

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

**REGULAR Meeting #1645 – January 14, 2014**

*Minutes Heading: MEETING MINUTES*

**\*\*\*\*\*Draft Document Subject to Commission Review/Approval\*\*\*\*\***

The Meeting was called to order in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT. at 7:02 P. M. by Chairman Ouellette.

**PRESENT:**    **Regular Members:** Joe Ouellette (Chairman), Lorry Devanney, Frank Gowdy, Dick Sullivan, and Jim Thurz.  
                  **Alternate Members:** Robert Slate

**ABSENT:**    **Regular Members:** All present.  
                  **Alternate Members:** Marti Zhigailo (excused)

Also present was Town Planner Whitten.

**GUESTS:**    Jason Bowsza, Board of Selectmen Liaison to the Planning and Zoning Commission.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as five Regular Members and one Alternate Member was present. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening.

**LEGAL NOTICE:**

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, January 2, 2014, and Thursday, January 9, 2014, was read by Chairman Ouellette:

- Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility, Inc. (NORCAP) for Renewal of existing permit, and Modification of Site Plan/Special Use Permit for earth products removal at property located at the rear of Wapping Road. M-1 & A-2 Zones; Assessor's Map 27, Block 49, Lot 17C.

**ADDED AGENDA ITEMS:**

Town Planner Whitten noted a revised agenda – rather than the original agenda included in the Commissioners' packet – included an agenda item for Informal Discussion on West River Farms – Potential Text Amendment for PRD. Discussion will include reference to the MacKenzie ruling, and its impact/effect on existing zoning regulations.

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**PUBLIC PARTICIPATION:**

No one requested to speak.

**APPROVAL OF MINUTES/December 10, 2013:**

**MOTION:** To APPROVE the Minutes of Regular Meeting #1643<sup>1</sup> dated December 10, 2013 as amended:  
**Page #22, NEW PUBLIC HEARING: TO Design, LLC, General Conditions, Condition #10: “In accordance with Section 13.5.4 900.3h.....”**  
**Page #29, BUSINESS MEETING/(3) Plan of Conservation & Development 2014: 1/31/2013 1/30/2014 (Thursday).....”**

Devanney moved/Gowdy seconded/

**DISCUSSION:** None

**VOTE:** In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)  
(No one opposed/no abstentions)

**RECEIPT OF APPLICATIONS:**

Chairman Ouellette acknowledged receipt of the following Application:

- Application of Patrick Soucy for a Temporary Liquor Permit for charity auction to be held at 149 North Road on January 30, 2014 from 12:00 to 5:00 p.m. [B-2 Zone; Map 124, Block 16, Lot 27]: (See clarification of date and time under Application discussion).

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

**ACCEPTANCE: Walmart** – Request from CPH Engineers for release of the erosion control bond and landscaping bond for the Walmart store at 44 & 54 Prospect Hill Road [HIFZ Zone; Map 92, Block 17, Lot 30 & 29]:

Chairman Ouellette referenced receipt of the following:

- Letter dated November 25, 2013 from CPH Design, Inc. (representing Walmart) in which Alan R. Carpenter noted completion of construction of the facility at 44 & 54 Prospect Hill Road; he further requested the refund of the Erosion and Sedimentation Control Bond.

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<sup>1</sup> The Minutes of December 10, 2013 were incorrectly shown as Meeting #1643, therefore the approval motion reflected the incorrect number. The actual identification for the December 10, 2013 Minutes is Meeting #1644. (Sorry; scrivener’s error).

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- Memo from Robin M. Newton, CZEO, Assistant Town Planner, & AZEO, and Len Norton, Town Engineer Norton, which addressed the release of the Erosion Control Bond and retention of a portion of the Landscaping Performance Bond.

Town Planner Whitten noted both ZEO Newton and Town Engineer Norton are in concurrence to release the total Erosion Control Bond in the amount of \$142,000, but to retain 10% (\$16,490) of the Landscaping Performance Bond as the Certificate of Occupancy (CO) for Walmart was issued at the end of November, 2013. Due to the weather conditions, and timing of the CO, Staff was unable to ascertain if the late plantings and seeding will adequately survive.

**MOTION:** With regard to the Walmart store at 44 & 54 Prospect Hill Road, to **RELEASE** the entire Erosion Control Bond in the amount of \$142,000 per the recommendation of Town Engineer Norton and Zoning Enforcement Officer Newton, and to **RETAIN 10%**, or \$16,490, of the Landscaping Bond, also per the recommendation of Town Engineer Norton and Zoning Enforcement Officer Newton.

Devanney moved/Gowdy seconded/

**DISCUSSION:** None

**VOTE:** In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)  
(No one opposed/no abstentions)

**CONTINUED PUBLIC HEARINGS:** None

**NEW PUBLIC HEARINGS: Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility, Inc. (NORCAP)** – Renewal of existing permit, and Modification of Site Plan/Special Use Permit for earth products removal at property located at the rear of Wapping Road. [M-1 & A-2 Zones; Map 27, Block 49, Lo 17C] (*Deadline to close hearing 2/18/2014*):

Chairman Ouellette read the Hearing description. Appearing to discuss this Application were Jay Ussery, of J. R. Russo and Associates, LLC, and Herb Holden, Sr. and Herb Holden, Jr., principals of Herb Hold Trucking, Inc. Also available in the audience was Dennis Botticello, owner of the property.

Mr. Ussery submitted the Affidavit regarding posting of signage advertising the Public Hearing, and proof of mailings to abutters.

Mr. Ussery noted this Application is for renewal of the Application which was originally approved in 2010. The property location is westerly of and behind the NORCAP

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property on Wapping Road and the railroad. The Application location is accessed via the NORCAP drive.

Mr. Ussery reported the original approval was proposed in 3 phases – Phase I was in the front (closest to the railroad), Phase II was in the center, and Phase III was in the rear. No excavation has occurred to date, but the Applicant is ready to begin and testing has been done. The results of the testing found the best material is within the rear of the property. The Applicant is asking to flip the phasing; *proposed* Phase I (front) would become **new** Phase III and *proposed* Phase III (rear) would become **new** Phase I.

Mr. Ussery indicated they have made slight revisions to the site grading. There is a proposed sedimentation basin to the rear of Phase I. As the intent is for the sedimentation basin to fully contain run-off from a 100 year storm within the site they have not proposed to include an outlet in the sedimentation basin. Mr. Ussery noted Town Engineer Norton has cited concern for large storm events; he is recommending a spillway to be added to the sedimentation basin. Mr. Ussery noted the Applicant has no objections to the recommendation; there are no other changes to the plans as approved.

The Commissioners raised the following questions:

**Access to Phase I:** Commissioner Devaney questioned if they would need to cut through all three phases to get to Phase I? Mr. Ussery reported the area is presently a cornfield, which already includes access to the railroad. They would have to create an access to get to the cornfield.

**Railroad crossing/cattle path:** Chairman Ouellette noted current approval Condition #41 references relocation of the railroad crossing and cattle path, he questioned if that had occurred? Mr. Holden, Jr. replied affirmatively.

**Well monitoring:** Chairman Ouellette noted well monitoring nearby; he questioned if this property would be subject to similar monitoring? Mr. Ussery noted that when they first came in for the original approval they had more phases, and there was a concern that it might affect the plume. The additional phases were not approved; they will review those phases when they are completed. The well monitoring continues.

Chairman Ouellette queried Commissioners for additional comments. No one raised any additional questions.

Chairman Ouellette queried Staff for comments. Town Planner Whitten reiterated they are looking for a renewal of the Permit which expires 4/24/2014. Discussion followed regarding the duration of the new permit. Town Planner Whitten noted one year is the standard extension; three years was given last as the Commission felt it was warranted. Chairman Ouellette cited consistency of action; he noted the Commission has been proactive with application approvals when there are no known problems or complaints. Commissioner Gowdy suggested the Applicant has a clean operation; he suggested a 3 year extension. The other Commissioners had no objections to a 3 year extension.

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Chairman Ouellette opened discussion to the audience. No one requested to speak.

**MOTION:** To CLOSE the Public Hearing on the Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility, Inc. (NORCAP) for renewal of existing permit, and Modification of Site Plan/Special Use Permit for earth products removal at property located at the rear of Wapping Road. [M-1 & A-2 Zones; Map 27, Block 49, Lo 17C]

Devanney moved/Gowdy seconded/

**DISCUSSION:** None.

**VOTE:** In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)  
(No one opposed/no abstentions)

**MOTION TO** approve the Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility, Inc. (NORCAP) for a Modification of a Special Use Permit to allow a change to the phasing of the excavation project, inclusive of removal, screening and crushing of earth products, property located to the rear of Wapping Road. M-1 & A-2 Zones. [Map 27, Block 49, Lot#17C]. This approval is granted subject to conformance with the referenced plans and the following conditions:

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**Referenced Plans:**

Cover Sheet - Proposed Gravel Removal Operation Wapping Road, East Windsor, CT, Applicant Herb Holden Trucking, Inc. 59 Broad Brook Road, Broad Brook, CT 06016, 860/623-8855; Owner Northern Capital Region Disposal Facility, Inc. 321 Olcott St., Manchester, CT 06040 prepared by J.R. Russo & Associates, 1 Shoham Road, East Windsor, CT 860/623-0569, fax 860/623-2485, last dated 11/14/13  
Sheet 2 of 5 Area Map, dated 12/4/06 last rev. 11/4/11, scale 1" = 500'  
Sheet 3 of 5 Grading plan, last rev. 11/4/13  
Sheet 4 of 5 Grading Plan, last rev. 11/4/13  
Sheet 5 of 5 Soil Erosion and Sediment Control Notes last rev 11/4/13

**Conditions that must be met prior to signing of mylars:**

1. The name and phone number of an individual for 24-hour emergency contact for erosion control problems must be noted on the plans. Any changes in the individual responsible for emergency contact must be reported immediately to the Planning and Zoning Department.

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2. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns. A copy of this approval motion shall be filed in the land records prior to the signing of the final mylars.

**Conditions that must be met prior to issuance of permits:**

3. A performance bond, with surety acceptable to the Town Attorney shall be provided by the applicant prior to the signing of the mylars.
4. One set of final plans, with any required revisions incorporated on the sheets shall be submitted for signature of the commission. The signed plans shall be filed in the Planning & Zoning Office by the applicant prior to issuance of any permits.
5. In order to ensure the site is graded in accordance with the approved plan, vertical and horizontal control points shall be setup around the entire perimeter of the parcel. Such control points shall be located as per approved plans.
6. In addition, **the applicant shall be required to provide the Zoning Enforcement Officer with as-built drawings six months after the issuance of the permit to demonstrate compliance with the approved grading plan**, Any deviation from the approved plan shall be a violation and cause for revocation of the permit.
7. No phase may begin until the previous phase has been *substantially* completed except for the phase containing the reclamation plan as indicated on the referenced plans. **Sequence of phasing to be approved by Staff.**
8. Prior to the start of any new phase, the applicant shall submit evidence of conformance to the approved plans for the previous phases including a certified as-built survey showing finished grades.
9. **As-builts will be required annually.**
10. **Hydraulic data indicating the location of the plume shall be submitted with each renewal. D.O.T. should be provided with this data as well.**
11. **Ground water monitoring reports shall be submitted quarterly.**
12. **An anti-tracking pad should be installed and maintained on either side of the railroad crossing. Crossing should be kept free of dirt and debris.**

**General Conditions:**

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13. A zoning permit shall be obtained prior to the start of any work or new phase. No zoning permit shall be issued until a cash or passbook bond for site restoration, erosion and sedimentation control has been submitted. Such bond shall be good for the life of the permit/project. Any funds that may be withdrawn by the Town for such maintenance shall be replaced within 5 days or this permit shall be rendered null and void.
14. Operation of the gravel pit may include:
  - a. screening of excavated material pursuant to provisions of \*Section 9 and 9A.5.
  - b. crushing of rock and gravel mined on-site only with portable crushing apparatus and pursuant to provisions of \*Section 9 and 9A.5.\*(Reference current 2007 Regulations, Sections 502 and 807)
15. Excavation shall not ever exceed the approved finished grade elevations. Subsoil must remain native.
16. The final grading shall conform to the proposed final grading as indicated on the referenced plans; but in no case shall any final slope be steeper than a rise to run ratio of 1:3, also known as a 33% slope.
17. In the event that the operation ceases before all phases are completed, the remaining land shall be graded to leave no slope exceeding 33%.
18. As each area or phase is graded to final contours, the ground shall be back covered with topsoil or loam to render it usable for growing agricultural products. All areas will require a minimum of 6 inches of topsoil in accordance with the regulations.
19. No trees, brush or stumps shall be buried on site.
20. The driveway to the pit shall be maintained in a hard surfaced, paved condition from Wapping Road inward for a minimum distance of two hundred feet. The driveway shall be cleaned regularly to minimize the dust nuisance created by exiting traffic.
21. An oversized 300-foot gravel anti-tracking pad leading to the driveway shall be installed and maintained to further minimize dust nuisance.
22. The gate across the driveway into the pit shall be maintained in good condition and kept closed and locked during all times when the pit is not in operation. "Private Property – No Trespassing" sign shall be maintained at the entrance to the pit facing outward toward Wapping Road.

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23. The total number of loaded, or partially loaded, outgoing trucks from the pit shall not exceed an average of sixty (60) trucks per day or a maximum of three-hundred (300) trucks in any one week period, counting Monday through Friday.
24. The pit shall not be opened or operated before 7:30 a.m. and shall not be opened or operated later than 5:00 p.m. on weekdays, Monday through Friday.
25. The pit shall not be open or operated on weekends.
26. Measures to minimize the dust nuisance from the site shall be provided by the applicant for review and approval of Town staff. Additional measures are to be undertaken if required by staff if field conditions necessitate.
27. The “Best Management Practices” outlined by the Hartford County Natural Resource Conservation Service shall be adhered to.
28. The applicant shall adhere to all conditions of their Inland Wetlands Permit.
29. The vegetation (trees) to be removed shall be accomplished in one step and the topsoil shall be stripped off and stockpiled immediately or a temporary vegetative cover implemented. Stockpiled soil shall remain on site for future reclamation of site.
30. Finished grades may not be closer than 8’ to the water table, and must adhere to approved plans.
31. There shall be no on-site maintenance of equipment unless it is a clear emergency. Town staff shall be notified if such emergency exists.
32. There shall be no bulky waste or debris disposal allowed on the site. The operator of the pit shall provide adequate security measures to prevent unauthorized waste disposal. Any unauthorized disposal shall be cleaned up and disposed of off site by the operator of the pit.
33. The project shall be carried out in phases as shown on the plans.
34. All trucks and equipment shall be parked off-street.
35. Upon completion of the excavation, the land shall be cleared of all debris and a minimum of six (6) inches of topsoil shall be spread over any disturbed areas.
36. Additional drainage and erosion control measures are to be installed as directed by Town staff if field conditions necessitate.

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37. Any modification to the proposed drainage for the site plan is subject to the approval of the town engineer.
38. This project shall be executed and maintained in accordance with the approved plans and conditions. Minor modifications to the approved plans which result in lesser impacts may be allowed subject to staff review and approval.
39. By acceptance of this permit and conditions, the applicant and owner 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.
- 40. *This approval shall expire in THREE YEARS – April 24, 2017 – from the date of approval, or upon completion of the project, whichever occurs first.***

**Additional Conditions:**

41. The railroad crossing and cattle path shall be relocated per mutual agreement between applicant and Central New England Railroad Company.
42. Well #210 shall be added to monitoring list to check for volatiles.
43. Should quarterly groundwater monitoring reports reflect excessive mounding or contaminants, all work within said phase may be required to be halted until such time that subsequent reports, and/or evidence demonstrates that the plume has not been adversely affected.

**Devanney moved/Gowdy seconded/**

**DISCUSSION: Clarification that the new permit expiration date will be April 24, 2017.**

**VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)  
(No one opposed/no abstentions)**

**NEW BUSINESS: Patrick Soucy – Temporary Liquor permit for charity auction to be held at 149 North Road on January 26, 2014 from 12:00 to 5:00 p.m. [B-3 Zone; Map 125, Block 16, Lot 27] (*Deadline for decision 3/20/2014*):**

Chairman Ouellette read the description of business. Appearing to discuss this Application was Leslie Hickey, of Joe's Fine Wines and Liquors.

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Mr. Hickey clarified that the date and time of the event have been listed incorrectly on the agenda. This event is a charity auction for St. Jude's; the event will be held on Thursday, January 30<sup>th</sup>, from 6:00 p.m. to 10:00 p.m. at the Soucy property at 149 North Road.

In response to Chairman Ouellette's questions Mr. Hickey indicated the event will be an auction of liquor, wines and beers; there will NOT be any wine tasting at this event. They are not proposing to hire a police officer for this event. There have been NO complaints in the past.

The Commissioners had no additional questions for Mr. Hickey.

**MOTION TO APPROVE the Application of owner Patrick Soucy requesting a Temporary Liquor Permit for a charity auction to be held Thursday, January 30, 2014 from 6:00 to 10:00 p.m. per Chapter 805 for property located at 149 North Road, East Windsor, CT. (B-3 Zone, Map 125, Block. 16, Lot.). A Temporary Event Permit will be required through the Zoning Office.**

**Devanney moved/Gowdy seconded/**

**DISCUSSION:** None.

**VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan/Thurz)  
(No one opposed/no abstentions)**

**NEW BUSINESS: James Balch** – Modification of Approved Site Plan to allow commercial multi-tenant facility consisting of used car sales & service, auto detailing & retail sales of detailing products, contractor's office and professional office space at 244 – 250 South Main Street, owned by the Estate of Monica T. Balch & All American Products. [B-2 & Z-2 Zones; Map 12, Block 5, Lots 87, 88, & 89] (*Deadline for decision 2/13/2014*) **POSTPONED UNTIL 2/11/2014**

**OTHER BUSINESS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**BUSINESS MEETING/(1) Informal Discussion on West River Farms – Potential Text Amendment for PRD:**

Town Planner Whitten opened discussion with an explanation of what has become known as the "MacKenzie Case" in which various defendants appealed the positive decision of the Town of Monroe Planning and Zoning Commission regarding granting waivers of

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zoning regulations during a zone change/special exception/site plan approval application. The ruling cites that State Statutes grant the Zoning Board of Appeals (ZBA) the right to vary zoning regulations. Town Planner Whitten suggested the ZBA is the only organization which can vary zoning regulations; the PZC can't waive them.

Town Planner Whitten suggested this ruling will have a huge impact on zoning regulations statewide; East Windsor is not the only town affected. Any waivers requested in the future under the Overlay Zone, the Planned Residential Development Zone (PRD) (which is a subdivision regulation but it relates back to the zoning regulations), or Special Use Permit can NOT be granted/waived by the PZC. The Court suggests the public should be given uniformity; when they see set back distances reflected in the subdivision regulations that's what should be in the subdivision unless an actual Variance has been granted via the ZBA.

Chairman Ouellette questioned if Town Planner Whitten had discussed this with the Town Attorney; Town Planner Whitten noted general discussions have occurred. Chairman Ouellette requested clarification that the current regulations have the potential of putting the Town at risk? Town Planner Whitten concurred, noting the granting of waivers by the PZC is an appealable act and the Town would lose the case. The ruling is case law which is already effective; now that we have knowledge of the decision if we granted any waivers we would lose the case. Anything that has been granted in the past and the appeal period has expired is ok, but going forward the PZC must no longer grant waivers. Chairman Ouellette questioned what would the Commission's position be if the applicant demanded the waivers? Town Planner Whitten reiterated the PZC can NOT grant waivers. Chairman Ouellette agreed the Commission needs to initiate the change of regulations.

Chairman Ouellette questioned how this Court ruling affects the West River Farms proposal? Attorney Len Jacobs stepped forward, and introduced Jeff Respler, the developer proposing West River Farms, and Jay Ussery, of J. R. Russo and Associates, LLC.

Attorney Jacobs reported they own property on Scantic and Schank Roads. They are proposing a project for which all of the dwelling units are located in East Windsor; they are also showing a piece in South Windsor which will not be built on. They came before the Commission previously and asked to be allowed to propose the project under a PRD in a MFDD (Multi-Family Development District) Zone; the Commission changed the regulations to allow that project. They would have asked for waivers under the current proposal, the Commission would have approved those, and they would have come back with the project application. Attorney Jacobs suggested they were pretty much ready to go forward with the project until the MacKenzie decision came down. The waivers requested which allowed the flexibility to make the project better are all gone now. Attorney Jacobs indicated they are still interested in continuing with this proposal but, if the Commission still feels this is a favorable project, they must go through the PRD and

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MFDD Regulations and propose specific requirements, such as a specific separating distance, density, or set back, etc. They would work with Town Planner Whitten and the Commission to draft regulations which would still be under the control of the Commission, and then would come back with a proposal for a text change.

Discussion followed regarding the options for drafting the new regulations. Some concern was raised that the regulations drafted by the West River Farms team would be site specific rather than general and would be favorable for their proposal; concern was also raised regarding a continuing round of regulation revisions being submitted by developers as new projects are proposed. Discussion continued as to who has a better understanding of the community – a developer proposing a specific project or the Town Planner and the Commission. Attorney Jacobs suggested their involvement in a proposed text amendment reduces the expense of the Town Attorney, and they can propose the regulation changes quicker. Attorney Jacobs suggested that as an applicant they have the right to come in and propose a text amendment; while it might not be what you like it will be a good faith proposal, and the Commission has the option of denying it. Chairman Ouellette concurred that an applicant has the ability to come forward with a text amendment.

Discussion continued regarding the team's ability to seek variances through the ZBA for the current proposal. It was noted a variance must be sought for a hardship, which does not include financial/economic hardship.

Discussion turned to revision of the regulations. The language must now include specific information/requirements. If they wanted to maintain the density currently allowed under the MFDD they must define a specific amount of open space – such as 10% - which would be preserved in excess of the standard 20%; Town Planner Whitten referenced Section 801.6.c of the PRD Regulations to explain her example. Discussion continued regarding examples of language changes, etc. Mr. Ussery suggested the potential timeframe to propose a text amendment – from rough/first draft to a product for presentation at a Public Hearing and referral to CRCOG – would be 2 to 3 months.

Town Planner Whitten noted the Commission is already involved in the revision of the Plan of Conservation and Development; she is attending many meetings to gather information. She noted she does not have staff to support that project, while these people are offering to assist with the regulation changes. Applications are also starting to come in again.

Chairman Ouellette questioned what the West River Farms team was looking from the PZC this evening? Mr. Ussery gave a brief summary of the history of this project, including access issues, status of wetlands permits, zone issues, and additional land purchases necessary to develop the project. The location of the proposed open space, and various ownership options, was discussed. Mr. Ussery noted Mr. Respler is working on a similar project – Beckley Farms – in Berlin; photos of various unit options were shown to

the Commission. Mr. Ussery noted the West River Farms proposal had included 70 single family lots located around a cul-de-sac, with the lots ranging from 6,800 to 21,000 square feet (the average being 10,200 square feet), and frontage averaging 81'. The dwellings would range from 1,600 to 2,200+/- square feet. Town Planner Whitten suggested this proposal would be similar to Mason's Brook, but on this project the residents would own the land. Mr. Ussery suggested they are asking the Commission if they should move forward with the West River Farms project.

Town Planner Whitten suggested that even if the Town were the sole author of the regulation changes they would still go to a Public Hearing, where anyone could make comments. The Commission would be looking for something that would be good for the Town, not just for this project.

The consensus of the Commission was for Attorney Jacobs to work with Town Staff and Mr. Ussery regarding the regulation revisions.

**BUSINESS MEETING/(2) Plan of Conservation & Development 2014:**

Town Planner Whitten noted she and several Commissioners attended the January 13<sup>th</sup> meeting of the Park and Recreation Commission to present information regarding that Commission's involvement in the POCD goals. Very little public discussion was taken at that meeting; the Park and Recreation Commission deferred discussion/action to a future meeting.

Town Planner Whitten noted two additional POCD Meetings have been scheduled for January:

- January 23<sup>rd</sup> at Park Hill at 6:00 p.m. with the Water Pollution Control Authority.
- January 28<sup>th</sup> at Town Hall at 7:00 p.m. – PZC POCD Workshop

Town Planner Whitten noted information relative to the POCD is being added to a POCD specific Town webpage.

**BUSINESS MEETING/(3) Discussion – Adult Regulations (Tabled).**

**BUSINESS MEETING/(4) Signing of Mylars/Plans, Motions:**

**Motions:**

- **TO Design, LLC, c/o Mark Fisher** – Special Use Permit & Site Plan Approval to allow the placement of two new modular classroom buildings, including site amenities and parking, at the Broad Brook Elementary School, 14 Rye Street, owned by the Town of East Windsor. [R-2 Zone; Map 77, Block 38, Lot 12].

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- **Olender Family Limited Partnership** – Special Use Permit to allow personal service shop and commercial recreation at 1 Shoham Road. [M-1 Zone; Map 113, Block 17, Lot S-1].
- **Keith Yagaloff** – 1-lot Resubdivision of property located at 131 Depot Street, owned by Sue Paradise. [R-3 Zone; Map 99, Block 53, Lot 5].
- **Northeast Truck Sales** – Modification of Approved Site Plan to allow used truck sales at 179 South Main Street, owned by Donald Corkum. [B-2 Zone; Map 32, Block 21, Lot 69].

**Mylars:** None.

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 8:50 p.m.**

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

Respectfully submitted,

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