

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

**Meeting #1607  
February 28, 2012**

**\*\*\*\*\*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 (Devaney, Gowdy, Ouellette, and Sullivan) and one Alternate Member (Zhigailo) were present. Regular Member Thurz was absent. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening; Alternate Member Zhigailo 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:** Alan Baker, Board of Selectmen Liaison to the Planning and Zoning Commission.

**LEGAL NOTICE:** None.

**ADDED AGENDA ITEMS:** None.

**PUBLIC PARTICIPATION:**

No one requested to speak.

**APPROVAL OF MINUTES/February 14, 2012:**

**MOTION:** To APPROVE the Minutes of Regular Meeting #1606 dated February as written.

**Devaney moved/Zhigailo seconded/VOTE: In Favor: Unanimous**

**RECEIPT OF APPLICATIONS:** None.

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

None.

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Meeting #1607 – February 28, 2012**

2

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**BUSINESS MEETING/(1) Discussion on 10-year required 2004 Plan of Conservation & Development Update:**

Town Planner Whitten advised the Commission the State requires that each municipality update its Plan of Conservation and Development (POCD) every ten years. East Windsor's Plan was previously updated in 2004; a new plan is due for approval in 2014. Town Planner Whitten submitted a synopsis of the current POCD Core Strategies to review when considering possible revisions. The goal is for the Commission to consider if the current POCD is still relevant with regard to its projections and recommendations. Determination of the degree of revisions necessary can assist Town Planner Whitten to decide to what extent a consultant would be necessary to develop a new plan and present workshops to the public. Town Planner Whitten noted she has been requesting funding for a consultant from the Capital Improvement Planning Committee (CIP) for some time. The CIP has asked the PZC to narrow down the areas for which the assistance of a consultant is necessary, which will ultimately limit the cost of the revised plan.

Town Planner Whitten began by reviewing the first Core Strategy, which is to preserve more open space. She noted that a separate Conservation Commission has been created. It is their primary responsibility to: 1) develop an open space evaluation tool, 2) recommend open space priorities, 3) prepare, implement, and update an open space action plan, and 4) maintain an inventory of existing open space. The Conservation Commission would work in conjunction with the Board of Selectmen and the Board of Finance to establish an open space funding mechanism.

Town Planner Whitten advised the PZC the Conservation Commission is just beginning its work. At this point the Conservation Commission is strongly focused on farmland preservation.

Chairman Ouellette questioned if the Town is at a point where a complete revision is required? He questioned what are the Town's visions/goals for the next 10 years? He noted the current POCD promoted keeping the rural character of East Windsor; is that still the case? Chairman Ouellette noted it's been said by some Commissions that East Windsor is no longer a rural community. Town Planner Whitten felt most residents would like to preserve the agricultural character of the Town, while encouraging business development along the Route 140 corridor. She suggested the question is: does the Commission recommend growth in other areas of town? She noted the consultants held workshops to acquire public input, and undertook surveys to reach other residents. She questioned if the Commission wants that same level of involvement with the current rewrite?

Town Planner Whitten also noted that the State is requiring towns which are subject to plan revisions to draft revised plans which would be comparable with the State 2013 – 2018 Conservation and Development Plan (CDP). She offered the Commission a second document which outlines Growth Management Principles suggested by the State for Towns to follow when creating plan revisions. Town Planner Whitten noted East Windsor's POCD does not currently address regional issues – such as the availability of local transit services - and will need to meet those requirements to be consistent with the State CDP.

Discussion returned to review of the Core Strategies recommended in the East Windsor POCD. Beginning again with the primary strategy of preserving open space, Town Planner Whitten suggested that at some point the Conservation Commission will need to review Zoning applications to offer input with regard to open space alternatives. At this point the Conservation Commission meets at the end of each month; accommodations will be necessary to meet review requirements for pending Zoning and/or Wetlands applications. Establishment of the open space funding mechanism would require grant applications, however, grants often require a municipality to provide matching funds for a proposed project. Submission of farmland preservation grants also require the establishment of an Agricultural Commission which would work towards preservation of agricultural land. A separate Conservation Commission would still be required to work on other types of open space.

Town Planner Whitten suggested the purpose of this discussion is to decide if the PZC wants to continue to work with the current Core Strategies as recommended under the current POCD, or go in a different path? Commissioner Sullivan suggested the Commission should consider how it wants East Windsor to look in 2022. Town Planner Whitten indicated that if the funding were available she would like to hold at least one workshop to discuss with the public how the community wants to develop.

**Discussion continued on the following topics:**

- **The Route 5 Corridor:** Chairman Ouellette noted he has heard from Town Planner Whitten that the TZ5 Zone isn't working well, and it's separate from the Highway Interchange Floating Zone (HIFZ). Discussion followed regarding the current Permitted Uses, the possibility of changing development standards rather than changing permitted uses, and alternatives for development of the Route 5 corridor focused towards smart growth and increased revenue.
- **Development of Village Centers in Broad Brook and Warehouse Point:** Town Planner Whitten noted development of the village concept requires establishment of an Architectural Review Committee. With regard to Broad Brook the question of what will happen to the Mill property remains open. Remediation will require capping the site with fill to cover the coal ash. Due to the presence of the coal ash the site would not be a residential use in the future, but it could be used as a meeting center. Selectman Baker suggested developing the village concept in Broad Brook around the Opera House, which has become very popular. He felt the area just needs nurturing and expansion; the area just

- needs another activity center. Chairman Ouellette noted 10% of East Windsor's population lives within a mile of the center of Broad Brook. Commissioner Sullivan felt we create suburban sprawl, which in turn creates an anti-social environment. Town Planner Whitten suggested her promotion of mixed use development combines the residential with the business environment, but the concept hasn't been well accepted.
- **Continued focus on economic development:** Town Planner Whitten noted the development of the Route 140 Business Corridor - which was a recommendation of the current POCD if the sewer existed along North Road – is happening as the sewer expansion has occurred. Discussion continued regarding the impact of the economy on potential development.
  - **Increasing the diversity of housing:** Chairman Ouellette noted the current POCD suggested more Active Adult Housing but that component has stalled. Commissioner Devaney suggested if the economy continues as it is there will be more need for a more affordable type of housing; Town Planner Whitten suggested that would be the workforce housing discussed at previous Commission Meetings. She suggested the sewer service area will dictate where housing development occurs. She noted the WPCA (Water Pollution Control Area) is the agency which determines the sewer service area; that area is presently essentially the portions of town from the Scantic River to the Connecticut River. Commissioner Gowdy questioned how a town changes the sewer service area through the State (the Office of Policy and Management for the State determines the sewer service area for each municipality; the WPCA then works from that plan). Town Planner Whitten noted the Town has already accepted the State's Sewer Service Area Map; if a town doesn't follow the State map it wouldn't be eligible for funding for sewers constructed outside the sewer service area. Commissioner Gowdy questioned what would happen if a developer would fund a sewer? Town Planner Whitten indicated it's not just a funding issue; another purpose of the State's map is to create land conservation areas. Commissioner Zhigailo suggested subdivisions can be created containing an engineered septic system shared by the residents within a subdivision, but the current regulations would need to be revised to address that type of development. Discussion returned to alternative design/development criteria.
  - **Expansion of the HIFZ.** Discussion followed regarding the current geographical limits of the HIFZ and possible expansion.

Town Planner Whitten suggested many of the suggestions discussed by the Commission require working with other commissions or agencies. Chairman Ouellette suggested requesting representatives of some of the other agencies to work with the PZC as a sub-committee.

Chairman Ouellette suggested he envisioned working with a consultant on a narrow vision which is task oriented, as was done with the Route 140 Business Corridor study. Selectman Baker suggested the PZC consider hosting meetings with other agencies to distill down the priorities. He suggested the Commission do a web-based survey as well.

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Meeting #1607 – February 28, 2012**

5

The consultant could then be hired to host the public workshops. Town Planner Whitten felt that approach was the intent of the PZC as well. Chairman Ouellette suggested this approach brings much of the prep work back into the Planning Office. Town Planner Whitten advised the Commission the amount of prep work before and after each meeting is considerable, and is in addition to daily office functions.

Town Planner Whitten suggested she will take the suggestions of the Commission and compare them to the order of the current recommended Core Strategies. Discussion will continue as an agenda item.

**MOTION: To TAKE A BREAK.**

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

The Commission RECESSED at 8:30 p.m. and RECONVENED at 8:34 p.m.

**NEW BUSINESS/(2) Need for Representative to CRCOG Regional Planning Commission:**

Commissioner Sullivan volunteered to attend the CRCOG Regional Planning Commission Meetings. The next regional meeting is scheduled for March 15<sup>th</sup>.

**BUSINESS MEETING/(3) Correspondence:**

Town Planner Whitten provided the Commission with the following documents/correspondence:

- Finalized draft bylaws
- List of to 10 top tax payers in East Windsor
- Notification that Land Use Academy classes are now available online.
- Second notification of Connecticut Federation of Planning and Zoning Agencies 64<sup>th</sup> Conference, Thursday, March 15, 2012, to be held at the Aqua Turf Country Club, Plantsville, CT.

**BUSINESS MEETING/(4) Staff Reports:**

- **Revision of Ordinance creating a Capital Non-Recurring Expense Fund for Open Space Acquisitions:**

Town Planner Whitten noted that the current ordinance regarding the use of open space for recreational or agricultural purposes gives the recommendation for use of those properties acquired via open space fee-in-lieu donations from developers to the Parks and Recreation Commission, and then requires approval by the Planning and Zoning Commission (PZC), Board of Selectmen (BOS), Board of Finance (BOF) and referral to a Town Meeting. After review of the Statutes Assistant Town Planner Newton has determined an Agricultural Commission

should be established. Town Planner Whitten submitted a revision of the current ordinance which eliminates any reference to the Parks and Recreation Commission, and continues the need for approval by the Planning and Zoning Commission, Board of Selectmen, Board of Finance and referral to a Town Meeting.

Commissioner Gowdy felt that any land acquired through open space monies should be available for use by the residents of East Windsor. If land is used for agricultural purposes, and possibly be sprayed with pesticides, then it becomes a safety hazard for residents who might want to simply walk the land. A similar case would be the use of public land for pheasant hunting, which would limit use by the public due to safety concerns. Commissioner Gowdy felt open space land shouldn't be used for anything that wouldn't be beneficial to the public.

Commissioner Zhigailo felt the public doesn't know what land is available for their use. She felt there should be a booklet that lists open space, and lets the residents know they can use it. She also felt that if the Town promotes an agricultural character then it should support use of agricultural land; if it's not used it becomes overgrown with brush. Commissioner Gowdy noted the farms are sold, and then leased back to farmers; he felt the residents should have some say about the use of the land. Selectman Baker suggested that open space is to keep woods, or watercourses, or farmland in perpetuity. Town Planner Whitten suggested the revision of the ordinance is being proposed so the language would support the statutory requirements for the land preservation. Commissioner Gowdy requested a copy of the Statute.

Approval of the ordinance was postponed until the next Commission Meeting.

- **General Meeting:**

Chairman Ouellette reminded Commissioners that a General Meeting for Commission Chairs and Members is being held February 29<sup>th</sup> at 6:00 p.m. in the Town Hall Meeting Room.

- **Text Amendment:**

Town Planner Whitten noted a resident had questioned the ability to put in a winery; the resident would be growing the grapes, processing the wine, and holding wine tasting events. Discussion followed regarding the placement of the amendment. It was suggested to include micro-breweries as well.

Town Planner Whitten will draft an amendment for the Commission's review.

**BUSINESS MEETING/(5) Executive Session (in accordance with CGS Sec. 1-200(6)) for Pending Litigation:**

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Meeting #1607 – February 28, 2012**

7

**MOTION: To GO INTO EXECUTIVE SESSION at 9:02 p.m. Attending were Chairman Ouellette, Commissioners Devanney, Gowdy, Sullivan, and Zhigailo, Recording Secretary Hoffman, and Town Planner Whitten.**

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

**MOTION: To COME OUT OF EXECUTIVE SESSION at 9:12 p.m.**

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

No motions were made, nor actions taken, as a result of the Executive Session.

**SIGNING OF MYLARS/PLANS, MOTIONS: None.**

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 9:12 p.m.**

**Gowdy moved/Zhigailo seconded/VOTE: In Favor: Unanimous**

Respectfully submitted,

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Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission  
(2385)