant provisions of the POCD. Attorney Lingenfelter cited previous discussion that the POCD promotes preserving farms and farming activities, Attorney Lingenfelter contended this is taking farmland and paving it to create a party facility. He suggested this is not promoting what the POCD encourages.

701.2 harmony with the area, the proposed use shall be of such location, size and character with the area and will be in harmony with the appropriate and orderly development of the area and will not be detrimental with the adjacent properties. Attorney Lingenfelter suggested to build this event facility near the residential properties is not in harmony with the area. Attorney Lingenfelter suggested this section says the kind, size, location, and height of the structure will not hinder the appropriate use of adjacent properties or diminish their value. Attorney Lingenfelter suggested this use will diminish the value of these homes. Who will buy a home that close to an event facility with the ability to host 250 people within 80 feet of the property line? Attorney Lingenfelter suggested

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

20

Section 701.2 says that the proposed use will not alter the essential characteristics of the area or adversely affect property values in the area. He contended the proposed use will alter the area because they're now hosting events on a regular basis, and the general area will be affected by the traffic and the noise as one side has no soundproofing.

701.3 adequate access – that the streets in the vicinity have adequate width, grade, alignment, and visibility. Attorney Lingenfelter suggested that the neighbors are looking at significantly more cars coming at one time. The streets are narrow and winding and dark and aren't adequate to host this type of traffic associated with the event facility. Attorney Lingenfelter recalled Attorney Needelman's comments regarding the ability of fire apparatus to access the site, especially with the number of cars parked for an event.

701.4 adequate infrastructure required for a Special Use Permit. Attorney Lingenfelter cited the water supply, sewage disposal, and stormwater drainage system shall meet the criteria and standards of the appropriate regulatory authority. Attorney Lingenfelter suggested the stormwater drainage system is a problem. He not the applicant acknowledged they haven't taken into account the water coming from across the street, and have indicated tonight they don't need to, Attorney Lingenfelter contended they need to consider the water from across the street. He cited concern regarding the water supply, especially as it relates to the fire apparatus.

701.5 requires that the proposed plans provide for the conservation of natural features, drainage basins, and protection of the environment in the area. Attorney Lingenfelter suggested the applicant is proposing to pave an area which Attorney Lingenfelter felt will cause more runoff and pollution to the Scantic River and affect the neighbors' properties because of water runoff onto several adjacent properties.

701.6 regarding compatible design and proposed development is appropriate with the overall character of the community as outlined in the POCD. Attorney Lingenfelter suggested the community surrounding the proposed facility is a residential neighborhood, he suggested this proposal for an event facility is not an appropriate use.

701.7 regarding the proposed use will not have a detrimental affect on the public health, safety or welfare or property values. Attorney Lingenfelter cited previous discussion regarding compatibility with the area, he

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

21

contended that this proposal will have a detrimental effect on the public health, safety, and welfare of the neighborhood.

701.8 regarding that any proposed use or activity adjacent to a residential zone will not hinder or disturb appropriate use or development of adjacent land and buildings, or impair their value after considering the size/location or intensity of the use. Attorney Lingenfelter contended this proposed facility will have a detrimental impact on the residences around it.

Attorney Lingenfelter concluded that he and his clients feel this proposed use is not in compliance with the Town's regulations, and they don't want to see the treasured farmland and other farmland in town become banquet halls. He reiterated the ability for facilities such as the proposal to host 100+ guests and associated parking. Attorney Lingenfelter referenced notes on the site plans regarding utilities and drainage which support future expansion; he suggested this is step one. Attorney Lingenfelter suggested when the Historical Society speaks of preserving farmland and using the money from this facility to preserve future farmland it doesn't take an economic expert to know that the money they're investing in this could go a long way to preserve and support a lot of farms and farmland in the area. Attorney Lingenfelter suggested this isn't the location for this facility; a facility this size should be on Route 5 or parts of Route 140 but not around Scantic and Cemetery Road; they don't want it here.

Attorney Lingenfelter concluded his presentation, and asked for time to review the information submitted this evening.

Chairman Kowalski opened discussion to the public.

Tyler Ness, 9 Cemetery Road: Mr. Ness reported he's been hearing a lot of talk about preservation and conservation, and what the applicant has done over the years but he felt turning this land into a paved parking lot doesn't preserve or conserve anything.

Mr. Ness reported his other concern for himself and his family and others in the immediate area is the exposure. Over the course of the year they've been exposed to thousands of people who now know where they live. Mr. Ness noted they moved out here for the quiet and privacy, and he's concerned that not all of those people will be upstanding citizens. Mr. Ness cited a concern for the exposure and their safety.

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES

22

Michael Smith, 168 Tromley Road: Mr. Smith reported he and his wife and daughter moved here about a year ago to get some quite and peace, and now they will be living within eyesight of where this is being proposed. Mr. Smith suggested they try to walk in the area with their dog; Mr. Smith noted he's lived all over the country and he hasn't seen so many dark and winding roads. Mr. Smith indicated he kind of liked that when you're trying to get away from it all but when you talk about 250 people and 88 parking spaces, he felt it doesn't make sense.

Mr. Smith advised the group he is a wedding drummer; he felt this would be mostly wedding events. He questioned how you will control the number of people, they'll be parking on the roads, which are dark and unlit. He suggested there are many trees and telephone poles near the road, if you pick up your cell phone to send a text you can almost hit a tree. Mr. Smith suggested people who don't know the area will be drinking alcohol and driving drunk down those winding roads from the highway and down Tromley Road. As a resident, Mr. Smith suggested with regard to their future here it would be detrimental; he felt it would be for many other families as well.

Mike Greer, 141 Scantic Road: Mr. Greer reported he lives across from this place. We know it's wet over there. Mr. Greer noted he and his neighbors have animals; they can hear people talking from his house when the wind blows a certain way. Mr. Greer questioned how will it be if they have bands playing there?

Christine Braun, 16 Mahoney Road: Ms. Braun noted she wrote an e-mail today because she's not really comfortable speaking in public, but ... Ms. Braun suggested the building is beautiful, but this use doesn't belong here. Referencing the neighbors, Ms. Braun suggested if she were them she would be absolutely distraught. You work hard all week long and create a sanctuary and you come home and you want peace as the gentleman before her said. The neighbors are going to have hundreds of strangers, cars, noise. This proposal will alter their lives. Ms. Braun felt it was a terrible idea.

Regarding Mr. Ussery's comments about the clay soil, Ms. Braun suggested it's impervious, but cars leaking oil and coolant, where is all of that going to go? The sand in the Winter, where is it going to go when you get several inches of rain, which happens more and more now. Ms. Braun reiterated her contention that this is a terrible idea. It's a beautiful

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES

23

building but she felt it doesn't belong there; she believes that with all her heart.

Gary Roy, 235 South Main Street: Mr. Roy noted that since the Historical Society took over ownership of the property they cleaned it up 100%. That's a big plus; they fixed some of the construction and fixed some of the structural supports on those buildings already. If you think about it you're never going to make everyone happy when something like this comes to anyone's town. Mr. Roy noted he is a member of this Historical Society, and a member of the East Hartford Historical Society, and he associates with the South Windsor, Manchester, and other historical societies. Mr. Roy suggested the problem for the historical societies is none of them are active like East Windsor. If you go to other historical societies, almost anywhere in the state, everybody is talking about what East Windsor has done over the years. They've brought other structures here, they've supported the history of this town. Mr. Roy suggested other towns historical societies are going out of business, this one is going forward.

Mr. Roy suggested everyone seems to think this facility will be used for banquet and parties and bands. Mr. Roy suggested he sees it for him to go over and hear lectures about some of the history of this town. Other historical societies say once this facility is open they'd love to come over here to hear lectures – cemetery lectures, World War One veterans, World War II veterans, Civil War. Mr. Roy suggested there are a lot of lectures to be working with other historical societies in the state that this facility would be perfect for. Mr. Roy suggested he felt it would be used maybe 25% of the time for some kind of facility that has music. Mr. Roy noted he has parties for his parents who are in their 90s, he doesn't have a band or a DJ. Mr. Roy suggested he also has birthday parties for people who are 67 years old; it's not about music, it's about family.

Regarding the concern for car and motorcycle shows, Mr. Roy noted he has gone to car shows and motorcycle shows all over the state for 27 years. Mr. Roy suggested you can't plan to have 250 cars, it gets out of control. More people show up than you can imagine; you can't predict anything like that. Mr. Roy noted he grew up in this town, he still owns property here so he's connected here for over 50 years. Mr. Roy recalled when the Scantic Church had services on Sundays and people were parking down Cemetery Road on the edge of the street. Now when they do their events, like they're Christmas bazaars, where do people park?

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

24

They have way more than 250 people, they park down the street and on each corner, all over the place. They'd like to get people off the street and put them in the parking lot. You can't predict how many people will come to something, you can only prepare the best you can. If the Town says you need "x" amount of parking spots that what you prepare for.

Mr. Roy felt this is a great idea that will keep the history of the Town going. He reiterated that other historical societies are talking about this and how wonderful this will be to join in other historical societies all over the state to come here and work with these people. Most other historical societies are going out of business. Others are trying to learn what's going on here. Mr. Roy suggested the East Windsor Historical Society wants to move forward; it's not all about parties.

Mr. Roy noted someone talked about the decibel levels. If he has an emergency generator put in his house it will be over 50 decibels, and it can be right next to his neighbor. They're allowable. This facility will be behind trees and a fence. Regarding the concerns for the person way in the back you can get an emergency generator with the highest level of 110 decibels, he suggested walking back there to see how far you go before you can't hear anything. Mr. Roy felt you wouldn't be able to hear that after going about 100 feet.

Robin Chesky of 102 Reservoir Avenue: Ms. Chesky suggested many people admire the work the East Windsor Historical Society has done over the years, and she wants to commend them, but she felt what they're proposing is a commercial enterprise, with residents surrounding the area. Ms. Chesky didn't feel that was in harmony with the area.

Ms. Chesky felt there are a couple of things to show why it wasn't in harmony with the area.

Ms. Chesky suggested they'll have to have parking lot lights, from 12 to maybe 35 feet high; those are commercial lights. These people will have those lights shining in their homes at 11 or 12 o'clock at night; they're not going to shut off. There's no way to close that light out if it's shining down. Ms. Chesky noted the mitigation strategies they're proposing with the arborvitae and the 10 foot berm with the wall, but the light is going to be shining into these people's yards, and homes.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

25

Ms. Chesky suggested these people are on wells. Now you have a commercial facility with 250 people, everyone flushes once at a minimum, that's 1.6 gallons. You can have 400 gallons of water coming out of the well in one night. Say you have 3 events over the weekend, you might actually see 1,200 gallons of water being drawn off that well, which will affect other wells. Ms. Chesky felt the other homes were older, and probably have shallow wells. And, they'll have all these parking lots where the water used to be able to sink into the grass; she questioned that that ability would still be there.

Another thing is snow removal. Ms. Chesky suggested they have a brunch on Sunday morning at 11 o'clock and we get a snowstorm. Now they have to have the trucks with the lights and the backing up with the beeping. And we have Cemetery Road, what will the Town have to do? They'll have to get that road ready for all these people to come in. Ms. Chesky suggested the East Windsor Historical Society is a non-profit organization that's actually going to be costing Town resources to enable attendees to get to their property. Ms. Chesky felt it will be a nuisance for the residents and isn't in harmony with the neighborhood.

Nancy Masters, East Windsor Historical Society: Noting the location on the site plan, Mrs. Masters indicated the parking is in a valley, quite low, "this" sits quite a bit higher. Mrs. Master indicated she didn't think the lights in the parking lot down here are going to affect the residents here, or here.

Mrs. Masters recalled she's mentioned previously she's been involved with Scout Hall for 22 years. The rent out Friday, Saturday, and Sunday, almost every single weekend on a road the exact same size road as this is. She noted at Scout Hall they have houses on either side, plus they have all the soccer fields right behind them, which probably brings in another 75 – 100 cars on top of the other events. Mrs. Master suggested she doesn't think she's ever seen a traffic jam for Scout Hall, or the soccer field, all at one time. Mrs. Master suggested they've been able to run Scout Hall with zero incidents for the 22 years. Mrs. Masters noted the same people at Scout Hall are the same people that manage the Historical Society, they have rules and regulations. The events will end at 10 o'clock at night; they won't go to 11 or 12 o'clock. Mrs. Master noted they've already discussed the process for filling out applications requiring large security deposits so if the music is a loud decibel level they'll just take money out

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES

26

of the deposit. Mrs. Masters suggested it's worked very successfully at Scout Hall for 22 years.

Angela Bevan, 121 Scantic Road: Mrs. Bevan advised everyone that speaking tonight is difficult for her to do, but she feels the Commission needs to know what's going on. Mrs. Bevan noted the blue barn is right behind her home. They're affected in the front yard as well as the back yard. Mrs. Bevan suggested they moved here 16 years ago for this to be their retirement home, their happy place. Mrs. Bevan suggested they loved it because it included an in-law apartment for her Mom. Mrs. Bevan suggested her home was a quiet, peaceful place with farmland behind them. They thought it was so country when we moved here.

Mrs. Bevan questioned who would think that after 16 years someone would want to put a wedding facility behind them?

Mrs. Bevan noted her Mom is 92 years old and has several health issues so she's limited as to where she can go without assistance from herself, or her sister, or others. Mrs. Bevan recalled that the last time her Mother was able to go outside she mentioned how peaceful it was, neither neighbors on the right or left could see them. Since she can't go outside any longer they open her windows, which directly face the blue barn. Mrs. Bevan felt it wasn't right for her Mother to spend the last chapter of her life because of other people being inconsiderate of them. Mrs. Bevan suggested if the Commission approves this it will affect her Mother dramatically. They talked about the events going to 10:30, Mrs. Bevan noted her Mother goes to bed earlier, and then has trouble sleeping. They'll have to close the windows, and the shades, if they have these events. Now her Mother will be hearing noise from generators and vendors trucks running to keep the food cold. Mrs. Bevan suggested if the Commission approves this they'll be noise from construction, dumpsters, trucks dropping off loads of equipment, just to make the blue barn a facility event.

Mrs. Bevan questioned how long it will take - months, possibly years, to do this. She felt it was not fair that her Mother should be subjected to this noise, even before the events take place. Mrs. Bevan felt it was unconscionable for a person of this age to have to go through this, or even for her and her husband who have worked so long for their retirement home, their happy place; it's selfishness.

TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES

27

Mrs. Bevan indicated she was asking on behalf of her Mom, herself and her husband, and the neighbors in the community who signed the petition. Mrs. Bevan noted the Boisverts went to these people and explained what's being proposed here; they couldn't have put the signs out without the people's permission. Mrs. Bevan indicated their standard of life will change.

Mrs. Bevan advised the Commission she's known as the lady with the beautiful flowers at the end of her driveway; she suggested the flowers are her escape from the hustle and bustle of the real world. She's been happy to realize the joy they bring to her neighbors and others in the community. Mrs. Bevan felt she won't be able to continue to work on the flowers as it will be too risky with the cars coming up and down the road. Mrs. Bevan cited a recent incident of someone hitting the stone wall at the road, and her concern for what could, and may, happen now with the additional traffic. Mrs. Bevan then offered another report of an incident of someone hitting a tree on the Boisvert property. Mrs. Bevan felt what will happen on these small roads because of these events are uncalled for. She cited concern for sitting in her kitchen and having people looking over into her home; it's only 80 feet from her property.

Mrs. Bevan suggested she appreciates the Historical Society and what they do for the community; their Ice Cream Social once a year is fine. But don't bring this into our back yards and making life difficult for them.

Christina Dahl, 102 Reservoir Road: Ms. Dahl advised the Commission she's speaking tonight in support of the people in the Scantic area. Ms. Dahl wanted to thank the Historical Society for the hard work that they do at the Museum on the Green; she suggested it was a nice place to visit in East Windsor but she felt that their current proposal isn't in harmony with the surrounding neighborhood. She cited concern for the neighbors nearby as well as for the lack of infrastructure to support this event facility.

Regarding the lights, Ms. Dahl suggested we have to be concerned with not only the lights in the parking lot, and the smaller parking lots, as well as the lights on the back side of the building.

Ms. Dahl indicated she reviewed the plans and looked at the surrounding homes in the Scantic historical village district and she was unable to find any other commercial buildings as large as the one being proposed for the

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

28

event hosting. Ms. Dahl reminded everyone this was a horse barn, not an event center. If the homeowners in the area try to sell their properties they'll see a decrease in value; this proposal is literally in their back yard. She suggested their back yard is the event center. Ms. Dahl suggested she didn't know what she would do if this was happening to her, she felt she would be upset every day knowing this was in her back yard. The farmland around the neighbors will be converted into this huge event hosting facility.

Ms. Dahl suggested she was concerned when people were talking about the zoning and the adjacent neighbors would be the only ones affected. She recalled that it was said that the people down the street won't be affected by the traffic, Ms. Dahl suggested the adjacent neighbors are part of that neighborhood. She noted Mrs. Boisvert went out and put up signs and talked to people; those are neighbors. Even if 3 people or homes are affected more they are part of the neighborhood; they make up that district.

Ms. Dahl suggested she asked what would the standard of living be during construction, and how long it will take with the impact of dust and noise in the neighborhood, and big trucks driving in and out. Ms. Dahl felt it will impact them all.

Ms. Dahl noted there are no sidewalks or shoulders on the roads. Ms. Dahl suggested someone having a wedding may use the church across the street, and the Historical Society may host the reception; she questioned if the people will leave their cars at the church. They may leave their car at the church and walk over; how will they get there safely? It's a tricky intersection, with no sidewalks, and pedestrian accidents are up in the state. She cited recent incidents in West Hartford, suggesting we can't say it won't happen here.

Ms. Dahl recalled previous discussion of geothermal heating. Ms. Dahl suggested that should be discussed more. Ms. Dahl explained various systems, noting an open loop system utilizes water drawn from the aquifer which is then discharged elsewhere on the property. Ms. Dahl discussed a closed loop system which doesn't use well water. Ms. Dahl suggested we don't know because that hasn't been discussed. Will the system be installed vertically or horizontally as that will affect the amount of land used. Will this affect other wells in the area? Ms. Dahl reiterated this is a commercial building, they'll need a large system to support a nearly 9,000

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

29

square foot building. Ms. Dahl felt people should know if water will be taken from the aquifer, and how much noise will be associated with construction of the system. Ms. Dahl felt this affects the public health, safety, and welfare of everyone in the area. She suggested most commercial facilities are on the public water supply.

Ms. Dahl recalled previous discussion of the traffic study indicated an estimated 20 deliveries a day. She suggested the potential for more than one delivery would happen at a time for an event facility; she suggested this will leave trucks and cars idling behind residential homes. She suggested the Fire Marshal had suggested there shouldn't be parking behind the barn. She felt people making the deliveries wouldn't shut off their vehicles, her concern is that fumes and exhaust will be floating over the fence into the homeowners' yards, which will limit their enjoyment of sitting out in their yards. It's detrimental to their health.

Regarding the dumpster and trash removal, Ms. Dahl noted the attorney mentioned you can't block the parking. Ms. Dahl suggested she noticed a gravel road that goes over near the dumpster; her concern is if someone wanted to drive over into that area that would kick up dust into the neighbors' properties. There's no way trees and a fence will block that. If they use the 3 other barns on the property for storage they'll be driving on the gravel roads.

Regarding the unenforceable noise ordinance, Ms. Dahl recalled a debate in town regarding a noise ordinance; Ms. Dahl suggested she doesn't recall that we have one. If there's noise how does someone complain? The burden falls to the people living in the neighborhood, which shows this proposal isn't in harmony with neighborhood. Ms. Dahl recalled Mrs. Masters saying they would collect a fee if an event was noisy, Ms. Dahl suggested that wouldn't help the people living in the area who would have to call the Police who may say they're ok with it. Ms. Dahl cited her own experience living a mile from East Windsor Park and her ability to hear the music from the concert series from her porch. Ms. Dahl suggested people on the hill and Cemetery Road and Scantic Road will hear the music from these events.

Regarding the comment that the neighbors won't be able to leave their windows open to sleep Ms. Dahl suggested she looks at this as when does it approach a nuisance condition which will affect the health and welfare of the neighbors?

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

30

Ms. Dahl suggested she didn't receive the information recently passed out regarding the turning radius but she did get the plan from the Fire Marshal that referenced 4 different areas which required 26 feet in width, one is the parking lot where it looks like 10 spaces would need to be eliminated so a fire truck can get in and turn there. Ms. Dahl indicated she spoke to the Police Department and the Fire Department, and one of the things you don't want to worry about is will they be able to back up and turn around? You need to be able to get in and turn around without concern for cars and buildings and trees and fences; you're protecting health and safety.

Ms. Dahl suggested the current plans show future expansion but we haven't heard what that expansion will be. Ms. Dahl reported she's found articles that Mrs. Masters had said the sky's the limit. That tells her whatever they can do they'll do it. She cited a second JI article dated July 18, 2018 containing an interview with Mrs. Masters regarding this being the East Windsor Historical Society's Museum on the Green. She noted Mrs. Master had said they purchased 40 acres and the barns behind them. The reporter had said they look like horse barns; Mrs. Masters concurred, noting they could become event barns. Ms. Dahl questioned if all the barns will become event barns, maybe one will become a brewery and another a winery. Will the land across the street become parking? Ms. Dahl suggested the current proposal isn't harmonious with the district.

Ms. Dahl encouraged the Commission to review the zoning in the area and how it impacts the neighborhood. She suggested one of the biggest investments people have in their lives is their home.

Chairman Kowalski asked if anyone else in the in-person audience would like to speak; no one requested to comment. Chairman Kowalski asked if any of the remote participants would like to speak; no one requested to be acknowledged.

Chairman Kowalski then asked if Mr. Ussery had any additional comments?

Mr. Ussery suggested they need time to address the comments made by the neighbors and the attorney and give him some clarification. Citing the time Mr. Ussery felt the Commission would continue the Public Hearing until it's next meeting, which was fine with the applicant if it met the Commission's intention.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

31

Planning Director Calabrese request to acknowledge information for the record. She noted the following items:

- An e-mail received today from Christine Braun summarizing her thoughts which will be posted online and included in the Commission's packet.
- Meeting Minutes of the Police Commission where the traffic authority reviewed our material. Chairman Leach said the traffic study for Scantic Road was thorough and they see no issues; the other Commissioners concurred that it was very clear and they also had no questions or issues.
- The latest notice for this meeting.
- Regarding the Fire Marshal's comments, Planning Director Calabrese noted she and the Fire Marshal met and discussed the issues. She clarified the writing on the plan is her notes, the circles in no way say you're moving the parking spaces, that was her saying that was an area you need to look at regarding the 26 foot turning radius. She felt in reviewing the plans just submitted modifications have been made to address those comments.

Chairman Kowalski noted there was a lot of information for the Commission to consider. He suggested the Commission wasn't in a position to close the Public Hearing this evening; he asked for a motion to continue the Public Hearing until the Commission's next meeting.

**MOTION: To CONTINUE the Public Hearing on PZ-2022-26 115
Scantic Rd – Special Use Permit for Event Hosting.
Applicant: East Windsor Historical Society until the
Commission's next regularly scheduled meeting on
January 10, 2023.**

Gobin moved/Leason seconded/DISCUSSION: None

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

Chairman Kowalski announced that the Public Hearing on the East Windsor Historical Society will be continued until the Commission's next meeting scheduled for January 10, 2023.

X. NEW PUBLIC HEARINGS: None

XI. OLD BUSINESS: None

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

32

XII. NEW BUSINESS: None

XIII. OTHER BUSINESS:

A. Zone Map Discussion:

Planning Director Calabrese reviewed a zone map regarding a resident's request to change the zone on their parcel. She noted approximately 4 ½ acres of the parcel are located in a B-2 Zone and the remainder of the 24 acre parcel are located in a A-2 Zone. The property owner would like to rezone the entire parcel as A-2. Chairman Kowalski suggested if the zone is changed the property will be landlocked, He questioned if the easement needs to be in the same zone? Planning Director Calabrese felt it didn't. Chairman Kowalski questioned if a property owner has property containing multiple zones can they also have multiple use on that property? He suggested if the Commission took the approach of having zoning lines following property lines it could also adversely affect people. Planning Consultant D'Amato concurred, noting if the Commission took a more restrictive approach.

Discussion followed regarding the process moving forward to accomplish this request.

XIV. CORRESPONDENCE: None

XV. BUSINESS MEETING

No items discussed under this Agenda item.

XVI. EXECUTIVE SESSION: None

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 9:10 p.m.

Gowdy moved/Leason seconded/DISCUSSION: None.

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

Respectfully submitted,

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1841 – December 27, 2022
In-Person and
ZOOM Teleconference
Meeting ID: 714 897 1799
MEETING MINUTES**

33

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