

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

REGULAR Meeting #1650 – March 25, 2014

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 7:00 P. M. by Chairman Ouellette.

PRESENT: **Regular Members:** Joe Ouellette, Lorry Devanney, Frank Gowdy, Dick Sullivan, and Jim Thurz.

Alternate Members: Marti Zhigailo (arrived at 7:32 p.m.)

ABSENT: **Regular Members:** All Regular Members were present this evening

Alternate Members: Robert Slate (is out of state working with Habitat for Humanity).

Also present was Town Planner Whitten.

GUESTS: Deputy Selectman Jason Bowsza, Board of Selectmen Liaison to the Planning and Zoning Commission (arrived at 7:12 p.m.); Assistant Town Planner/Zoning Enforcement Officer Robin Newton; Jay Ussery and Tim Coon, of J. R. Russo and Associates, Attorney Len Jacobs; and John DeLisa, resident.

ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members were present at the Call to Order. Alternate Member Zhigailo arrived within a short time. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening.

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.

APPROVAL OF MINUTES/March 11, 2014:

MOTION: To APPROVE the Minutes of Regular Meeting #1649 dated March 11, 2014 as amended:

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

2

**Page #2, APPROVAL OF MINUTES/March 11, 2014, Motion to APPROVE,
VOTE: In Favor: Devanney/Gowdy/~~Thurz~~ SULLIVAN**

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

RECEIPT OF APPLICATIONS:

Chairman Ouellette acknowledged receipt of the following Application:

1. Application of 38 North Road, LLC for Site Plan Approval for construction of a gravel lot to be used for container storage at 36 North Road. [M-1 Zone; Map 113, Block 17, Lot 5].

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE:

Nothing presented this evening.

CONTINUED PUBLIC HEARINGS: Town of East Windsor - Modification of Special Use Permit and Site Plan Approval per Chapter 304, and 8-24 Referral, for Municipal Park Improvements along Reservoir Avenue for Community Gardens parking area. [R-3 Zone; Map 78, Block 57, Lot 1].

Town Planner Whitten reported this Application should be tabled this evening. She anticipates that this Application may be withdrawn in favor of use of the gravel driveway previously approved.

MOTION: To CONTINUE the Public Hearing on the Application of the Town of East Windsor for a Modification of Special Use Permit and Site Plan Approval per Chapter 304, and 8-24 Referral, for Municipal Park Improvements along Reservoir Avenue for Community Gardens parking area. [R-3 Zone; Map 78, Block 57, Lot 1]. Public Hearing is continued until the Commission's regularly scheduled Meeting to be held on April 8, 2014, at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

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

NEW PUBLIC HEARINGS: None.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

3

OTHER BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

BUSINESS MEETING/(1) Discussion of possible text amendments:

Town Planner Whitten reported that most of this work is being done to quantify and qualify the language of the regulations, and to fix problems with existing wording.

LET THE RECORD SHOW Deputy First Selectman Bowsza arrived at 7:12 p.m.

LET THE RECORD SHOW Commissioner Zhigailo arrived at 7:32 pm.

Discussion followed by review of the Zoning Regulations (amended March 25, 2014) section by section. Many of the changes were clarifications of definitions or language, while some sections involve proposed text amendments. Discussion resulted in the following proposed revisions:

- Section 103.1 – Division into Districts: Now includes the HIFZ (Highway Interchange Floating Zone) under List of Zoning Districts – Business, Industrial, & Other.
- Section 203 – Definitions:
 - Buffer – revised to include “.....or storage of any kind....”
 - Commencement – new definition – language to be **REVISITED**.
 - Developable Land – includes addition of “or wetlands”.
 - Frontage – now includes addition of “where access can be granted, not inclusive of interstate 91 (highway deleted as it’s a duplication of interstate)
 - Home Occupation – see language revisions which include new verbiage – “an occupation.....” may be changed to “a business.....”
 - Landscape Area – new language “.....typically counted as pervious area for development” deleted; discussion of “pervious” to be **REVISITED**.
 - Lot, Rear – **REVISIT** discussion of width of access, examples of site plans referencing rear lots as examples requested.
 - Structure – new language – “structures do not include pavement or concrete **PADS**”
- Section 302 – Modifications to Regulations – entire section deleted.
- Section 305.2 – Raising Crops – new language regarding growing of crops not allowed in PRD Developments to be **REVISITED**.
- Section 305.3 – Keeping of Livestock – reference ordinance number, DEP to be changed to DEEP, acronym to be added to Department of Agriculture.
- Section 305.7 – Other Related Uses – a) Agriculturally Related Uses – see new language additions, and deletions regarding waivers.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

- Section 305.9 – Miscellaneous Provisions – a) A waiver..... (deleted entirely), b) revise language regarding waiver of fees for Future Farmers of America.
- Section 401 – Bulk & Area Requirements
- Residential Districts – “Density Factor” under “Minimum Lot Requirements” to be deleted after discussions end regarding POCD. *REVISIT* requirements in R-1 Zones with or without sewer and water.
- Notes to Residential Bulk and Area Requirements – see language revisions
- Section 403 – Permitted Accessory Buildings & Structures
 - new language added to opening statement – “The following accessory buildings and structures are permitted in the rear and side yards *provided accessory structure setbacks are met per Chapter 401.*”
 - new language under “2 Fences *under 8 feet in height.....*”
 - delete bullet 3 entirely.
- Section 404 – Permitted Accessory Uses
 - new language in bullet b”the parking of automobiles..... (automobiles changed to vehicles)
 - bullet B – see language revisions
 - bullet f – see deleted language
 - bullet j(4) deleted entirely
 - bullet k(a) deleted entirely
- Section 406 – Living Area Requirements –*REVISIT* – research information on comparable towns
 - bullet 1 – new language – “No *single family* dwelling.....”
 - bullet g – REVISIT proposed square footage of ground floor of primary dwelling.
 - bullet o – delete entirely
- Section 408.3 – Rear lots – Minimum Standards – REVISIT bullet B – frontage, and driveway width re: safety vs. environmental impact, consideration of pre-existing dense screening– research information on comparable towns.
- Section 500.5 – Highway Interchange Floating Zone (HIFZ) – see deleted language.
- Section 501 – Bulk & Area Requirements – Business & Industrial Districts – see language revisions.
- Section 502 – Permitted Uses in Business & Industrial Districts – see addition of “nursing/elder care/convalescent homes”
 - see addition under “automotive – filling or *re-energizing station*”
 - Notes to Permitted Uses in Business & Industrial Districts - see language revisions. Section 503 - Permitted Accessory Uses – See addition of Outdoor Storage as permitted uses in HIFZ and TZ5 Zones.
- Section 506.5 Special Permit
 - bullet a – see additional language

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

5

- bullet c – Non-Conforming Parcels - REVISIT

MOTION: To TAKE A FIVE MINUTE BREAK.

Devanney moved/Sullivan seconded/VOTE: In Favor: Unanimous

The Commission RECESSED at 8:30 p.m. and RECONVENED at 8:37 p.m.

Discussion continued:

- Section 600.2 – Landscaped Buffer Requirement – REVISIT – discussion of changing or reducing width of residential/industrial buffer, discussion of addition of fencing or plantings vs. deciduous plantings, impact of buffer on wetlands, impact on reduction of buffer on development of B-3 Zone and along Route 5.
- Section 601.2 Number of Parking Spaces – need clarification of new language
- Section 601.3 – Parking Lot Design – see new language, also reconsider size of parking spaces – REVISIT.
- Section 601.6 – Off-Street Loading Requirements – bullet f – delete entirely
- Section 601.7 – Residential Driveway Requirements – bullet c – REVISIT.
- Section 602.3 – Residential Districts – Type of Use – added mobile home parks and associated signage.
- Section 602.8 – Temporary Signs and Displays – bullet 6 - see revised language
- Section 602.11 – Exemptions – bullet b – Institutional – REVISIT.
- Section 603.2 – Outdoor Illuminations – Requirements – REVISIT.
- Section 604. – Refuse Storage – Requirements – REVISIT.
- Section 606 – Sidewalks and Trails – Discussion of sidewalk requirements vs. fee-in-lieu – REVISIT.
- Section 701.9.2 – Traffic Requirements – closing paragraph regarding waiver – see new language.
- Section 800.7 Bulk and Dimensional Requirements (under Special Regulations – Age Restricted Housing District (ARHD)) – REVISIT.
- Section 800.10 – Infrastructure – see language revisions
- Section 800.12 – Landscape Plan – see language revisions – needs clarification.
- Section 800.13 – Outdoor Illumination – REVISIT.
- Section 801 - Planned Residential Development (PRD) – REVISIT – discussion of inclusion in R-1 Zones.
- Section 801-2 – Special Permit Requirements – new language requires clarification.
- Section 801.5 – Open Space Requirements – REVISIT – Lengthy discussion followed regarding public use of open space vs. parcels impacted by farm leases, concurrence of multiple use of open space parcels by “competing” residential groups, i.e. fishing vs. hunting vs. trail use, co-operative consideration – via discussion amongst multiple boards - of use of open space parcels, advantage of accepting fee-in-lee of open space relative to the Town’s ability to develop open

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

6

space corridors. Review of the lease of the Tschummi property was requested to clarify use.

- 801.6 – Bulk & Area Requirements – Density – **REVISIT** – lengthy discussion occurred.

Review of the proposed regulation changes will continue; the Commission is considering a Special Meeting on either Wednesday, April 2nd, or Thursday, April 3rd.

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

No discussion this evening.

BUSINESS MEETING/(3) Adult Regulations – (Tabled)

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

Mylars/Plans: None.

Motions:

- **Michele Carver** - Special Use Permit – Horse Training/Boarding Facility to allow construction of an 18-stall barn and indoor arena with associated parking at 7 Thrall Road. [A-1 zone; Map 49, Block 60, Lot 19B] .
- **Sofia’s Plazas, LLC** – Modification of Approved Site Plan to allow solar ground mount arrays on property at 122 Prospect Hill Road. [B-2 zone; Map 112, Block 17, Lot 1 A,B,C].
- **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 & A-2 zones; Map 12, Block 5, Lots 87, 88 & 89].
- **RRC Management, LLC** - Site Plan Approval for construction of a 6,000 sq. ft. building addition and associated parking/driveway at 94 Newberry Road. [M-1 zone; Map 93, Block 19, Lot 11].

ADJOURNMENT:

MOTION: **To ADJOURN this Meeting at 10:28 p.m.**

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

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1650 – March 25, 2014
MEETING MINUTES**

7

Respectfully submitted,

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