

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

**Public Hearing #1584  
February 8, 2011**

**\*\*\*\*\*Draft Document – Subject to Commission Approval\*\*\*\*\***

The Meeting was called to order in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT. at 7:00 P. M. by Chairman Ouellette.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as four Regular Members (Devanney, O'Brien, Ouellette, and Thurz) and one Alternate Member (Mulkern) were present. Regular Member Gowdy was absent. 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 Alternate Member Mulkern would also join the Board regarding discussion and action on all Items of Business this evening as well. Also present was Town Planner Whitten.

**GUESTS:** Selectmen Mark Simmons; Kathy Pippin, Board of Finance.

**ADDED AGENDA ITEMS:** None.

**APPROVAL OF MINUTES/January 25, 2011:**

**MOTION: To APPROVE the Minutes of Public Hearing #1583 dated January 25, 2011 as amended:  
Page 1, GUESTS, Add Selectman Mark Simmons.**

**Devanney moved/Thurz seconded/VOTE: In Favor: Unanimous**

**RECEIPT OF APPLICATIONS:** None.

**LEGAL NOTICE:**

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, January 27, 2011 and Thursday, February 3, 2011, was read by Chairman Ouellette:

- Application of Herb Holden Trucking for a Special Use Permit/Excavation for renewal of earth products removal permit for property located on Wapping Road (Rear), owned by Northern Capital Region Disposal Facility, Inc., [M-1 & A-2 Zones; Map 36, Block 49, Lot 17C.

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- Application of 53 Bridge Street LLC for a Special Use Permit to allow renovation of 3 existing residential apartments to 3 larger apartments with 3 to 4 bedrooms each, at 53 Bridge Street. [R-1 Zone; Map 1, Block 8, Lot 6].

**NEW HEARING: Herb Holden Trucking** – Special Use Permit/Excavation for renewal of earth products removal permit for property located on Wapping Road (Rear), owned by Northern Capital Region Disposal Facility, Inc., [M-1 & A-2 Zones; Map 36, Block 49, Lot 17C]. (*Deadline to close hearing 3/15/2011*):

Chairman Ouellette acknowledged receipt of letter dated February 7, 2011 from Jay Ussery, of J. R. Russo & Associates, LLC, representing Herb Holden Trucking. Mr. Ussery has requested a delay in opening the Public Hearing on the Special Use Permit/Excavation renewal request until the Commission's February 22<sup>nd</sup> Meeting.

The Commission concurred with the Applicant's request. Town Planner Whitten notified the members of the audience that if anyone had any questions regarding this Application they could contact the Planning Office.

**MOTION: To POSTPONE the Application of Special Use Permit/Excavation for renewal of earth products removal permit for property located on Wapping Road (Rear), owned by Northern Capital Region Disposal Facility, Inc., [M-1 & A-2 Zones; Map 36, Block 49, Lot 17C] until the Commission's next regularly scheduled Meeting to be held on February 22, 2011 at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.**

**Devanney moved/Thurz seconded/VOTE: In Favor: Unanimous**

**NEW HEARING: 53 Bridge Street LLC** – Special Use Permit to allow renovation of 3 existing residential apartments to 3 larger apartments with 3 to 4 bedrooms each, at 53 Bridge Street. [R-1 Zone; Map 1, Block 8, Lot 6].

Chairman Ouellette read the description of this Item of Business. Appearing to discuss this Application was Brian Denno, of Denno Land Surveying & Consulting. Keith Merrit, representing 53 Bridge Street, LLC, was available in the audience for comments. John Sasportus, the contractor for this project, was also available in the audience.

Mr. Denno provided the Commission with new plans, which have been revised in response to staff comments. He reported the proposal is to renovate an existing structure located at 53 Bridge Street. The building, which was constructed in the 1850s, has had many uses over time. The building presently contains 3 apartments; a church utilized a portion of the building but has recently moved out. The proposal is to expand the existing apartments. Mr. Denno also advised the Commission insurance on the building may be cancelled.

Mr. Denno suggested they are not proposing to do anything to the existing hard surface adjacent to the building. Six parking spaces located to the rear of the building will serve the apartments. There is another building, 47 Bridge Street, which is located to the front of the subject building. That building is currently vacant but the intent is to rent that building to a commercial tenant again. Parking is also available adjacent to 47 Bridge Street. They are proposing to remove the fire escape on the west side of the exterior of the 53 Bridge Street.

Chairman Ouellette questioned if the residents of the apartments will be restricted from using the parking for 47 Bridge Street? Mr. Denno reiterated parking for the apartments will be provided in the rear of 53 Bridge Street.

Commissioner Devanney recalled that the Applicant is proposing to remove the exterior fire escape; she questioned how access is being provided to the 3<sup>rd</sup> floor? Mr. Denno suggested there are interior stairs. Commissioner Devanney questioned if the Fire Marshal is not requiring exterior access? **Mr. Sasportus** joined the discussion, noting that the ideal condition is to have covered access. There is an interior stairs in the front of the building which goes from the 1<sup>st</sup> to 2<sup>nd</sup> floor; there is also a covered stair on the back of the building which goes to the 2<sup>nd</sup> and 3<sup>rd</sup> floor.

Commissioner Thurz recalled during a previous discussion with Mr. Merrit the Commission expressed concern with the limited driveway width. Mr. Denno suggested under a previous Special Use Application the proposal was to create 6 apartments; now they are renovating and expanding the 3 existing apartments to make them larger. They are not changing the use, or increasing the density. The driveway is the same width as existed during the previous proposal.

Town Planner Whitten reported there is an historical record of apartments being in this building. Under the current Regulations up to 3 apartments are allowed in a Residential Zone under a Special Use Permit. The building was built in 1850. There has always been a business in the front building. These plans show there are parking spaces available. Chairman Ouellette queried that the proposal is only for 53 Bridge Street, not the building in the front? Town Planner Whitten and Mr. Denno replied affirmatively. Chairman Ouellette questioned that 47 Bridge Street (the front building) doesn't play into this discussion? Town Planner Whitten suggested it's been mentioned only to show that it has its own required parking.

Chairman Ouellette noted that the Site Plan shows that the Town has a sidewalk coming through the front of the property; he questioned if the Town Engineer has required an easement to the Town? Mr. Denno indicated they can provide that easement.

Review of the Application file found the Commission has not yet received any memos from Town Engineer Norton, or Fire Marshal Delvey.

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Chairman Ouellette questioned if mailings were sent to abutters? Town Planner Whitten replied the Planning Department has receipts of mailings on file.

Chairman Ouellette questioned if anyone in the audience was present for this Application?

**Nick Vamvilis** approached the table to view the Site Plan. Mr. Vamvilis indicated he owned the property across the street. His only concern is the parking. The previous tenant, the church, used his parking which caused concerns for his tenants. Mr. Vamvilis suggested he would like assurances that the tenants for the apartments won't be parking in his lot. Town Planner Whitten suggested the church would have required more parking but that tenant has vacated the property. Mr. Vamvilis reported he understood the landlord had told people to park across the street. He realizes there is a problem already; there is a commercial building in front of 53 Bridge Street and that plays into this situation as well. Mr. Denno suggested the front building (47 Bridge Street) requires 9 parking spaces, while the apartments require 6 parking spaces. Chairman Ouellette suggested this proposal does meet the Zoning Regulations.

Chairman Ouellette questioned if any exterior lighting changes were being proposed? Mr. Denno indicated he had not looked at the lighting. **Mr. Merrit**, speaking from the audience, indicated he plans to add lighting to the back of the building.

Chairman Ouellette questioned Town Planner Whitten if she was comfortable with the plans as submitted? He suggested he is somewhat reluctant to move forward with the proposal without input from the Fire Marshal and the Town Engineer. Town Planner Whitten noted both the Town Engineer and the Fire Marshal have been extremely busy dealing with building issues related to the recent snow accumulation. Chairman Ouellette questioned what options were possible to address concerns regarding the driveway access? Mr. Denno reiterated the driveway width is currently 12'; perhaps he could push that width to 14'. Commissioner Devaney suggested the Fire Marshal might not have concerns as the adjacent parcel was grass. It was noted access wouldn't be available currently due to the heavy snow accumulation. Town Planner Whitten indicated neither the Town Engineer nor the Fire Marshal had had an opportunity to pick up the plans for review prior to this Meeting.

Chairman Ouellette questioned if there was any opportunity to add any landscaping? Town Planner Whitten suggested the Applicant expand the gravel parking to the right rear of the building; if that area were squared off the Applicant could get another small area for parking with landscaping beyond it.

Commissioner O'Brien questioned that the owner's intent was to attract families because of the 4 bedrooms? Mr. Merrit suggested the current apartment use has been transitional housing for kids coming out of foster care. Commissioner O'Brien questioned if there was any potential for a small play area? Mr. Denno suggested there is a park next door. Chairman Ouellette summarized the following pending items:

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- Comments from the Fire Marshal
- Comments from the Town Engineer
- Easement to the Town for the sidewalk
- Landscaping proposal

**MOTION: To CONTINUE the Application of 53 Bridge Street LLC – Special Use Permit to allow renovation of 3 existing residential apartments to 3 larger apartments with 3 to 4 bedrooms each, at 53 Bridge Street. [R-1 Zone; Map 1, Block 8, Lot 6] until the Commission’s next regularly scheduled Meeting to be held on February 22, 2011 at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.**

**Devanney moved/Thurz seconded/VOTE: In Favor: Unanimous**

**BUSINESS MEETING/(1) Discussion with Consultants - Incentive Housing Zone:**

Rebecca Auger, from Milone and MacBroom, joined the Commission for discussion of this Item of Business. Ms. Auger advised the Commission Mike Looney was unable to attend this Meeting as he was appearing in Avon this evening.

Ms. Auger indicated she is looking for input from the Commission regarding how to go forward with the concept plans presented at the previous Meeting. She recalled that the straw vote of the Commission was to throw out the concept plans for the two parcels on South Water Street, and to go forward with the Prospect Hill Road parcel. Ms. Auger suggested the Commission consider creating an overlay zone which could apply all over town, rather than going forward with proposals which require amassing multiple properties to move forward.

Chairman Ouellette suggested feedback from the public at the workshop indicated the parcels in the south end of Town did not appear to be good candidates for the IHZ; Commissioner Mulkern felt the voice of the town was strong that such proposals were not favorable now. Chairman Ouellette felt the public appeared to be somewhat more receptive to the Prospect Hill Road parcel; he suggested he would like to see more commercial use proposed for this site. Commissioner Devanney concurred with Chairman Ouellette, but noted she also likes the idea of the overlay zone. Commissioner Thurz felt people felt the Town was taking their land for the proposals. Ms. Auger concurred, noting the proposals were concept plans but there is room for more education regarding the intent/purpose of the IHZ. Town Planner Whitten suggested people didn’t like the use of industrial land for residential proposals but it’s not possible to install proper drainage to use the South Water Street parcel for industrial purposes. Other people suggested some of that land is currently used as farmland.

Discussion turned to the Prospect Hill Road parcel. Commissioner O’Brien noted there is a vacant parcel across the street; could the concept be expanded to include both properties? Ms. Auger suggested the Commission could set up overlay regulations that

could apply to several properties in the vicinity, which would allow for development of adjacent parcels if they became available. Town Planner Whitten noted the Commission has already created the HIFZ (Highway Interchange Floating Zone) which extends 600+/- feet down Route 5 from the intersection, but currently the HIFZ doesn't include residential uses. The Commission reviewed other adjacent parcels which could extend the overlay zone, and also considered the possibility of a second access from Route 140. Town Planner Whitten noted several parcels along Route 140 have wetlands constraints to the rear. Chairman Ouellette suggested he would not like to see any parcels currently available for business use become a residential use; Town Planner Whitten suggested the mixed use concept could be used in this area.

Discussion continued regarding the type of development appropriate for this area, the effect of the residential component on the viability of the commercial tenants, discussion of Evergreen Walk with its pedestrian focus and the lack of development of its residential component, and the availability of nearby highway access as a positive factor in pursuing development.

The Commission requested Ms. Auger to provide them with sample regulations from other towns. Ms. Auger noted many towns have developed IHZ in downtown areas, which is a different concept. Town Planner Whitten suggested there are a number of these projects in Maryland which have worked out well.

Town Planner Whitten noted the Commission had focused on this area of town as it fit the IHZ parameters, but other areas – such as the south end of town bordering South Windsor - could be considered for the overlay zones. Accessibility of sewer and water would be a requirement for consideration. Chairman Ouellette questioned what this concept would look like on Main Street in Broad Brook? Town Planner Whitten noted there are 2 large parcels in the center of Broad Brook. Ms. Auger suggested it would require a different scale of development.

Town Planner Whitten questioned if the Commission still wanted to pursue workforce housing? She noted there is a high rate of affordable housing in East Windsor, as well as a wide variety of housing types. The Commission would like to see other draft regulations.

**MOTION: To TAKE A FIVE MINUTE BREAK.**

**Devanney moved/O'Brien seconded/VOTE: In Favor: Unanimous**

The Commission RECESSED at 8:12 p.m. and RECONVENED at 8:17 p.m.

**BUSINESS MEETING/(2) Discussion – Farm Regulations:**

The following revisions were noted:

**Definitions – Farm Stand, Seasonal:** add back deleted language.

**Section 305.X- Raising of Crops:** delete “and all other standards for placement of farm buildings are followed.”

**Section 305.2 - Keeping of Livestock, Subsection b – Non-Commercial Farms:** change sequential format to make current paragraph 1 new paragraph 2, and make current paragraph 2 new paragraph 1. Paragraph 4 – roosters, language reviewed, availability of waiver noted.

**Section 305.2 – Keeping of Livestock, Subsection c – Site Suitability and Impact:** The Commission continued to review filing requirements.

**Section 305.2 - Keeping of Livestock, Subsection d – Additional Requirements:** move both paragraphs 1 and 2 to subsection b – Non-Commercial Farms.

**Section 305.2 - Keeping of Livestock, Subsection e – General Livestock Requirements:** Change Subsection title to “Additional Requirements”, add additional language as discussed to paragraph 1, delete reference to specific health code in paragraph 2.

**Section 305.5 Signage, Subsection c – Off Site Directional Signage – Temporary, paragraph 8:** change language to “signs shall not block sight distance.”

The Commission scheduled another Farm Workshop for the March 8<sup>th</sup> Meeting.

**BUSINESS MEETING/(3) Route 140 Sewers** – tabled.

**BUSINESS MEETING/(4) Correspondence:**

Advisement of Connecticut Federation of Planning and Zoning Agencies annual conference on Thursday, March 24, 2011 at the Aqua Turf Country Club, Plantsville, CT.

**BUSINESS MEETING/(5) Staff Reports:**

Review of e-mail from Art Enderle, Superintendent of the Water Pollution Control Facility regarding the review/approval process and forms for capacity requests.

**SIGNING OF MYLARS/PLANS, MOTIONS:**

- Norton Glen Condos – Site Plan Modifications

**ADJOURNMENT:**

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

**Devanney moved/O’Brien seconded/VOTE: In Favor: Unanimous**

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Respectfully submitted,

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