

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

**SPECIAL Meeting #1774 – February 11, 2020**

***MEETING MINUTES***

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

Special Meeting #1774 of the Planning and Zoning Commission held on was called to order in the Community Room at Park Hill, 1 Park Hill Drive, Broad Brook, CT. at 6:30 P. M. by Chairman Ouellette.

**PRESENT:**    **Regular Members:**    Joe Ouellette (Chairman), Michael Kowalski, Tim Moore, and Dick Sullivan

**Alternate Members:** Anne Gobin.

**ABSENT:**    **Regular Members:**    Jim Thurz

**Alternate Members:** Frank Gowdy, Marti Zhigailo (see establishment of quorum below).

Also present was Town Planner Ruben Flores-Marzan.

**GUESTS:**        Selectman Alan Baker, Board of Selectman Liaison to the Planning and Zoning Commission; **LADA, P.C., Land Planners:** Terri Hahn.

**Public:** No other residents or guests attended the meeting.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as four Regular Members and two Alternate Members were present at the Call to Order. Alternate Member Zhigailo requested to be excused from the meeting due to scheduling conflicts, as the Commission has established a quorum without her attendance. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening. Following in accordance with the service rotation schedule Chairman Ouellette requested Alternate Member Gobin to join the Board regarding discussion and action on all Items of Business this evening as well.

**LEGAL NOTICE:**    None.

**ADDED AGENDA ITEMS:**        None.

**PUBLIC PARTICIPATION:**

Chairman Ouellette queried the audience for comments regarding items/issues not posted on the Agenda. No one requested to speak.

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**APPROVAL OF MINUTES/January 28, 2020:**

Chairman Ouellette called for comments regarding the Minutes for Regular Planning and Zoning Commission #1773 dated January 28, 2020.

Commissioner Gobin opened dialogue about the following transcription:

**Page 8, conditions of approval for the Special Use Permit Renewal (PZ-2019-10) for earth removal by Apothecaries Hall Road Enterprises LLC and the East Windsor Sportsman Club, Inc., lines numbered 331 to 345:** Commissioner Gobin questioned the bulleted language represented, she questioned that this language should begin with the bullet icon. Chairman Ouellette suggested this is the motion which was made at the previous approval.

**Page 5, line 218,** transcription of discussion that preceded the approval motion, “200 pounds should be 200 tons....”

**Page 9, condition 26 of approval motion for Special Use Permit Renewal (PZ-2019-10) for earth removal by Apothecaries Hall Road Enterprises LLC and the East Windsor Sportsman Club, Inc., line number 394:** “The “Best Management Practices” outlined by the Hartford County ~~natural~~ *Natural* Resource Conservation Service shall be adhered to.”

**Page 10, Lines 437 to 439, condition 39:** Commissioner Gobin felt the way the sentence was constructed is confusing as it relates to the permit expiration date. Chairman Ouellette noted that when the motion was made the Commission didn’t wordsmith the condition; he questioned the appropriateness of changing the motion after its approval. Commissioner Kowalski noted the motion as presented is the same as was previously approved for this applicant. The consensus of the Commission was to leave condition 39 as it is currently written.

**Page 11, Line 473, condition 814.4.c.2:** “the” should be “The.....”

**Page 12, Lines 510 to 511, condition 49:** Commissioner Gobin felt the language as written is a hanging phrase; no change was made to this motion.

**Page 5, line 204:** “...indicated ~~th10~~ the 10 years...”

Discussion followed regarding the Commission’s ability to change grammar within the approved motion after its approval. Town Planner Flores-Marzan felt the applicant could question why the Commission chose to make the changes to the motion after the actual approval. Commissioner Moore suggested the Minutes reflect what happened at the meeting.

Discussion continued regarding Minutes composition, adjustments to motion language, and which of Commissioner Gobin’s revisions can be reflected in the January 28, 2020 Minutes approval.

**MOTION:** To APPROVE the Minutes of Regular Meeting #1773 held January 28, 2020 with the following minor typos beginning with:  
**Page 5, line 204:** “...indicated ~~th10~~ the 10 years...”

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**Page 5, line 218**, transcription of discussion that preceded the approval motion, “200 pounds should be 200 *tons*...”

**Page 9, condition 26 of approval motion for Special Use Permit Renewal (PZ-2019-10) for earth removal by Apothecaries Hall Road**

**Enterprises LLC and the East Windsor Sportsman Club, Inc., line number 394:** “The “Best Management Practices” outlined by the Hartford County ~~natural~~ Resource Conservation Service shall be adhered to.”

**Page 11, Line 473, condition 814.4.c.2:** “the” should be “The.....” Minutes as amended were submitted by Peg Hoffman for the East Windsor Planning and Zoning Commission.

**Gobin moved/Moore seconded/DISCUSSION:** Nothing further, see discussion above.

**VOTE:**       **In Favor:**       **Gobin/Kowalski/Moore**  
                  **Opposed:**       **No one**  
                  **Abstained:**   **Ouellette/Sullivan**

**RECEIPT OF APPLICATIONS:**

There were no new applications to be received this evening.

**PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE**

No requests presented under this Item of Business this evening.

**CONTINUED PUBLIC HEARINGS:**       None.

**NEW PUBLIC HEARINGS:**           None.

**NEW BUSINESS:**       None.

**OLD BUSINESS/A. Site Visits:**

Town Planner Flores-Marzan reported he has made eight site visits. He has found three of the violations now in compliance, one was referred to a Marshal, and one is being referred to the DOA (Department of Agriculture). He will also be doing an inspection at Crossroads Cathedral; he’s just waiting for the project manager to confirm the appointment. There was also a rain event at West River Farms on Scantic Road.

Town Planner Flores-Marzan reported the outstanding violations are:

- West River Farms, Scantic Road

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- 122 Tromley Road, which involves a wetlands issue AND a zoning issue regarding the placement of a shed.
- 47 Church Street, notification has been served by a Marshal. Commissioner Moore reported he's heard from other sources that the residents at this location have indicated they have no back yard for storage.

**OLD BUSINESS/B. Continued discussion regarding Warehouse Point Planning Study to include Terri Hahn of LADA P.C. Land Planners:**

Terri Hahn, of LADA, P.C., Land Planners, joined the Commission for updates.

Mrs. Hahn reported she has completed stormwater calculations for the existing conditions for the stormwater modeling and came up with existing flow in 6 drainage areas and sub-areas. Mrs. Hahn noted the Blue Ditch drains into these areas; after a 10-year storm it becomes backwater to the Connecticut River. She noted that if the Commission's intent is to encourage development in these areas it needs to consider the impact of flow rate on a reduction in bulk area and impervious coverage. Mrs. Hahn shared preliminary findings with the Commission. Mrs. Hahn suggested the purpose of this study is to allow future development that will allow for land use growth balanced against safety.

Discussion continued regarding options to manage the flow from the Blue Ditch, including the viability of adding detention basins to lessen the impact of the flow, adding pipes to direct the flow, and acknowledging the impact of area topography on proposed options. Mrs. Hahn questioned if the intent of the study is to make Warehouse Point a viable development area, or solving the drainage issue?

With regard to impervious coverage Mrs. Hahn suggested the regulations could require the addition of water quality features, or use of porous pavement. Mrs. Hahn felt the intention of the Commission was to eliminate the need for Special Use Permit Applications but people need to understand they'll need to spend more to develop in this area. She suggested adding stormwater goals into the regulations to give the Town Engineer something to balance the calculations against. The Commission suggested Mrs. Hahn meet with Town Engineer Norton and Town Planner Flores-Marzan to discuss existing and proposed regulations as they relate to the stormwater flow.

Mrs. Hahn noted that part of the consideration of impervious coverage involves what happens on roads. She has been looking at including bike paths within the Warehouse Point Village area. Mrs. Hahn referenced a computer generated proposed streetscape, noting she has proposed sidewalks and bike paths on both sides of the road. Inclusion of the bike paths then requires that the paths direct people somewhere, either over the bridge to Windsor Locks, or around the corner to South Water Street. Mrs. Hahn suggested going south the bike paths could connect to Roberto's restaurant, and continue down Route 5, and maybe eventually to Broad Brook. Discussion followed regarding the need to establish separation for bikes and vehicles. Mrs. Hahn noted there isn't much right-of-

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way on Bridge Street to accommodate expansion but she felt the lanes could be reduced to 11 feet and add the bike lane in the shoulder. Selectman Baker noted he previously lived in the Warehouse Point area and is an avid cyclist; he indicated a cyclist can't get through the Bridge Street intersection so you need to go through the back roads, such as Tromley, to connect to roads to the east.

Discussion continued regarding shared lanes vs. isolated bike lanes. Chairman Ouellette questioned what type of cyclist is the Commission trying to accommodate – the enthusiast or the commuter? He felt the commuter knows the risk; they'll be in the road and will take the roll of the dice. He felt the plans need to include multi-use paths shared by cyclists and walkers - enthusiasts would stay clear of the area. Mrs. Hahn noted that sidewalks currently end at the Bank of America building on Bridge Street; where does the Commission want new sidewalks? The difficult area is from the fire station and Gardner Street. Commissioner Kowalski suggested adding sidewalks on one side of Bridge Street, Chairman Ouellette felt if sidewalks aren't provided on both sides of the street people will cross in areas that aren't controlled. Mrs. Hahn indicated she'll work up new streetscapes for the Commission's review.

With regard to historic resources, Mrs. Hahn noted there are a number of houses within the Warehouse Village area which have been identified as historic – St. John's Church is on the National Register. Mrs. Hahn noted that presently if a building is damaged to a specified extent it must be brought up to current code to be rebuilt, however the standard is different for historic buildings. She indicated funding is available via Eversource to make the determination if they are eligible to be on the National Register. Property owners could apply individually, or the Commission could create a historic district and the district could apply. Mrs. Hahn noted that without this provision the ability to preserve the historic homes is lost, as well as the value of the historic resources. Chairman Ouellette felt the community should make this decision; this issue would be a topic for discussion during public forums.

Mrs. Hahn then referenced her streetscape of the intersection of Bridge Street at North and South Water Street. She suggested this depiction reflects a two-tiered sidewalk system – one at the street and another at the level of the buildings. Mrs. Hahn noted she's proposing that development follow property lines, which would allow individual property owners to develop, or someone could combine properties to develop something larger. She noted she's encouraging parking to the rear of the properties. She suggested perhaps the bike path could be incorporated into the lower sidewalk. Mrs. Hahn discussed street amenities, such as decorative(break-away) light poles located within the public right-of-way. She noted the area would also be illuminated by existing street lights to maintain the current level of illumination. Chairman Ouellette requested Mrs. Hahn review the addition of the decorative poles with Town Engineer Norton relative to maintenance as these would become Town property.

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Mrs. Hahn indicated she'll return at the next Commission's meeting to present further updates.

**OTHER BUSINESS/A. Meadow Farms Updates:**

Chairman Ouellette questioned if this item should remain on the agenda as a reoccurring item? He noted that Town Planner Flores-Marzan and staff put together a synopsis which has been passed on to First Selectman Bowsza and the Town Attorney; others are also weighing in on the appropriate next steps. Chairman Ouellette questioned what further this Commission has to discuss about Meadow Farms?

Town Planner Flores-Marzan reported there was a meeting with First Selectman Bowsza, Town Engineer Norton, Joe Sauerhoefer, Selectman Baker, and representatives from the Meadow Farms board. He felt there was nothing further for this Commission to do; he concurred with removal of Meadow Farms as an agenda item.

Selectman Baker concurred that a meeting was held with First Selectman Bowsza, Town Engineer Norton, and three members of the Meadow Farms Homeowners Association. The lawyers are considering the Town's next option. Selectman Baker suggested it became apparent there was a disconnect between staff and the Selectmen's Office when the bonds were called. He suggested they are reviewing a new policy as to how the Commission decides what remaining work needs to be done and what amount is retained from the bonds.

**CORRESPONDENCE:**

Town Planner Flores-Marzan noted the following items:

- E-mail received from Jay Ussery, of J. R. Russo & Associates regarding his appearance before the Commission to discuss the permit for Steve Moser for activities on Kregssig Road. Town Planner Flores-Marzan suggested the Commission review the current motion before hearing Mr. Ussery's request. Commissioner Kowalski noted it appears the permit may have expired but they apparently need to do a little more clean up; can the applicant do that if the permit has expired?
- Rand Stanley has brought to Town Planner Flores-Marzan's attention that TNT Fireworks wants to set up a tent outside Walmart to sell fireworks in June and July. He suggested the installation of the tent area would reduce parking at the facility, and would affect the internal flow of traffic. Town Planner Flores-Marzan reported they are trying to set up a meeting with Building Inspector Stanley, the Fire Marshal, Walmart, and a representative from the Police Department.

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Various members of the Commission noted their experiences regarding parking at Walmart; it's typically crowded on the weekends. Chairman Ouellette noted that during the Summer Walmart blocks off an area for display of outside plantings – an estimated double row of parking. Town Planner Flores-Marzan noted Walmart has also blocked off several parking spaces on the side of the building to accommodate online grocery pick-up. The combination of all of these customer services and displays represents a reduction of a considerable amount of parking spaces.

Discussion continued; Chairman Ouellette questioned if a Site Plan Modification might be required.

**BUSINESS MEETING/A, General Zoning Issues:**

No discussion under this Agenda item.

**BUSINESS MEETING/B. Signing of Mylars/Plans: Approval Motion for Apothecaries Hall Enterprises, LLC and East Windsor Sportsman Club, Inc.:**

**Mylars/Plans:** None

**Motions:** Approval Motion for Apothecaries Hall Enterprises, LLC and East Windsor Sportsman Club, Inc

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 9:00 p.m.**

**Sullivan moved/Kowalski seconded/VOTE: In Favor: Unanimous**

Respectfully submitted,

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