

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

**REGULAR Meeting #1844
Tuesday, February 14, 2023**

***THIS MEETING IS BEING HELD IN-PERSON
In the John Daly, Jr. Meeting Room,
Town Hall, 11 Rye Street, Broad Brook, CT 06016***

AND

***VIA REMOTE ACCESS
via ZOOM Teleconference
Meeting ID: 714 897 1799***

MEETING MINUTES

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

I. TIME AND PHYSICAL PLACE OF MEETING:

Chairman Kowalski called the February 14, 2023 Regular Meeting #1844 of the East Windsor Planning and Zoning Commission 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, Frank Gowdy, Michael Kowalski (Chairman), David Leason, and Jim Thurz (Vice Chairman). (There is presently one vacancy for a Regular Member).

Alternate Members: Frank Gowdy. (There are presently two vacancies for Alternate members.)

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

GUESTS/SPEAKERS present in-person: Director of Planning and Development/Planning Director Ruth Calabrese hosted the meeting. Also present in person were: Planning Consultant Michael D'Amato, Selectman Baker. Application PZ-2022-28 – Applicant: Kimberly Lanz, public speakers: Jessica Arbor, Joel Parkyn, Stephanie Phillips, Kristy Stuart, Brian Vecchiarelli. **Application PZ-2023-2** – Applicant: Crane Properties, LLC.

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public speakers: Carl Crane, T. J. Barresi, of T. J. Barresi Associates, LLC. **Informal discussion:** Tim Coon, of J. R. Russo & Associates, LLC., and Herb Holden; **Affordable Housing Plan discussion:** John Guskowski, of Tyche Planning and Policy Group.

GUESTS/SPEAKERS present remotely identified as they sign in:

Anne, Heidi Alexander, John Guskowski of Tyche Planning and Policy Group; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

A quorum was established as four Regular Members and one Alternate Member were present at the Call to Order. Chairman Kowalski requested Alternate Member Gowdy to join the Board regarding discussion and action on all Items of Business this evening as well.

III. ADDED AGENDA ITEMS: None.

IV. LEGAL NOTICE:

The following Legal Notices were read by Chairman Kowalski:

LEGALNOTICE

EAST WINDSOR PLANNING & ZONING COMMISSION

The East Windsor Planning and Zoning Commission will hold the following public hearing on Tuesday, February 14, 2023 at 6:30 p.m. Details regarding how to attend will be published on the Commission's Agenda and will be made available on the Town's Website.

PZ-2023-02 Special Use Permit – Applicant: Crane Properties, LLC – Proposes Truck Terminal Use 118 Prospect Hill Road. Map 112, Block 17, Lot 000-P-000-A, Zone M-1.

A full copy of the 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 these applications.

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Legal Notice appeared in the Journal Inquirer on January 31, 2022 and February 6, 2023.

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. Chairman Kowalski then offered the remote participants an opportunity to comment on items not listed on the Agenda; no one requested to be acknowledged.

VI. APPROVAL OF MINUTES:

A. January 24, 2023 – Regular Meeting of PZC:

Chairman Kowalski noted the Minutes for the Commission's Regular Meeting #1843 held on January 24, 2023 are available for approval. He called for comments or revisions; hearing no requests for changes he called for a motion of approval.

MOTION: To APPROVE the Meeting Minutes for the Regular Meeting #1843 held on January 24, 2023 as presented.

Gobin moved/Leason seconded/DISCUSSION: None.

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

VII. RECEIPT OF APPLICATIONS:

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

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

No requests presented under this Item of Business this evening.

IX. CONTINUED PUBLIC HEARINGS:

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

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Chairman Kowalski read the description of this Public Hearing. Joining the Commission to discuss this application was Kimberly Lanz, the applicant.

Ms. Lanz provided the Commission a PowerPoint presentation, including associated videos, to illustrate the scope of her business. The PowerPoint presentation and videos will be available under the Commission's webpage on the Town's website; please see Meeting Agenda to access video.

Ms. Lanz gave the Commission an overview of her business, and its location in relation to the neighbors who have spoken against her business. Ms. Lanz reviewed the various slides, explaining the various services she provides and the location within her home where the various activities occur.

Ms. Lanz suggested Doodle Acres offers grooming, daycare, socialization, pack walk, schooling and boarding in a home setting. Services are provided on Tuesdays and Thursdays, 8 to 10 dogs are dropped off between 6:30 a.m. and 8:00 a.m. Ms. Lanz also has 2 dogs and 3 small therapy dogs for her elderly Mother. They do their first pack walk between 8:30 a.m. and 9:00 a.m., should barking occur it's shut down. Pack walks occur around the perimeter of her property, occasionally people she knows personally will join them for the pack walks at no charge. After the pack walks the dogs return to the inside of her residence. There are 3 dogs that come for half days, arriving around noon. Not all of the dogs come every Tuesday and Thursday so the number of dogs she has varies. They do another pack around 1:00 p.m., and dog pick ups start around 3:30 p.m. and last until 5:00 p.m. Ms. Lanz explained the training she provides for the dogs.

Ms. Lanz then reviewed the boarding aspect of her business, noting she can accommodate 8 or 9 dogs. The boarded dogs are integrated into the pack walks on Tuesdays and Thursdays. Vaccinations are to be up-to-date, she requires registration forms to be completed for all dogs. Ms. Lanz noted excrement is picked up daily and stored in a separately until a removed by a disposal company.

In response to confusion regarding the number of dogs involved in the business, Ms. Lanz reported she has 4 dogs that come Tuesdays and Thursdays, another dog that comes Tuesday and Thursday morning, 3

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dogs that comes Thursdays, 1 dog that comes Tuesday afternoon, and another dog that comes “as needed”. Ms. Lanz suggested averages about 8 dogs, although attendance isn’t consistent.

Ms. Lanz then read a statement explaining communication which occurred with the Planning Office regarding the status of her business, what steps needed to be taken to allow the business at her property, and explaining various steps she’s taken regarding the business.

Ms. Lanz also wanted to go on record that she’s spoke with the owner of 17 Kreyssig Road regarding his complaints, and other issues. Ms. Lanz suggested she would be willing to install additional trees to try to mitigate the neighbor’s frustration.

Ms. Lanz wanted to thank the owners of 11 Kreyssig Road for supporting her, as well as the people who have enabled her to turn her hobby into a home business.

Chairman Kowalski opened discussion to the Commissioners.

Commissioner Gowdy noted he lives about 800 feet as the crow flies from Ms. Lanz and has never heard the dogs bark. He suggested the property is clean and safe; he wishes her the best.

Commissioner Leason questioned if Ms. Lanz has received any additional complaints since the last meeting; Ms. Lanz responded negatively, Planning Director Calabrese noted the Planning Department hasn’t received any additional complaints either.

Commissioner Gobin noted Planning Director Calabrese’s memo of 2/8/2023, it looks like Ms. Lanz has the Health Department’s approval so that condition could be deleted. Condition 5 suggested the applicant shall relinquish the Special Use Permit upon transfer of the property. She suggested a potential condition related to the number allowed for visiting or to be on the property at a time might be helpful. Planning Director Calabrese suggested 16, Ms. Lanz concurred.

Commissioner Thurz noted the owner of 17 Kreyssig Road was there first he’s trying to work from home on his computer, he has dogs next door and you come in technically with an illegal business, and now he has

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problems. You're both trying to make a living, how do you balance that? Ms. Lanz noted the measures she's taken to address the problem. Commissioner Thurz felt it was a tough situation for the property owner at 17 Kreyssig.

Chairman Kowalski questioned what happens on Monday, Wednesday, and Friday? Ms. Lanz indicated she only had her own dogs on the property at that time. Chairman Kowalski questioned if Ms. Lanz had any activities on Saturday or Sunday; Ms. Lanz indicated once in a while.

Commissioner Gowdy cited his only concern would be if Ms. Lanz wanted to build any kennels outside, should that be her decision he felt she would need to return to the Commission for permission.

Chairman Kowalski noted this is a Public Hearing, he offered the opportunity to comment to the public.

Speaking in opposition to the business were: Joel Parkyn.

Speaking of the business were : Brian Vecchiarelli, Jessica Arbor, Stephanie Phillips, and Kristy Stuart.

Chairman Kowalski offered the remote participants the opportunity to comment; no one requested to be acknowledged.

Chairman Kowalski offered Ms. Lanz the opportunity to make a closing statement; Ms. Lanz reiterated various aspects of her business and expressed her willingness to add additional trees as a sound buffer.

Chairman Kowalski opened discussion on modifying conditions of approval. He noted modification of condition 5 to include language regarding transfer of the property ownership, deleting condition 1, adding a condition 7 regarding the addition of screening along the property line for 17 Kreyssig Road. Commissioner Leason questioned the ability to control/mitigate the barking, noting that the sight of other dogs seems to trigger some of the barking. Commissioner Gowdy questioned if screening would help but agreed it may help in the future.

Chairman Kowalski called for a motion to close the Public Hearing.

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**MOTION: To CLOSE THE PUBLIC HEARING on application
PZ-2022-28 for a Special Use Permit for Dog Daycare
and Dog Boarding operation at 15 Kreyssig Road.**

Gobin moved/Leason seconded/DISCUSSION: See comments below
regarding modification of conditions.

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

Chairman Kowalski called for a motion of approval.

MOTION TO APPROVE:

Application #PZ 2022-28 for Special Use Permit for a Dog Day
Care and Boarding Service located at 15 Kreyssig Road Map 136/
Block 75/Lot 001-01, Zone A-1; Owner Kimberly Lanz

This approval is granted subject to conformance with the submitted
application, supporting materials and public hearing presentation
and the following conditions/modifications:

Findings:

1. The proposed location is in compliance with the standards set forth by Section 402, 404, and Section 701 of the East Windsor Zoning Regulations.
2. The property is zoned A-1 which allows for this use
3. The proposed use is in harmony with adjacent uses.

Conditions:

1. No more than 16 dogs on premise at any time.
2. No more than 8 dogs will be allowed for boarding at any one time and all kennels interior to the home
3. State Department Agriculture Issued Licenses for a commercial kennel and commercial grooming shall be submitted to the Zoning Enforcement Official.
4. A zoning permit will be required if any accessory structures are planned for the property.
5. A physical screening shall be installed along the shared property boundary at the the rear of 17 Kreyssig Rd as approved by staff.

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6. Dogs shall be supervised at all times when outside.
7. Dogs that demonstrate a continued propensity for barking shall not be allowed to return.
8. The applicant shall relinquish this Special Permit upon transfer of the property.
9. A copy of the Certificate of Action shall be filed on the Land Records

Gobin moved/Gowdy seconded/DISCUSSION: None
VOTE: In Favor: Gobin/Gowdy/Kowalski/Thurz
Opposed: Leason
Abstained: No on

Commissioner Gowdy requested a 10 minute break; Chairman Kowalski called for a motion.

MOTION: To TAKE A 10 MINUTE BREAK at 8:09 p.m.

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

Chairman Kowalski RECONVENED the Meeting at 8:19 p.m.

X. NEW PUBLIC HEARINGS:

A. PZ-2023-02 – 118 Prospect Hill Rd – Special Use Permit for a Site Plan Review for a proposed Truck Terminal. Applicant: Crane Properties, LLC.;

Chairman Kowalski read the description of this New Public Hearing.

Joining the Commission to discuss this application was T. J. Baressi, who advised the Commission he's a licensed engineer representing Carl Crane, owner of Crane Properties, LLC.

Mr. Barressi reported they are appearing before the Commission for a Special Use Permit for a truck terminal for the property at 118 Prospect Hill Road. The parcel is shown as Lot 000-P-000-A, Block 17, Map 112, and is located on the east side of Prospect Hill Road. The lot contains

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9.059 acres and is located within an M-1 Zone. The entrance to the property is north of the old movie theater south of Sofia's Plaza. The parcel doesn't own any legal frontage on Prospect Hill Road, but is accessed via other land owned by Mr. Crane. The bituminous access lane is also used by 112 Prospect Hill Road/Eversource, and 116 Prospect Hill Road. Mr. Crane's property contains an existing 10,500 square foot building, Mr. Barressi noted the uses within the building have changed over the years. It was originally used as a truck terminal several years ago, then a sawmill, more recently for forestry creating playground wood fiber/mulch. The property is irregularly shaped, flat, and slopes away from Prospect Hill Road to the rear, the surface is mostly bituminous and millings around the existing building, There's a lot of brush and vegetation around the perimeter of the building.

Mr. Barressi reported no changes are proposed for the existing surface, no grading or drainage changes are proposed. They're proposing to use the existing building, which has 12 loading docks in an area referenced by Mr. Barressi, and 8 on the north side, they're proposing to add 12 trailer spaces over "here" and 16 trailer spaces over "here". The proposed plan shows the layout of the parking areas, turning radii and the traffic flow patterns. At the request of the Town Planner they are proposing to add some type of barrier to separate the uses.

Mr. Barressi reported discussions continue with the Town, the Planning Director has requested additional information, such as building square footage and property line delineation, shown on the plans. She also requested that they show some type of barrier between the existing mulching operation and the proposed truck terminal, Mr. Barressi suggested they're proposing to install a rock barrier between the two uses, and install directional signage. Planning Director Calabrese has also requested the addition of trees in the area to the north, and no outside storage. Planning Director Calabrese also noted the requirement for a 100 foot buffer between the Crane property and the adjacent residential properties as required under Section 600.2 of the Zoning Regulations. The Regulations also allow for a 50% reduction via Commission approval; Mr. Barressi noted the current buffer scales at approximately 50 to 60 feet. He has also now shown the wetlands and Upland Review Area on the plans.

Mr. Barressi noted comments received from the Town Engineer on 1/13/2023. Based on the facts that the proposal doesn't propose any

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changes to grading or drainage, the Town Engineer has no objections to the plan as proposed.

Mr. Barressi reported the traffic study remains pending at this time. Mr. Barressi noted that the traffic engineer has suggested the turning radius “here” isn’t sufficient to satisfy the required access. To accomplish the proposed use would require that Mr. Crane purchase additional land from Sofia’s. Mr. Barressi suggested the traffic engineer may suggest widening the paved access and/or road improvements, at a cost of hundreds of thousands of dollars. Mr. Barressi noted the property has been functioning until now, he questioned if the Commission would require those potential improvements to approve this application?

Chairman Kowalski noted the standards have change because the equipment/trailers have changed. Access needs to meet the requirements for emergency apparatus access as well.

Mr. Barressi suggested if Mr. Crane decides not to proceed with this proposal the Town will have a traffic study which indicates you have an unsafe intersection which is being used by Eversource and others; what happens in that situation? Planning Director Calabrese noted they’ve discussed this application with the Town Attorney, the parking space count didn’t meet the threshold to go to OSTA. The Planning and Zoning Commission can’t dictate improvements on the neighboring property, but the left turn only alternative might work, or if the size of the property was large enough could the access be shifted to create the required turning radius. Planning Director Calabrese reported that the Town Attorney said the DOT would not go after an existing use unless there’s a project before them.

Discussion continued as Mr. Crane questioned the requirement for the improvements, Chairman Kowalski offered the example of having knob and tube electrical service which wouldn’t be required to be updated unless the homeowner was planning a change. Commissioner Thurz noted that if a resident proposed a dwelling addition it would require compliance with current building codes. Discussion continued.

Chairman Kowalski opened discussion.

- **Designated area for snow deposition:** Regarding the proposed Site Plan, Chairman Kowalski questioned if they have a designated area to accumulate snow on the parcel? It appears most of the property is

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being used for parking or drive aisles, if the trailers are parked in the area you're referencing how will you get the snow to that area? Mr. Crane indicated they have extra space in the back where the playground fiber is, they haul snow to that area, as well as another place on the side of the building, or over his sewer line.

- **Snow removal from tops of trailers:** Chairman Kowalski noted another DOT regulation is snow must be removed from the tops of the trailers before heading out onto the roads. He noted most owners provide a snow arch to do that, he noted that would need to be added to the parcel.
- **Locations for Site lighting:** Mr. Barressi referenced 3 locations within the parcel, and noted there would be lighting on the building as well. He suggested they'll provide a photometric plan as the application develops.
- **Vehicle maintenance:** Would vehicle maintenance be provided by an outside service? Mr. Crane replied affirmatively.
- **Vehicle fueling:** Mr. Crane indicated one of the contractors has a fuel truck come in and fill up their vehicles.
- **Traffic circulation:** Chairman Kowalski noted the Site Plan shows 2-way traffic circulation around the building, he suggested that traditionally trucks only back up on the driver's side, they try to avoid a blindside backup. He questioned the reason for the proposal for 2-way traffic. Mr. Barressi indicated he was just demonstrating that the area was wide enough for 2-way traffic. We would leave the direction of the traffic up to the building tenant.
- **Fire Marshal review:** Planning Director Calabrese indicated comments from the Fire Marshal remain pending.

Chairman Kowalski queried the other Commissioners for comments. No other comments were raised at this time.

Chairman Kowalski then queried the in-person audience for comments, no one requested to speak. Chairman Kowalski then offered the same opportunity to the remote participants; no one requested to be acknowledged.

Chairman Kowalski noted the pending items, he called for a motion to continue the application until the Commission's next meeting

MOTION: To CONTINUE THE PUBLIC HEARING on PZ-2023-02 – 118 Prospect Hill Road for a Special Use Permit for

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a Site Plan Review for a proposed truck terminal until the Commission's next meeting to be held on February 28, 2023.

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

XI. OLD BUSINESS: None

XII. NEW BUSINESS: None

XIII. OTHER BUSINESS:

A. Informal Discussion Modification of Farm Regulations to address regrading and excavation activities necessary to improve cultivation of land:

Chairman Kowalski read the description of this item of business.

Joining the Commission for this discussion was Tim Coon, of J. R. Russo & Associates, LLC, and Herb Holden, owner of Double H Acres and Broad Brook Beef.

Planning Director Calabrese indicated Staff has met with Mr. Holden regarding a property for which he would like to optimize for farming, to do that they're proposing an excavation of 200,000 cubic yards of fill. We're looking for the best path forward for that use, perhaps through the Farm Regulations. She noted it's not a perfect fit for Section 8.14. Planning Director Calabrese noted Tim Coon has submitted a draft of proposed language under the Farm Regulations to accommodate the use.

Mr. Coon provided the Commission with a copy of the Farm Regulations adopted in 2011 to support agriculture, and the right to farm. They're present tonight to discuss a Text Amendment to allow excavation, filling, and grading activities associated with the expansion of cropland under the Farm Regulations rather than under the current Earth Excavation Regulations. The purpose of this proposal is to reduce some of the burden on the farmer when he wants to expand cropland for agriculture. The draft language kept specific requirement which protect public safety and health but removed the detailed plan/A-2 survey and boundary requirements.

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Chairman Kowalski suggested he sees this proposal as 2 possible options. If someone had wooded land they wanted to clear and farm, that's one thing, but if you're excavating and removing materials you're moving into a mining operation. He's considering the requirements regarding truck trips and hours of operation, and the complaints from the neighbors surrounding a mining operation. Mr. Coon suggested the site has multiple elevations, which require removal of material to reclaim the agricultural land. They can get another 8 acres of agricultural land out of this site which is a huge benefit to this farming operation. Mr. Coon noted the Commission's concern, he noted the inclusion of a deed restriction that this parcel would remain a farming operation for 10 years. Commissioner Thurz felt the proposal was a back-door approach to an excavation operation under the Farming Regulations.

Mr. Holden, speaking from the audience, joined the conversation. My Holden noted he understands the Commission knows him as a member of a family who has done gravel operations in the past, and he understood the Commission's cynicism. Mr. Holden assured the Commission he's committed to his new beef business, which grew exponentially through the pandemic. Mr. Holden suggested the amount of material – 200,000 cubic yards – that will be removed from the property is minimal. The project won't include a screening plant, no sales of material, this project will create another 8 ½ acres of cropland equates to 26 steers for his business. His goal in life has been to be a full-time farmer, he's constantly in a war with developers or others buying out farmland. Mr. Holden provided the Commission with some history of previous nearby gravel operations which occurred in the 1940s, which left this property with a huge elevation difference; his intention is to move the material around to create useable farmland.

Commissioner Gowdy suggested that assuming this goes through and becomes farmland, what's the zoning designation? He cited his concern that other people would say they're turning this into farmland and will then have 25 building lots to sell. Mr. Holden cited the deed restriction, noting if the deed restriction was for a lifetime that would be selling development rights. Mr. Holden reiterated his intent to be a self-sustaining farming operation and needs all the land he can utilize.

Chairman Kowalski suggested the proposal appears to be unique to a certain piece of property. He questioned if the intent could be addressed

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through a Special Use Permit for this property/use rather than changing the Farming Regulations? Mr. Holden indicated that would require bonding and traffic studies and other requirements for a gravel pit when he won't have a trailer with a scale and sales.

Planning Director Calabrese suggested when reviewing the plan with the various phases and different depths of excavation, and anticipating the concerns from the community and the abutters, it became apparent it's too large and complex for a Staff decision. She felt the Special Use Permit was a better way to accomplish this. Chairman Kowalski questioned if the Commission could create a new activity under "other uses" outside of the farming regulations and called it "farmland reclamation", without the bonding requirements.

Selectman Baker, speaking from the audience, indicated anytime you're talking about removing a bonding requirement you're putting the Town in a bad spot. He cited bad or no bonding in the past, noting when things go wrong someone has to be fix it. Regarding farming, often the uses occur near watercourses and if someone is moving a lot of dirt you could get into wetlands issues.

Commissioner Thurz indicated he's getting a feeling that this would allow someone to come in and strip out the good material and then say it's farmland.

Planning Consultant D'Amato cited discussion of this proposal with the applicants, noting their responses. He suggested this could work for a farmer wanting to work on a small area. Planning Consultant D'Amato noted that Special Use Permits run with the land, he felt the Commission had the ability to waive some of the criteria if they make certain findings after establishing those criteria within the regulations. Mr. Holden reiterated the intent is to work in the various phases, removing the topsoil, then the other material, and returning the topsoil to each phase rather than having a huge operation open all at the same time. Supporting agriculture is regrading the land. Mr. Coon referenced an email sent to Staff regarding another farming operation who has a management plan which includes spreading manure on the fields, the amount of material added to the fields would trigger your excavation permit. Discussion continued regarding the location of a proposed activity.

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Commissioner Gobin felt the R-3 Zone, which could be very developed, you could do this on an empty lot next door. Mr. Coon suggested the deed restriction could prevent that.

The Commission decided to continue the informal discussion to the next meeting. (No motion was necessary)/

B. Affordable Housing Plan Review, John Guskowski:

John Guskowski, of Tyche Planning and Policy Group, joined the Commission remotely. Mr. Guskowski shared his PowerPoint Presentation, which should be available under this Agenda on the Town's Website. Below is a summary of his comments.

EAST WINDSOR AFFORDABLE HOUSING PLAN – PUBLIC INFORMATION SESSION:

1. What are Affordable Housing Plans:

Under C.G.S. 8-30j, which was passed in 2017, each community is required to prepare/adopt an Affordable Housing Plan to increase housing opportunities within the community; that plan is subsequently reviewed and updated every 5 years. The review process can be via informational sessions or public hearings. Mr. Guskowski noted East Windsor's plan should have been submitted last June, a letter should be sent to OPM advising them we continue to work on our plan.

2. What is Affordable Housing:

Mr. Guskowski noted that under C.G.S. 8-30g sets a 10% threshold for affordable housing and includes properties subject to CHFA and USDA mortgages, income restricted, incentive housing, Government assisted (including disabled and Senior housing, and rental assistance). Mr. Guskowski suggested plans also try to include market rate affordable housing, such as accessory apartments or homes, studio/one bedroom apartments, or units available at or below the Town's median income rate. Mr. Guskowski noted affordable is considered any unit for which the resident is not spending more than 30% of their annual income on housing costs.

3. East Windsor's Approach:

Mr. Guskowski indicated East Windsor has chosen to have the Affordable Housing Plan overseen by the Planning and Zoning Commission assisted by the involvement of the First Selectman. The process will be coordinated by Planning Director Calabrese, who will be assisted by Planning Consultant D'Amato and the Tyche Planning Group regarding presentations and public education. Public hearings are optional.

4. Current Population:

Mr. Guskowski reported that East Windsor's population had remained stable for about a decade, at approximately 11,000 residents. The population is now approaching 12,000 residents, with the largest growth in the 25 to 34 age group (young professionals), and 45 to 54, which is considered established adult households; the Senior population isn't as large as in other surrounding towns.

5. Projected Population:

Mr. Guskowski suggested East Windsor's population is projected to grow over the next 25 years from the current 12,000 to 16,000; growth is projected to occur within the Senior population.

6. Housing:

Housing is more diversified than other towns, approximately 2/3 are single family detached units, 85% of those units contain 2 or more bedrooms. More than half of East Windsor's housing was built prior to 1980, nearing 45 years in age they could begin to experience maintenance problems.

Mr. Guskowski reported East Windsor isn't subject to C.G.S. 8-30g, which is the Affordable Housing Appeals Act. The total number of assisted units in East Windsor is 698 out of the required 5500 units, which equates to 14% affordable housing. The majority of the units are Government assisted – Senior Housing Authority or disabled housing, a number of the units are CHFA/USDA mortgaged.

7. Affordable Housing:

The HUD fair market affordable rental rates associated with each zip code are \$820 to \$1800 for Warehouse Point and \$1,000 to \$2200 per month for Broad Brook. Mr. Guskowski suggested people paying more than 30% of their annual income on housing costs – whether rental or owned - are considered “cost burdened”. For renters the cost includes heat, water, and utilities, while for homeowners it includes mortgage and utility costs as well. Approximately 34% of residents paying rental fees in East Windsor are considered cost burdened, which is slightly better than other areas in the State, while approximately 25% of homeowners are considered cost burdened.

8. Community Survey Results:

Mr. Guskowski indicated the community survey resulted in approximately 50 responses; Mr. Guskowski suggested the Commission may want to repeat the survey to see if the response improves. He noted 60% of those respondents indicated they were significantly concerned with the overall housing costs in East Windsor. Over 2/3 of the respondents concerned about creating housing opportunities were young families. When considering implementation, Mr. Guskowski suggested the Commission should consider creating 2 and 3 bedroom rental units and homeownership for younger families.

Regarding the types of housing, the top priority was single family detached homes, as well as townhouses, and 2 and 3 bedroom apartments. Geographically, Broad Brook was the priority location, as well as Warehouse Point and the Route 140 corridor.

9. Recommended Actions:

- Assign a Town Employee to be the point person to explain the Affordable Housing Plan, and its options, to the public.
- Dedicate a webpage to explain information regarding the available resources – funding, development opportunities, available properties - are publicized.
- Revise Zoning Regulations to allow for middle density housing – 2 to 8 unit housing – as-of-right in targeted locations where

public water, sewer, and utilities are available. Consider making the process to develop middle density housing easier.

- Develop a method to advise the public when regulatory options/opportunities for affordable units have occurred. Develop a public education process.
- Implement 8-2i – inclusionary zoning – for multi-family developments over a certain size – to designate a proportionate number of units for affordable housing.
- Create a fund similar to the fee-in-lieu of open space as a fee-in-lieu of affordable units to create housing in another area of town at an appropriate scale or location.
- Promote public education of available affordable housing opportunities, such as CHFA/USDA funding. Educate not only the general public but realtors, banks, and developers.
- Consider partnerships with non-profit organizations, and developers

10. Suggested Implementation Plan:

Mr. Guskowski noted their plan includes an implementation table identifying the entity responsible for a specific action, actions to be taken and the timing of the implementation of those actions.

Mr. Guskowski opened discussion to the Commission.

Commissioner Gobin referenced action item 3, noting the verbal description versus the written recommendation, regarding middle density housing as a right in targeted areas, such as Warehouse Point, which fits with the plan. Then you say that as larger, historic homes are retro-fit. She questioned if that recommendation to allow the retro-fit as -of- right made sense for everywhere in town. Commissioner Gobin suggested it doesn't feel like that's an across the board goal; they seem very different.

Mr. Guskowski suggested the overall idea is to increase density where it makes sense. Chairman Kowalski noted currently multi-family housing is allowed in the R-1 Zone, are you saying to expand that to other zones or stay with the underlying zone and say it's only allowed in an R-1 Zone? Mr. Guskowski suggested the Commission consider adding a little nuisance to what is defined as multi-family. This would be talking about smaller scale multi-

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family developments, such as 3 to 8 units, in areas that are traditionally more densely settled single lots with larger historic houses with multiple bedrooms where you could convert those to other housing opportunities. All the work would occur within the dwelling so the neighborhood would maintain it's historic look. In other areas you could add a small 4 unit building and still maintain the look of the single family neighborhood.

Planning Consultant D'Amato noted the Commission has seen that with the multi-family development regulations that criteria, such as the parcel size, location, layout, density - that you end up with massive developments. He cited historic/older homes are harder to heat/cool and maintain, if they're converted to multiple units the cost goes down. Chairman Kowalski suggested that to consider even 2 units the use table would need to be revised. Mr. Guskowski suggested the recommendations encourages the Commission to have these discussions to develop your plan. Commissioner Gobin indicated she's ok with defining certain areas or neighborhoods, but when you make it an as-of-right option and everyone can turn every large house into multi-family units is different.

Commissioner Gobin referenced the recommendation to set aside a fee for a developer to consider building an affordable housing development, she questioned how that would be handled? She noted the Town's experience with the fee-in-lieu of open space for agricultural land doesn't generate a lot of income. She suggested she wasn't opposed to it but sees the recommendation as a lot of accounting and then trying to figure out what to do with little money. Planning Consultant D'Amato suggested the Commission would create the formula by which a developer pays you, if you require a 20% set-aside of units and the developer doesn't want to deal with that they essentially buy themselves out of the units and buy density. As an example Planning Consultant D'Amato cited Mansfield just received a check for \$1.2 million to the Housing Authority to create new units or upgrade existing units.

Commissioner Gobin suggested a couple of the action items appear to be a big lift. Noting that the implementation issue has always been a challenge within the Plan of Conservation and

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Development, Commissioner Gobin suggested the Commission is putting additional work on itself and must prepare for that work.

Commissioner Gobin referenced Mr. Guskowski's comments regarding the cost burden for East Windsor, she suggested she felt a cost burden for Connecticut was taxes in addition to a mortgage or rent. It isn't clear to her if taxes are considered in affordable housing. Mr. Guskowski indicated a mortgage would include taxes.

Hearing no further requests for comments, Chairman Kowalski thanked Mr. Guskowski for his presentation.

C. ZEO Report:

Planning Director Calabrese provided the Commission with an updated Zoning Enforcement Report, Highlights from the report follow:

- **131 North Road:** vehicle repair occurring. They have met with the property owner, who is removing some of the cars. ZEO Boudreau is following up on this issue.
- **93 Main Street:** ZEO Boudreau had closed out this violation earlier but cars continue to show up; the violation has been re-opened.
- **124 Newberry Road/Cota Construction:** ZEO Boudreau continues to work with the property owner so he can acquire his CO. Commissioner Gobin questioned why so many FedEx trucks are located at the site? Planning Director Calabrese noted the building where he had been storing them was condemned and was demolished; he runs a FedEx route and is storing the trucks at this location presently.
- **15 Kreyssig Road:** Notice of Violation issued after the first public hearing; she came in and applied for the Special Use Permit. Now she can move forward with her business.

Commissioner Thurz questioned the status of work at (Skylark) Airport; he's noticed the runway has been expanded, and more trees have been cut down. Planning Director Calabrese will review the location again.

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- **142 South Main Street:** resident as an apartment in the basement of the auto dealership.
- **140 Wapping Road/Pierce Construction:** work is starting on Gravel Pit Solar, the Planning Office has received complaints about the truck traffic and trucks waiting out on the street.
- **21 Ellsworth:** the property owner has contacted J. R. Russo to acquire a survey.

Planning Director Calabrese advised the Commission that the office initiated an auto sweep again. ZEO Boudreau has sent out letters announcing the sweep, there were 16 compliant businesses (who subsequently received a thank you letter) and 28 non-compliant.

XIV. CORRESPONDENCE:

A. Connecticut Federation of Planning and Zoning Agencies 2023 Annual Conference:

Planning Director Calabrese advised the Commissioners to advise Katrina so she can register those members who plan to attend the conference.

XV. BUSINESS MEETING:

Chairman Kowalski noted he had requested time to discuss education opportunities for the Commissioners but it's nearing time to adjourn this meeting. He requested Planning Director Calabrese reschedule discussion for the next meeting.

XVI. EXECUTIVE SESSION: None

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 10:15 p.m.

Gowdy moved/Leason seconded/DISCUSSION: None

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

Respectfully submitted,

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