

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

**REGULAR Meeting #1854
Tuesday, July 11 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***

DRAFT MEETING MINUTES

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

I. TIME AND PHYSICAL PLACE OF MEETING:

Vice Chairman Thurz called the Regular Meeting #1854 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:** Jim Thurz (Vice Chairman), Anne Gobin, David Leason, and Stacey Svoboda-McKenna.

Alternate Members: None

ABSENT: Regular Member Michael Kowalski (Chairman) and Alternate Member Gowdy were absent.

GUESTS/SPEAKERS present in-person: Director of Planning and Development/Planning Director Ruth Calabrese hosted the meeting. Also present in person were: Deputy Selectman DeSousa; **INFORMAL DISCUSSION:** Paul Benson, Pasco Commissions; **INFORMAL DISCUSSION:** Pedro Vega, South Water Street.

GUESTS/SPEAKERS present remotely identified as they sign in: Peg (Margaret) Hoffman, Recording Secretary.

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II. ESTABLISHMENT OF QUORUM:

A quorum was established as four Regular Members were present at the Call to Order. Vice Chairman Thurz indicated that all Regular Members will participate in discussion and votes this evening.

III. ADDED AGENDA ITEMS:

A. **PZ-2023-20 Subdivision at 216 – 222 South Main Street to create lot for Dunkin Donuts (new application to be received):**

B. **Pedro Vega for INFORMAL DISCUSSION**

IV. LEGAL NOTICE: None

V. PUBLIC PARTICIPATION (FOR ITEMS NOT LISTED ON THE AGENDA):

Vice Chairman Thurz queried the in-person audience for comments regarding items/issues not posted on the Agenda. No one requested to speak. Vice Chairman Thurz then offered the opportunity to speak to the remote participants, only the Recording Secretary was signed in remotely.

VI. APPROVAL OF MINUTES:

A. **June 27, 2023:**

Vice Chairman Thurz noted the Minutes for Regular Meeting #1853 are available for approval, he asked if the Commissioners have any comments, or revisions? Hearing no request for changes he requested a motion of approval.

MOTION: To APPROVE the Minutes of the East Windsor Planning and Zoning Commission Regular Meeting #1853 held on Tuesday, June 17, 2023 as presented.

Gobin moved/Leason seconded/DISCUSSION: None.

**VOTE: In Favor: Gobin/Leason/Thurz
Opposed: No one
Abstained: Svoboda-McKenna (absent)**

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VII. RECEIPT OF APPLICATIONS:

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

PZ-2023-20 - 216 – 222 South Main Street, re-subdivision of a 9.62 acre lot at to create a lot for the Dunkin Donuts Restaurant and associated improvements. Applicant: Balch Bridge Street Corporation. Public Hearing scheduled for July 25, 2023.

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

A. Bond Release Request – E&S Bonds – East Road, Jessie Lane, and Middle Road – Hamlet Homes Harvest View; Mark O’Neill:

Vice Chairman Thurz read the description of this Agenda Item.

Planning Director Calabrese noted the Planning Office had received a letter from Mark O’Neill requesting the release of the Erosion and Sedimentation Bond associated with the Harvest View Estates. Planning Director Calabrese reported Town Engineer Norton and Zoning Enforcement Officer Boudreau have both inspected the roads and have recommended release of the bonds. Planning Director Calabrese referenced Zoning Enforcement Officer Boudreau’s memo which had been included in the Commissioners’ packets.

Commissioner Gobin questioned if Town Engineer Norton had provided a memo indicating his approval? Vice Chairman Thurz indicated while this recommendation is a verbal acknowledgement formal memos will be submitted in the future.

Motion to RELEASE the Erosion and Sedimentation Bond established for Harvest View Estates, 22-lot subdivision, located on East Road, Jessie Lane, and Middle Road. The bond amount to be released to Mark O’Neill of Hamlet Homes is \$14,955.75. The motion is made with the understanding that the Town Engineer has satisfied as well.

Gobin moved/Leason seconded/DISCUSSION: None

VOTE: In Favor: Gobin/Leason/Svoboda-McKenna/Thurz

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(No one opposed/No Abstentions)

IX. CONTINUED PUBLIC HEARINGS:

- A. PZ-2023-17 Text Amendment – proposed Text change to Zoning Regulations Section 502 – Permitted Accessory Uses, Use Table B-1, B-2, M-1, HIZ, & TZ5. Applicant: Car-Mil Realty LLC/Frank Giordano. (Continued until 7/25/2023):**

Planning Director Calabrese noted Staff has been working with this applicant regarding their Text Amendment, she noted the applicant's e-mail provided to the Commissioners regarding the request for an extension of the Public Hearing.

Commissioner Gobin questioned if a motion was required to continue the Public Hearing until the Commission's next meeting, Vice Chairman Thurz felt the applicant's e-mail should be sufficient, Planning Director Calabrese agreed.

- B. PZ-2023-18 Town of East Windsor – Text Amendment – Text change for Zoning Regulations Section 405 – Temporary Events. Applicant: Town of East Windsor. (To be withdrawn):**

Planning Director Calabrese acknowledged the Town's intent with this Text Amendment was to simplify the process to give permits for Special Events and alleviate the burden for entities, such as the churches who may have several events a year, as well as limit the larger events, and provide people with expectations of the timeframe for entities such as the Police Department, Fire Marshal, and the Health Department to respond to their requests. Based on the feedback received during the previous meeting it became apparent that things were becoming more complicated than necessary, so the Town has decided to withdraw the Text Amendment. Vice Chairman Thurz suggested the Temporary Event process is back to the way it was before this proposed change, Planning Director Calabrese replied affirmatively.

Commissioner Gobin questioned the need for a motion accepting the withdrawal of this proposed Text Amendment, Planning Director Calabrese and Vice Chairman Thurz felt a formal motion would complete this application submission.

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MOTION: To ACCEPT THE WITHDRAWAL of application PZ-2023-18 submitted by the Town of East Windsor – Text Amendment – Text change for Zoning Regulations Section 405 for Temporary Events.

Gobin moved/Leason seconded/DISCUSSION: None

**VOTE: In Favor: Gobin/Leason/Svoboda-McKenna/Thurz
(No one opposed/No Abstentions)**

X. NEW PUBLIC HEARINGS: None

XI. OLD BUSINESS: None

XII. NEW BUSINESS: None

XIII. OTHER BUSINESS:

A. Paul Benson: Informal Discussion – Pasco Commons:

Vice Chairman Thurz asked Mr. Benson to join the Commission for discussion.

Mr. Benson introduced himself as the builder of Pascoe Commons, which currently contains 82 units, including 12 retail units, 36 office units, and 34 residential units. Mr. Benson suggested it's becoming more difficult to rent units for office space as more people work from home, which is a trend occurring across the country. Mr. Benson indicated he currently has a 10% vacancy rate on the office units. Mr. Benson noted two units located directly on Route 5 are selling their buildings and moving elsewhere.

Mr. Benson noted a similar situation occurred in 2008 and 2010 during a previous recession. Mr. Benson advised the Commission that he did something similar to this proposal in 2008 and 2010, as well as the baby center in 2012, which was extremely successful. Mr. Benson provided the Commission with information regarding the status of the current occupancy, and his proposal which would make the units accessible as well as handicapped accessible at ground level.

Vice Chairman Thurz suggested that 30 years ago the proposal for the mixed-use development was cutting edge, but the concept has changed.

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Commissioner Gobin suggested the units on Route 5 still benefit from the traffic volume in the area. Mr. Benson noted the units he's considering are all located in the rear of the parcel. He noted he had originally intended to extend the development further to the rear, where the short road already exists, but the area was deemed wetlands by the Army Corp of Engineers, and further development ceased.

Vice Chairman Thurz suggested the Commission would like to see more of Mr. Benson's proposal, as they would like to assist him but need to find a path to proceed. Mr. Benson advised the Commission he also owns a parcel in Warehouse Point next to the Fire Department that he would like to develop, perhaps with residential units as were recently approved for an adjacent parcel. Vice Chairman Thurz suggested that would be a separate proposal, he suggested Mr. Benson work with Zoning Enforcement Officer Boudreau regarding this proposal. Planning Director Calabrese advised the Commission that Planning Consultant D'Amato is reviewing the proposal as well and may have comments in the future.

C. Pedro Vega: Informal Discussion – 257 South Water Street:

Vice Chairman Thurz requested Mr. Vega join the Commission for discussion.

Mr. Vega advised the Commission that he occupies the home in the front of the property and has but another larger home at the rear of the same parcel. Mr. Verga reported in 2007 he signed a Letter of Agreement contingent with his permits, he now feels that was a mistake as it was a long, difficult process to build the new house. Mr. Vega noted the Commissioners before him tonight were not on the Commission at the time. Now, 15 years later he appreciates the historical character of the older home and would also like to keep the larger home to the rear. Mr. Vega indicated he had drawings from J. R. Russo he would like to share with the Commission. Mr. Vega indicated he initially spoke with Zoning Enforcement Officer Boudreau who indicated she was basing her decision on the letter signed previously by Mr. Vega, and noting the parcel lacked the space for the two dwellings. Mr. Vega reported he had the property surveyed by J. R. Russo, who found the lot contains 2.59 acres.

Discussion followed regarding the location of Mr. Vega's homes across from the Silverman warehouse as some of the Commissioners were unfamiliar with the parcel. Mr. Vega reported the plans indicate separate

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lots for each home. He also dealt with wetlands issues at the corner of the driveway and received his permit for that work.

Planning Director Calabrese reported Mr. Vega's plans had not been available when she and Zoning Enforcement Officer Boudreau reviewed the location, they based their comments on the GIS mapping, which indicated 2 acres. If buildable area is considered it would require 90,000 square feet, and then double that for the rear lot. Planning Director Calabrese noted that Mr. Vega couldn't have 2 houses on the same lot, she indicated that review of earlier records didn't reflect the submission of the plans Mr. Vega has presented to the Commission tonight.

Discussion continued. Mr. Vega advised the Commission of the challenges he and his family have faced over the past several years which have brought them to where they are today. Planning Director Calabrese requested a copy of the plans Mr. Vega was referencing tonight, Mr. Vega reported he was currently working in Puerto Rico for a few weeks at a time and returning to East Windsor for a few weeks, he would provide the plans as soon as he could. Mr. Vega reported his and his family's intent was to share their time in Puerto Rico and East Windsor.

Vice Chairman Thurz suggested zoning is always evolving, he suggested the Planning Office would work with Mr. Vega going forward.

B. ZEO Report:

Planning Director Calabrese referenced the ZEO Report submitted, noting the following:

- Items highlighted in yellow were new and had been resolved.
- The Planning Office is working with the developer of West River Farms regarding flooding coming down the hill onto Schank Road, as well as management of invasive species on the existing berm.
- The Planning Office and the Building Official is working with Armster Lumber to seek compliance with his site plan for a business located behind Hot Cakes on South Main Street which he operates repurposing wood from old barns and buildings for resale to high end clients
- To the north of the Armster property is an area of fill for which a remediation plan is being created which will be forwarded to the Army Corp of Engineers and EPA for review

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- 297 North Road – work is being done to determine what exists on the site
- 140 South Main Street – wetlands being delineated for future site plan modification submission

XIV. CORRESPONDENCE: None

XV. BUSINESS MEETING: None

XVI. EXECUTIVE SESSION: None

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:18 p.m.

Leason moved/Svoboda-McKenna seconded/DISCUSSION: None

VOTE: In Favor: Gobin/Leason/Svoboda-McKenna/Thurz
(No one opposed/No abstentions)

Respectfully submitted,

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