

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

**REGULAR Meeting #1825
April 26, 2022**

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

AND

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

SCHEDULE OF MOTIONS

I. TIME AND PLACE OF MEETING:

Chairman Gobin called Regular Meeting #1825 of the East Windsor Planning and Zoning Commission dated April 26, 2022 to Order at 6:30 p.m. The Meeting is being held in-person in the John Daly, Jr. Meeting Room, Town Hall, 11 Rye Sreet, Broad Brook, CT., and via telconference as well.

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

Alternate Members: David Leason. There are presently two vacancies for Alternate members.

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

Director of Planning and Development/Town Planner Calabrese hosted the meeting.

GUESTS/SPEAKERS present in person: Planning Consultant Michael D'Amato, of Tyche; Gary DelaCroix, of ?????? assisting Mario Costa, Mario Costa, Kaley Curtis, East Windsor Animal Control Officer assisting Mario Costa; Kris Van Nauessen, AECOM; Larry Hogan, AECOM, and David Clymer, Raytheon Technologies,

GUESTS/SPEAKERS present remotely identified as they sign in: Diana Steelquist, W D Partners, and Christian LaPointe, W D Partners,

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representing Walmart; Greg DiBona, Bohler Engineering MA, LLC, also representing Walmart; Rock Emond, SLR Consulting, representing Wynwood/Wyndwood Apartments; Tim French; Peg (Margaret) Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members were present at the Call to Order. Chairman Gobin noted all Regular Members will participate in discussion and votes this evening.

VI. APPROVAL OF MINUTES:

a. April 12, 2022 Regular Meeting of PZC:

MOTION: To APPROVE the Meeting Minutes of Regular Meeting #1824 dated April 12, 2022 as presented.

Kowalski moved/Gowdy seconded/DISCUSSION: None.
**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz**
(No one opposed/No Abstentions)

IX. CONTINUED PUBLIC HEARINGS:

a. PZ-2022-01 44 Prospect Hill Road – Modification to General Development Plan (Walmart). Applicant: Susan Doerschlag:

MOTION: To CLOSE THE PUBLIC HEARING on Application PZ-2022-01 44 Prospect Hill Road – Modification to General Development Plan (Walmart). Applicant: Susan Doerschlag.

Kowalski moved/Gowdy seconded/DISCUSSION: None.
**VOTE: In Favor: Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz**
(No one opposed/No Abstentions)

MOTION TO APPROVE:

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Application #PZ 2022-01: Amendment to General Development Plan, 44 Prospect Hill Rd, “Walmart”. Building Expansion and Modification of site to create an online order pickup area.

This approval is granted subject to the conformance with referenced plans (as may be modified by the Commission and this approval) and the following conditions/modifications.

Referenced Plans

1. Walmart: 44 Prospect Hill Rd. Prepared for WD Partners. Site Plan Prepared by Bohler Engineering. Sheets 1-52 Inclusive. Dated 10/08/21. **Revised 04/20/22.**
2. Photometric Plan. Prepared by GE Current. Sheet 1 of 1. Dated 01/28/22

Conditions which must be met prior to the signing of mylars:

1. A copy of the final approved plans with any necessary revisions shall be submitted to the Planning & Development Office for review and comment.
2. A copy of this approval motion has been incorporated into a final plan set to include sheets: C1-C10 (inclusive), E1.2, A1, OP1.0-OP1.2 and the lighting fixture plan prepared by GR Current.
3. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
4. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns

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

5. A single, PDF copy of the final plans, with all necessary revisions shall be provided to the Planning & Development Office.
6. A zoning permit has been obtained from the Planning and Development Office for the project.
7. An Erosion Control Bond has been provided, such estimate shall be reviewed and approved by the Town Engineer.

Conditions which must be met prior to the issuance of a Certificate of Zoning Compliance:

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

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9. One electronic PDF and paper copy of the final as-built survey showing structures, pins, driveways, final floor elevations and spot grades shall be submitted.

General Conditions:

10. One month prior to the commencement of construction. Signage indicating to customers that the Southeast driveway access is to become one way shall be posted in the project area.
11. Prior to the approval of any future temporary/seasonal outdoor sales, a parking analysis shall be provided demonstrating that during hours/days of peak parking demand, adequate parking capacity exists to provide for the temporary use of parking spaces for outdoor sales.
12. If the Town of East Windsor identifies that parking demand necessitates the installation of the 15 spaces proposed to be deferred, the applicant or their heirs, successors and assigns shall be notified by the Town of East Windsor and all deferred parking shall be installed per the approved plans within six (6) months of the date such notification is made.
13. In accordance with Section 900.3(h) of the Zoning Regulations, the construction of any buildings associated with this approval shall commence within one year of this approval date and all improvements shall be completed within five years. Such approval shall otherwise be null and void unless an extension has been granted by the Commission.
14. This project shall be constructed and maintained in accordance with the final plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.
15. Any modifications to the proposed drainage or grading as depicted on the site plan are subject to review and approval by the Town Engineer.
16. Additional erosion control measures may be required by Town staff if field conditions necessitate.
17. By acceptance of this approval and its conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

ADDITIONAL CONDITION:

18. **Signage will be installed, designating online order pickup only, to deter pass through traffic.**

Kowalski moved/Gowdy seconded/DISCUSSION: None.
VOTE: **In Favor:** **Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz**
(No one opposed/No Abstentions)

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X. NEW PUBLIC HEARINGS:

- a. **PZ 2022-04 18 Griffin Road – Special Use Permit – to establish a private dog kennel – Applicant: Mario Costa:**

MOTION: To CLOSE THE PUBLIC on Application PZ 2022-04 18 Griffin Road – Special Use Permit – to establish a private dog kennel – Applicant: Mario Costa.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

MOTION TO APPROVE:

Application #PZ 2022-04: Special Permit for a Private Dog Kennel. 18 Griffin Rd. MBL: 019-72-08. Zone A-1.

This approval is granted subject to the conformance with and referenced plans

and the representations made by the applicant to the Commission (as may be modified by the Commission and this approval) and the following conditions/modifications.

General Conditions:

1. The conditions of this approval shall be binding upon the applicant, landowners, and their heirs, successors and assigns
2. This approval shall not be valid until a copy of the Certificate of Approval has been filed with the East Windsor Town Clerk.
3. This approval shall remain in effect unless a material change to the operation or circumstance has occurred. Should such a change occur, the Town Planner or ZEO shall notify that permittee that a new Special Permit is required. A material change shall be defined at a minimum as:
 - a. An increase in the number of animals (6 months or older) and/or kennels/runs on the property beyond 6.
 - b. The transition from a private to a public kennel or boarding facility.
 - c. The receipt of documented complaints from residents and/or the Animal Control Officer regarding excessive barking and/or roaming dogs.
 - d. The receipt of documentation from the Animal Control Officer which

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demonstrates non-compliance with applicable local or State laws and regulations.

4. Not more than thirty (30) days from the date staff provides written notice that a material change to the operation or circumstance has occurred, the permittee or their heir/successor/assign shall submit an application to the Planning & Zoning Commission seeking Special Permit approval. If such application is not filed, this approval shall be deemed null and void.
5. All dogs kept on the property shall be licensed and vaccinated as required by CT Department of Agriculture.
6. The kennel building shall be maintained in accordance with any/all applicable requirements and standards for Commercial Kennels.
7. A Commercial Kennel license shall be obtained as required by the CT Department of Agriculture from the East Windsor Town Clerk's Office.
8. By acceptance of this approval and its conditions, the permittee, owner and/or their successors and assigns acknowledge the right of Town staff, including the Animal Control Officer to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

Kowalski moved/Gowdy seconded/DISCUSSION: None.
VOTE: In Favor: **Gobin/Gowdy/Kowalski/
Sauerhoefer/Thurz**
(No one opposed/No Abstentions)

XII. NEW BUSINESS:

- a. **PZ 2022-05 49 South Main St – Site Plan Review – Construction of a mail kiosk with pick up/drop off area – Applicant: Wyndwood Apartments:**

MOTION TO APPROVE:

Application #PZ 2022-05: 49 South Main Street & Regina Drive-(Wyndwood Apartments) for the construction of a mail drop-off and pickup kiosk.

This approval is granted subject to the conformance with referenced plans (as may be modified by the Commission and this approval) and the following conditions/modifications.

Referenced Plans

1. Proposed Mail Kiosk. Wyndwood Apartments, 49 South Main Street & Regina Drive, East Windsor, Connecticut dated: April 8, 2022; Prepared by SLR. Sheets 1-5 Inclusive.

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2. Mailbox Kiosk-Overall Site Plan and Elevation Drawings for Wyndwood Apartments – 55 Regina Drive; Prepared by QA+M architecture; not dated.
3. Proposed Mail Kiosk Hydrologic Analysis 49 south Main Street & Regina Drive prepared by SLR International Corporation April 7, 2022.

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

1. The plans shall be revised as follows:
 - a. To incorporate a copy of the Certificate of Approval.
 - b. To indicate the location of any lighting to be installed on the building and the height of the proposed free standing pole lights.
 - c. To include additional silt fence be placed at the toe of the slope in the area of the fill section and below the proposed drainage pipe that connects to the existing catch basin.
2. Test pit data, confirming soils in the project area are as mapped has been provided to the Town Engineer.
3. A copy of the final approved plans with any necessary revisions shall be submitted to the Planning & Development Office for review and comment. Following Planning & Development staff approval, a single paper copy and a PDF copy of the final plans, will all necessary revisions shall be provided to the Planning & Development Office.
4. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
5. An Erosion Control Bond shall be provided, such estimate shall be reviewed and approved by the Town Engineer.

Conditions which must be met prior to the issuance of a Certificate of Zoning Compliance:

6. Final grading, stabilization and seeding shall be in place or adequate bond filed with the Town for the unfinished work.
7. One electronic PDF and paper copy of the final as-built survey showing structures, pins, driveways, final floor elevations and spot grades shall be submitted

General Conditions:

8. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns
9. In accordance with Section 900.3(h) of the Zoning Regulations, the construction of any buildings associated with this approval shall commence within one year of this approval date and all improvements shall be completed within five years. Such approval shall otherwise be null and void unless an extension has been granted by the Commission.
10. This project shall be constructed and maintained in accordance with the final plans. Minor modifications to the approved plans that result in lesser impacts

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may be allowed subject to staff review and approval.

11. Any modifications to the proposed drainage or grading as depicted on the site plan are subject to review and approval by the Town Engineer.
12. Additional erosion control measures may be required by Town staff if field conditions necessitate.
13. By acceptance of this approval and its conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.
14. A zoning permit must be obtained from the Planning and Development Office prior to the commencement of the project.

ADDITIONAL CONDITION:

15. ADA hatched painting where access ramp will be added to prohibit parking.

Kowalski moved/Gowdy seconded/DISCUSSION: None.

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

XVII. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:05 p.m.

Thurz moved/Gowdy seconded/DISCUSSION: None.

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

Respectfully submitted,

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