

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

**REGULAR Meeting #1849
Tuesday, April 25, 2023
AMENDED AGENDA**

***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 (Town Hall, 11 Rye Street, Broad Brook, CT. 06016):

Chairman Kowalski called the Regular Meeting #1849 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, Michael Kowalski (Chairman), and Stacey McKenna.

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

ABSENT: Regular Members David Leason and Jim Thurz were not able to join the Commission this evening..

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, Deputy Selectman DeSousa.

APPLICATIONS: PZ-2023-2 for 118 Prospect Hill Road.

Special Use Permit for a Site Plan Review for a proposed Truck Terminal: Applicant: Crane Properties LLC: T. J. Barresi, Professional Engineer; Scott Hesketh, F. A. Hesketh & Associates,

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Carl Crane; **PZ-2023-12 for 115 Bridge Street** for a Zone Change/Map Change from Zone B-1 to Zone R-1. Applicant: Maly Phimvongsa: Maly Phimvongsa and Steve Boyer, property owners; Bob Lyke, public. **INFORMAL DISCUSSION: Jim Stanton, South Main Street and Abbe Road** for a Self Storage Concept.

GUESTS/SPEAKERS present remotely identified as they sign in:

Noreen Farmer; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

Chairman Kowalski welcomed Commissioner McKenna, who is a newly appointed Regular Member, to the Commission.

Chairman Kowalski noted a quorum was established as three Regular Members (including Commissioner McKenna) and one Alternate Member, Commissioner Gowdy, 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 Notice was read by Chairman Kowalski:

EAST WINDSOR PLANNING & ZONING COMMISSION.

The East Windsor Planning & Zoning Commission will hold the following public hearing on Tuesday, April 25, 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-2023-12 Applicant: Maly Phimvongsa, 115 Bridge Street is requesting a Zone Change from Zone B-1 to R-1. Map 111, Block 12, Lot 005, Zone B-1.

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

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Journal Inquirer editions: April 14, 2023 and April 21, 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 opportunity to comment to the remote participants; no one requested to be acknowledged.

VI. APPROVAL OF MINUTES:

A. April 11, 2023 – Regular Meeting of PZC:

Chairman Kowalski noted the Minutes of Regular Meeting #1848 held on April 11, 2023 are available for approval, he called for revisions or comments. Hearing no requests for revisions he called for a motion of approval.

MOTION: To APPROVE the Minutes of Regular Meeting #1848 held on Tuesday, April 11, 2023 as presented.

Gobin moved/Commissioner Gowdy noted he would be abstaining as he had not been present at the previous meeting, Commissioner McKenna would also abstain as she had not been appointed to the Commission at that time.

Chairman Kowalski suggested the Commission POSTPONE approval of the Minutes until Commissioners Thurz or Leason could join the Commission for approval.

VII. RECEIPT OF APPLICATIONS:

Chairman Kowalski acknowledged the receipt of the following applications, which will be heard at a future Commission Meeting:

A. PZ-2023-13 – 28 Abbe Rd – Town of East Windsor (Community Center) - Site Plan Modification for Construction of a building addition for renovation to the Senior Center/Community Building:

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- B. **PZ-2023-14 – Town of East Windsor – requesting a Text Amendment to Zoning Regulations Sections: 601-2 – Parking Lot Design, and 900-3 Site Plan Application:**
- C. **PZ-2023-15 – Town of East Windsor – Site Plan Modification to the construction of a playground at 27 Reservoir Ave.:**

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

No requests presented under this Item of Business this evening.

IX. CONTINUED PUBLIC HEARINGS:

- A. **PZ-2023-2 – 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 Continued Public Hearing. He requested representatives for the applicant, and the applicant, to join the Commission for discussion.

T. J. Barresi, of Barresi Associates, joined the Commission, noting he is a Professional Engineer representing Carl Crane. Also present this evening is the applicant, Carl Crane/Crane Properties, LLC, and also present to give later testimony is Scott Hesketh, of F. A. Hesketh & Associates, who has prepared the traffic study.

Mr. Barresi noted the application is a proposal for a truck terminal to be located at 118 Prospect Hill Road. The property is located in an M-1 Zone, and is accessed by a common driveway on land owned by 113 Prospect Hill, LLC; the common driveway is also used by 112 Prospect Hill Road, which is Eversource, and 116 Prospect Hill Road, which is Cheeseman. Mr. Barresi noted there's an existing 10,500 square foot building located on the property, which is currently vacant. Mr. Barresi suggested the use of the property has changed over the years, the rear of the property is currently used by a playground mulch operation. He noted the current proposal is for a Special Use Permit to return the use to a truck terminal, which would include 28 tractor trailer locations and 2 spaces for

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employee parking, the current use by the playground mulch operation would continue to the rear.

Mr. Barresi presented a layout plan, and summarized plan revisions which resulted from discussion at the Commission's February 14th Meeting:

- The truck terminal will be utilizing the exiting building, which currently has 20 loading docks. The proposal is to add 28 trailer spaces (in an area referenced on the plan by Mr. Barresi), and 2 vehicle spaces on the east side of the building for employee parking
- Traffic study submitted by F. A. Hesketh and Associates for a truck terminal use
- Lighting plan and photometric plan included in packet
- The applicant is not proposing an on-site fueling station, should a future tenant propose a fueling station they would have to return to this Commission for location approval
- The applicant is not proposing a "snow arch". If a future tenant should propose a snow arch they, also, would have to return to this Commission for location approval.
- Areas for snow storage have been identified in an area on the plan referenced by Mr. Barresi
- In response to discussion of existing geometry taking a right turn onto Prospect Hill Road, the existing right turn radius at the intersection of that access drive will not be reconstructed, or widened, as that work would encroach on land owned by others, including Sofia's Plaza, and the owners of the access drive, 113 Prospect Hill LLC, which is not the applicant. Mr. Barresi suggested the existing access drive has been in existence for some time and is presently being used for tractor trailer ingress and egress by Mr. Crane's property and the neighboring properties.
- In lieu of changing that right turn radius geometry, the applicant is proposing signage indicating "left turn only" for vehicles heading north.

Scott Hesketh, of F. A. Hesketh and Associates, LLC joined the discussion. Mr. Hesketh indicated he's the author of a report dated March 24, 2023, and a subsequent letter dated April 17, 2023 submitted in response to Staff comments. Mr. Hesketh reported his March report related to use of the building as a truck terminal.

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Under the traffic study submitted in March of 2023 Mr. Hesketh indicated DOT reports for 2022 indicated the daily traffic volume on Route 5 south of Route 140 as being 7,000 trips, with 371 vehicles during the morning (7:00 a.m.) peak hour, and 641 vehicles during the afternoon peak hour (4:00 p.m.). Mr. Hesketh reported his office also performed manual turning movement counts at the intersection of Route 5 and the site driveway, which also serves the Eversource facility.

Mr. Hesketh reported the proposed development is for a 10,420 square foot building to be used as a trucking terminal, their original information was based on a warehouse development. They projected 25 trips during the morning peak hour and 28 trips during the afternoon peak hour for the warehouse use. Town Staff noted the proposed use is for a trucking terminal, Mr. Hesketh submitted a subsequent report dated April 17, 2023 which indicated a trucking terminal would generate 21 trips during the morning peak hour and 37 trips during the afternoon peak hour. They predicted the distribution of that traffic at the site driveway intersection as 65% of the traffic to and from the north and 35% of the traffic to and from the south. Their capacity analysis at the site driveway intersection with both background and combined traffic volume conditions found the Route 5 approaches in the northbound and southbound directions operate at a level of service A, and level B for the use as a warehouse or C in the afternoon for the use as a trucking terminal with delays of about 15 seconds per vehicle exiting the site. Mr. Hesketh suggested their report indicates there is little impact on site related traffic on the local roadway. While the radius for right-hand turn is difficult for trucks exiting the facility, as they do currently, they will have to wait for a gap in traffic to make a right-hand turn and will go over the double yellow center line to make that movement. Should the Commission feel that's inappropriate the applicant is proposing to install signage to direct tractor trailer drivers to make a left-hand turn out of the site to head down Route 5 and access 1-91 at Route 140.

Mr. Barresi summarized the proposed use is to return the use of the facility to a truck terminal, noting a letter has been submitted indicating how the application meets the Chapter 7 Special Use Permit requirements of the Zoning Regulations.

Chairman Kowalski called for questions from the Commissioners.

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Commissioner McKenna questioned if the left-turn would be enforceable? Mr. Barresi suggested it would be difficult to enforce without Police present. He felt that once the vehicles made that left turn movement to go down and pick up I-91 past Walmart they'll realize that's an easier situation. Commissioner McKenna questioned if someone in Mr. Barresi's organization would monitor the situation to make sure it's being enforced? Mr. Barresi suggested the tenant would advise their drivers who would in turn police themselves. Mr. Hesketh suggested the tenant of the facility would also advise their drivers of the conditions. Commissioner McKenna suggested it may be as difficult to make a right-hand turn as it will be to make that left-hand turn. Either way the driver is waiting for a window to make their turn; Mr. Barresi and Mr. Hesketh concurred. Mr. Crane joined the conversation, noting he knows all the people using the driveway, he would encourage them to respect the conditions of his use of the facility.

Mr. Hesketh reported they reviewed the accident data at the intersection, during the past 5 years there was only 1 accident at the intersection, as he recalled the vehicle left the road heading in the southbound direction and hit the guardrail on the opposite side of the road.

Commissioner Gowdy and Commissioner Gobin had no questions.

Chairman Kowalski raised the following questions:

- If a tractor-trailer comes off the Bridge Street exit, comes up the hill and makes the turn onto Route 5 and makes a left-hand turn into the property, what's the distance from the site driveway to the traffic light on Bridge Street? Mr. Hesketh suggested it would be in excess of 750 feet. Chairman Kowalski suggested you would have a 53-foot trailer plus tractor which would be 80 to 90 feet total, his concern was having multiple trucks waiting in traffic to make that left-hand turn into the site; would we now be encroaching into the intersection? Mr. Barresi suggested it's a little over 1,000 feet. Mr. Hesketh referenced information in his earlier report based on the number of trucks during peak hours for the warehouse use as being zero peak hour trips during the morning and afternoon commuter peaks while on a daily basis they predict 13 trips. Chairman Kowalski suggested you're proposing 20 trucks at the site, Mr. Hesketh suggested they wouldn't all leaving or arrive simultaneously, Chairman Kowalski noted they do dispatch all at once. He suggested they may need to suggest to tenants to use the

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Walmart exit and come up and make a right-hand turn back into the property.

- Chairman Kowalski noted he didn't see employee parking on the plan. If there are 20 drivers they'll need spaces for their personal vehicles while out for deliveries, plus spaces for dock workers and office employees, which works out to about 35 employees, he questioned where the 35 employees would park their vehicles? Mr. Barresi referenced the site plan, noting that presently they're showing 2 employee spaces. Mr. Crane suggested that often the employees arrive and leave at different times, it's not like everyone exits at 7 o'clock. Chairman Kowalski suggested this is a small building which will most likely operate as a "last leg" delivery terminal, and they often dispatch at the same time. Mr. Barresi suggested they would have to change some of the trailer spaces into car spaces.

Chairman Kowalski questioned Planning Consultant D'Amato if the questions noted in his memo had been addressed? Planning Consultant D'Amato noted his first comment related to driveway access, which they kind of addressed by proposing to eliminate the right turn. If they can't make that right turn then it might be a problem that solves itself. He noted there is drainage underneath the driveway which may be affected by the use of the access.

Planning Consultant D'Amato indicated he didn't understand that there was a significant level of traffic generated based on the use of a truck terminal versus a warehouse. One report suggests it's generating 1.72 trips per thousand (for land use code 30) versus the 0.19 or 0.17 (for land use code 150), he's not understanding how a significant change in use would result in such an insignificant change in what's to be expected on the property. Mr. Hesketh suggested Planning Consultant D'Amato is looking at 2 different sources of data, the warehouse use was predicting 25 and 28 trips, while the truck terminal is predicting 21 and 37 trips. Mr. Hesketh suggested the predictions in the report are based on the average rates of the ITE, the numbers projected are consistent with other similar facilities. Planning Consultant D'Amato suggested the trips generated with a truck terminal would be significantly higher than a warehouse but the calculations and projections weren't that much of a difference. Mr. Hesketh suggested with 20 bays in an hour you could have 20 exiting trips, if 20 new trucks showed up that would be 40 trips in an hour and he's told it takes between 2 and 5 hours to load a truck he suggested each

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bay would be used once or twice or up to 4 times a day which would be 80 on a daily basis and the employees come and go. Mr. Hesketh suggested the trips projected would be accurate.

Chairman Kowalski referenced the photo-metric plan, noting the proposed lighting is on the building but nothing is proposed for the staging area. He has two concerns, the first being if the applicant has to add employee parking areas to the rear there is no lighting, people would be crossing a dark drive aisle. He suggested the trailer spaces would be backing into a dark spot as well. Mr. Barresi agreed that additional lighting would have to be added to the employee parking area.

Chairman Kowalski noted this application is a Public Hearing, he queried the in-person audience for comments; no one requested to speak. Chairman Kowalski then offered the opportunity to speak to the remote participants.

Noreen Farmer, 247 South Water Street: Ms. Farmer indicated she's curious that if they have a problem taking a right-hand turn out will the trucks have the same problem if they take a left-turn into the site coming up from Bridge Street? Ms. Farmer noted this location is where you lose the two lanes as it goes into one lane, if you have a truck trying to make a left-hand turn into the site and there's a truck in there trying to take a left-hand turn out of there is there enough room in the front for them to accomplish that? If everyone will have to head to the intersection at Walmart that area has it's own traffic problems on an on-going basis. If trucks coming up north on I-91 would be encouraged to exit at Walmart's and come up and take a right into the site that movement has it's own problem. Ms. Farmer reiterated her concern where the road goes from two to one lane on Prospect Hill Road. She felt the entrance wasn't large enough to accomplish those turns.

Ms. Farmer suggested her other comment is she lives across from the Silverman property which everyone was concerned about the number of trucks entering and exiting the facility. Ms. Farmer reported she hasn't been stuck behind a truck once, but she's not sure if that's a warehouse or a truck terminal. Ms. Farmer reiterated with regard to the proposed facility she's not as concerned with the amount of traffic generated as she is with the ability to enter and exit this proposed facility based on the front area.

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Mr. Hesketh suggested the issue with vehicles exiting and entering isn't a traffic issue, it's a geometric issue; it's difficult to make the right-hand turn because there's not enough pavement at the site. He suggested a truck should be able to make the left-hand turn into the site driveway. If a truck were trying to exit the site while another truck was trying to enter from the north geometrically it's fine and based on the traffic volumes at the site driveway it's not anticipated that vehicles will be waiting at the site driveway a long time. He suggested the truck drivers will tend to work with each other because they know the facility and they're familiar with the environment. Mr. Hesketh suggested these types of facilities are often located near the interstate highways to keep the traffic off of the local roads.

Planning Director Calabrese requested clarification that the access road ownership was under a different name than the applicant? Mr. Crane indicated he owned the "LLC". Planning Director Calabrese questioned if he's considered widening the access drive on the Eversource side by acquiring an easement from Eversource? Mr. Crane replied in the negative, noting what's going on there and what he's proposing to do has been going on since 1965. He suggested the truckers work together, and this happens every day. Mr. Crane noted he ran a forestry business out of there for some time in the 1990s so there were always trucks going in and out. Now he's proposing to return the building to its previous use as a trucking terminal. Mr. Crane suggested other people use the road as well, no one will stop Cheezeman from using it. Planning Director Calabrese suggested her concern is the Commission has been presented with the issue of the turning radius, and you've changed the use and are now proposing to return the use to the trucking terminal. She had hoped the tenants would be amenable to widening the access under an easement.

Hearing no further requests for comments Chairman Kowalski suggested the applicant has unresolved issues to deal with, a large concern for him was the issue of employee parking regarding location and lighting for the employee parking area. Chairman Kowalski suggested continuing the application until the Commission's next meeting.

MOTION: To CONTINUE the Public Hearing for application PZ-2023-2 for 118 Prospect Hill Road for a Special Use Permit for a Site Plan Review for a proposed Truck

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**Terminal. Applicant: Crane Properties until the
Commission's next meeting on May 9, 2023.**

Gobin moved/McKenna seconded/**DISCUSSION:** Planning Director Calabrese noted the Commission's next meeting would be held at Scout Hall, 28 Abbe Road.

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

X. NEW PUBLIC HEARINGS:

**A. PZ-2023-12 – 115 Bridge St – for a Zone Change/Map Change from
Zone B-1 to Zone R-1. Applicant: Mlay Phimvongsa:**

Chairman Kowalski read the description of this new Public Hearing. Joining the Commission for discussion was the applicant, Maly Phimvongsa, and her husband, Steve Boyer.

Ms. Phimvongsa advised the Commission they are requesting a change of zone. Previously, the property was zoned B-1 as the downstairs was used as a business while the upstairs was occupied as residential. During the (COVID) shutdown they operated their business remotely, and they found the tenants liked the quietness of just the residential use. The property contains 4 units, Ms. Phimvongsa suggested this zone change request would be returning the use to the original use of the Chapman family and their descendants. Ms. Phimvongsa noted they are not proposing any structural changes, and no parking revisions.

Commissioner Gobin noted the Commission has previously held many discussions about trying to encourage mixed use business and residential for Warehouse Point, she questioned how that would fit with this concept? Planning Consultant D'Amato suggested this location would be in sort of a transitional area, which he felt would be addressed by considering the various buildings and potential uses. When that plan, and its flexibility, is in place if it was determined that this use would be the most appropriate use of this building then it would be allowed within that plan. Planning Consultant D'Amato didn't feel this use

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would make what they're trying to accomplish for the Warehouse Point plan any harder.

Commissioner McKenna questioned if the property had been 4 units previously? Ms. Phimvongsa clarified that the dwelling had contained four units before.

Commissioner Gobin noted it appears this property abuts an M-1 Zone and an R-2, she questioned if this could be considered spot zoning? Planning Consultant D'Amato noted the various adjacent zones within the area, he felt the center of Warehouse Point is a mix of various zones.

Chairman Kowalski queried the other Commissioners for comments, Commissioner Gowdy cited he had no questions.

Chairman Kowalski then opened discussion to the in-person audience.

Bob Lyke, Rye Street, East Windsor: Mr. Lyke indicated he's speaking as a private citizen rather than a representative of any board or commission of the Town. Mr. Lyke notes he passes this beautiful building frequently but didn't realize it belonged to an old friend and business associate. Mr. Lyke noted that Ms. Phimvongsa and her husband, Steve, didn't ask him to speak on their behalf but this is a beautiful building. He noted he visited the property and saw where the addition has been added and noted there is plenty of parking. Mr. Lyke indicated he's here tonight to speak mostly on behalf of the character of the property; he felt they'll be good residential owners of this property.

Paul Benson, developer of Pasco's Commons, requested to speak. Mr. Benson suggested most people don't realize this home is the sister-home to Jonathan Pasco's, they're both brick structures from the same period, and both very unique. Mr. Benson noted he owns the property to the right at 111 Main Street, he's interested in doing something other than mixed use with that property but is on hold with the Town. Mr. Benson indicated he's finding there's a demand for small residential units where seniors would be able to walk to a store. Mr. Benson suggested the residential units are

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easier to deal with than the commercial units. He's in favor of Ms. Phimvongsa and Mr. Boyer returning this building to a residential use.

Hearing no further requests for comments from the in-person audience Chairman Kowalski queried the remote participants for comments.

Noreen Farmer, 247 South Water Street: Ms. Farmer reported she supports the applicants doing this. She understands the plan for Warehouse Point, but felt the implementation of that plan was so far off. In the meantime she felt people who own property in Warehouse Point should be able to use their property to the best of their ability, she didn't feel holding up people who have a plan for their properties should be held up waiting for the larger Warehouse Point plan.

Chairman Kowalski called for additional comments from the Commission, no one requested to be acknowledged. Chairman Kowalski then called for a motion to close the Public Hearing on this applicant.

MOTION: To CLOSE THE PUBLIC HEARING on application PZ-2023-12 for 115 Bridge Street for a Zone Change/Map Change from Zone B-1 to Zone R-1. Applicant: Mlay Phimvongsa.

Gobin moved/McKenna seconded/DISCUSSION: None

**VOTE: In Favor: Gobin/Gowdy/
Kowalski/McKenna**

(No one opposed/No abstentions)

Chairman Kowalski then called for a motion on the application.

MOTION: To APPROVE application PZ-2023-12 for 115 Bridge Street for a Zone Change/Map Change from Zone B-1 to Zone R-1. Applicant: Mlay Phimvongsa and Steve Boyer. Approval is granted subject to the conformance with referenced plans (as may be modified by the

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**Commission and this approval(and the
following conditions/modifications.**

Findings:

- 1. The proposed zone change is not in conflict with the
Plan of Conservation and Development.**

Conditions:

- 1. This approval shall not become effective until the
Certificate of Action has been filed with the East
Windsor Town Clerk.**

Gobin moved/McKenna seconded/DISCUSSION: None

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

XI. OLD BUSINESS: None

XII. NEW BUSINESS: None

XIII. OTHER BUSINESS:

**A. Informal Discussion – Paul Benson – South Main & Abbe Rd – Self
Storage Concept:**

Chairman Kowalski read the description of this Item of Business. Please
note Paul Benson is not involved in this discussion, his name was
inadvertently listed.

Chairman Kowalski requested whomever is making this presentation join
the Commission for discussion.

Jim Stanton came forward with an architectural rendering of property.
Mr. Stanton reported he presently rents the property to Tom Baggott. Mr.
Stanton provided the Commission with a copy of a proposed Text
Amendment.

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Mr. Stanton advised the Commission he wants to build a self-storage facility on the property, in order to build a safer project he wants to eliminate the driveway on Route 5 and use a driveway on Abbe Road, which has a traffic light, and make that his front yard. Instead of having 2 front yards Mr. Stanton would like to have 2 side yards and 1 front yard and 1 back yard.

Mr. Stanton noted the property is located within the M-1 Zone, which allows approximately 57,000 feet of roof space on the property. Mr. Stanton suggested currently the East Windsor regulations allow 2 front yards, but this property has 3 corners. He asked his engineers to prepare 2 plans, one with a side yard in the front along Route 5 and another plan without that, but the engineers don't want to do that because it changes the drainage. Mr. Stanton reported if he's required to have 2 front yards on the property he loses 49,260 feet of useable land, which is over an acre. If the Commission grants Mr. Stanton the Text Amendment he'll be able to build an equestrian-style building, if he's required to go 60 feet from the property line he'll be forced to build a standard storage facility with doors facing the road. He also would have a lot of wasted space and wouldn't be able to build the building in the rear of the property.

Mr. Stanton opened discussion to the Commission.

Chairman Kowalski noted that a Text Amendment would apply to any property which fits the criteria outlined, not just Mr. Stanton's property. He suggested Mr. Stanton is really asking for changes in setbacks. Chairman Kowalski questioned if Mr. Stanton had equal frontage on both streets; Mr. Stanton replied he did not, he has more frontage on Route 5. Chairman Kowalski suggested his first thought was you can define a piece of property as the front being the one with the most frontage, the other street would then be considered a side yard. Mr. Stanton suggested the front could be the street with the driveway. Chairman Kowalski didn't see that the property had a curb cut, Mr. Stanton suggested he does have a curb cut which he can expand on but he didn't feel the sightline was the best. Chairman Kowalski suggested he was questioning if it's permissible to have access to a property through a side yard, his understanding was that generally access is provided through the front yard. Chairman Kowalski suggested Mr. Stanton could consider Route 5 as the front and still provide access through Abbe Road as a side yard access. Mr. Stanton contended the Commission has the power to allow his request as proposed.

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Commissioner Gowdy suggested the Commission can't go against the regulations as they're written. If the Commission approves the Text Amendment then the regulation applies to many other properties which fit the criteria. Mr. Stanton contended the proposed Text Amendment specifically states Route 5, not Route 140 or Route 191. Discussion continued regarding the applicability of the Text Amendment to other potential properties.

Commissioner Gobin cited a concern that in residential areas not located on Route 5 she felt it was important to maintain the setbacks on 2 sides when someone has a corner lot. She noted that for Zone R-3 the front yard is 150 feet and the side yard set back is 15 feet, so if you allow one side to be 15 feet then people will be putting sheds and other buildings next to your house. Commissioner Gobin indicated she understands Mr. Stanton's specification for Route 5 but she also felt strongly that the distances be maintained in residential zones. Mr. Stanton suggested the Commission consult the Town Attorney.

Commissioner Gobin questioned Staff if Mr. Stanton was proposing a replacement for existing Section 301.1 or does Mr. Stanton's Text Amendment become 301.2? Planning Director Calabrese felt it would become another section with restrictions.

Planning Director Calabrese also noted her concern for sightlines going out onto Route 5, so one of the stipulations might be access at the traffic light. Commissioner Gobin suggested Mr. Stanton wants his access to be on Abbe Road.

Chairman Kowalski noted Mr. Stanton has not submitted a formal application for this proposal. As this presentation has been an informal discussion no action will be taken by the Commission this evening. Mr. Stanton suggested the Commission consult the Town Attorney as he feels the Commission is taking some of the developable land away from him.

B. Affordable Housing Plan – Listening Session:

Chairman Kowalski noted the Commission has discussed the Affordable Housing Plan for several meetings, he questioned if the Commissioners had any comments or revisions.

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Planning Director Calabrese noted the Affordable Housing Plan and the presentations made at the various Commission Meetings have been posted on the Town's Website along with an inter-active portal for people to make comments. She noted no one from the public has presented comments or raised questions, a survey was sent home to the elementary and middle school aged students as well. Planning Director Calabrese felt the public has had time to comment on the proposed plan.

Chairman Kowalski asked if the Commission was ready to adopt the plan?

MOTION: To ADOPT the Affordable Housing Plan for the Town of East Windsor as presented in the draft dated December 27, 2022.

Gobin moved/Gowdy seconded/DISCUSSION: None

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

XIV. CORRESPONDENCE:

- Planning Director Calabrese advised the Commission she received notification that a complaint was filed with the Freedom of Information Office regarding the application for the playground at 27 Reservoir Avenue. She noted the Town Attorney will be responding on the Town's behalf.
- Planning Director Calabrese noted the Town received a notification from EVI Consulting regarding the ATT antennas being changed at the Connecticut Water Company tower located at 104 Prospect Hill Road. No action is necessary by the Commission

XV. BUSINESS MEETING

A. Update on Car Sweep:

Planning Director Calabrese referenced a report from ZEO Boudreau regarding the status of her continuing work with the auto dealers along Route 5 to bring their sites into compliance with their site plans. She noted there have been several Staff site plan approvals, while other dealers will come before the Commission. She noted Car City is working with J. R. Russo & Associates to develop a better configuration for that site.

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Chairman Kowalski questioned that items 8 to 11 had been approved by Staff; Planning Director Calabrese replied in the affirmative.

B. Informal Discussion – Proposed Text Change to Zoning Regulations, Section 405 – Temporary Permits/Seasonal Events:

- Chairman Kowalski opened discussion on a proposed Text Change Amendment for Section 405 – Temporary Permits/Seasonal.

Planning Director Calabrese noted ZEO Boudreau has drafted this regulation change, noting this draft includes definitions.

Commissioner Gobin questioned that in this draft approval for alcoholic beverages went to the Police Commission. Planning Director Calabrese clarified that approval for alcoholic beverages comes to the Planning and Zoning Commission. Commissioner Gobin noted events on Town property go to Park and Recreation, she questioned who approves events at schools? If the Boy Scouts do a car wash at the school or the library should Park and Recreation approve that event? Planning Director Calabrese suggested she'll research that issue and return the Commission an updated draft for the next meeting.

- Planning Director Calabrese also provided the Commission with a draft Resolution regarding the Town's position on siting solar farms in East Windsor. Chairman Kowalski felt the resolution fairly expressed the Town's position that we've contributed our share and oppose continued siting of solar facilities on agricultural and residential land.

Commissioner Gobin questioned if it's known if rain water coming off of the panels could leach back into the groundwater? She suggested adding language to the reference to the health concerns from arrays isn't known.

Discussion continued regarding the affect of this Resolution to the Siting Council. Planning Director Calabrese suggested it becomes one of several pieces of action regarding placement of the solar farms, including consideration by the Legislature. Chairman Kowalski suggested that residential land is often co-mixed with agricultural land and tends to be some of the easiest land to convert but its also not the

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most conducive to the people who have to live around it.
Commissioner Gobin suggested the agricultural land is probably on
wells; Commissioner Gowdy suggested the farmer can't make money
farming so they sell their land.

XVI. EXECUTIVE SESSION: None

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:15 p.m.

Gowdy moved/McKenna seconded/DISCUSSION: None

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

Respectfully submitted,

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