

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

REGULAR Meeting #1659 – August 12, 2014

MEETING MINUTES

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

The Meeting was called to order in the Community Room , 1-A Park Hill, Broad Brook, CT. at 7:00 P. M. by Chairman Ouellette.

PRESENT: **Regular Members:** Joe Ouellette (Chairman), Lorry Devanney, Frank Gowdy, and Dick Sullivan.

Alternate Members: Marti Zhigailo (arrived at 7:15 p.m.)

ABSENT: **Regular Members:** Jim Thurz

Alternate Members: Bob Slate

Also present was Town Planner Whitten.

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

ESTABLISHMENT OF QUORUM:

A quorum was established as four Regular Members were present at the Call to Order. Alternate Member Zhigailo arrived shortly. 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, July 31, 2014, and Thursday, August 7, 2014, was read by Chairman Ouellette:

- Application of East Windsor Housing LTD, LLC for a Modification of previously approved resubdivision of property located on Farms Road, to allow a fee in-lieu-of sidewalks instead of providing sidewalks. [R-2 Zone; Map 99, Block 53, Lot 14-09].

ADDED AGENDA ITEMS:

Town Planner Whitten advised the Commission she would like to present the Commission with an informational discussion regarding the Site Plan for the Mercury Fuel Application proposed for Route 5 and Thompson Road. The Applicant has received information from the State Traffic Commission regarding access to the site. Town

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1659 – August 12, 2014
MEETING MINUTES**

2

Planner Whitten would like to discuss the changes with the Commission so they may consider if a Site Plan Modification, and re-review of the application, may be warranted.

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/July 22, 2014:

MOTION: To ACCEPT the Minutes of Regular Meeting #1658 dated July 22, 2014 as written.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan)

RECEIPT OF APPLICATIONS:

Chairman Ouellette acknowledged receipt of the following new Applications:

1. Application of East Windsor Housing LTD, LLC for a Modification of previously approved resubdivision of property located on Farms Road, to allow a fee in-lieu-of sidewalks instead of providing sidewalks. [R-2 Zone; Map 99, Block 53, Lot 14-09].
2. Application of Noble East Windsor, LLC for re-subdivision to create one additional lot. Property located at 7 Winkler Road. [Map 113, Block 24, Lot 2].
3. Application of Noble East Windsor, LLC for Special Use Permit for construction of a filling station and convenience store (3,250 square feet) and addition to and conversion of, existing building for warehouse and office. Property is located at 7 Winkler Road. Map 113, Block 24, Lot 2].

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD

ACCEPTANCE – John Burnham - Request for a 90-day extension for filing mylars for the Special Use Permit to create a rear lot at 2 Rye Street [R-2 & B-2 Zones; Map 88, Block 38, Lot 11]. (*Current deadline is 8/29/2014; additional 90 days would go to 11/27/2014*):

Chairman Ouellette read the description of this Item of Business. Town Planner Whitten explained that the property owner would like to get an extension of the filing of the

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1659 – August 12, 2014
MEETING MINUTES**

3

mylars for this subdivision as there is interest in purchasing the entire property. If the parcel was purchased as a whole the subdivision for the rear lot would be unnecessary.

Chairman Ouellette queried the Commissioners for comments; no one raised any objections.

MOTION: To EXTEND the deadline for filing mylars for the Application of John Burnham for the Special Use Permit to create a rear lot at 2 Rye Street [R-2 & B-2 Zones; Map 88, Block 38, Lot 11]. Deadline is extended to 11/27/2014.

Devanney moved/Gowdy seconded/

DISCUSSION: None.

VOTE: In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan)

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS – East Windsor Housing LTD, LLC – Modification of previously approved resubdivision of property located on Farms Road, to allow a fee in-lieu-of sidewalks instead of providing sidewalks. [R-2 Zone; Map 99, Block 53, Lot 14-09]. (*Deadline to close hearing 9/16/2014*):

Chairman Ouellette read the description of this Public Hearing. Mr. Ziegler, a principle in East Windsor Housing LTD, LLC, was present in the audience.

Town Planner Whitten reported that public notification to the abutters was not made by the Applicant. Although the Applicant, Mr. Ziegler, is present this evening the Commission can't officially take any action until the abutters are notified. The Application must be continued until the Commission's next regularly scheduled meeting, which will be September 9th.

Town Planner Whitten reiterated the abutter notification process for Mr. Ziegler.

MOTION: To CONTINUE the Public Hearing on the Application of East Windsor Housing LTD, LLC for a Modification of previously approved resubdivision of property located on Farms Road, to allow a fee in-lieu-of sidewalks instead of providing sidewalks. [R-2 Zone; Map 99, Block 53, Lot 14-09]. Hearing continued to the Commission's next regularly scheduled meeting on September 9, 2014, at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Devanney moved/Sullivan seconded/

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1659 – August 12, 2014
MEETING MINUTES**

4

DISCUSSION: None.

VOTE: **In Favor: Unanimous (Devanney/Gowdy/Ouellette/Sullivan)**

OLD BUSINESS: None.

NEW BUSINESS: None.

OTHER BUSINESS:

Town Planner Whitten noted she has received an e-mail from Scott Hesketh, the engineer who prepared the traffic study for Mercury Fuel for their proposed filling station and convenience store at the corner of Thompson Road and Route 5. Mercury Fuel has received comments from the State Traffic Commission, which includes revisions of the points of access for this facility. Mr. Hesketh is asking if this Commission would find the access revisions acceptable, and is a return to the Commission by the Applicant necessary regarding a Site Plan modification?

LET THE RECORD SHOW Commissioner Zhigailo arrived at 7:15 p.m.

Town Planner Whitten provided the Commission with a copy of Mr. Hesketh's e-mail, and a rendering of the access revisions for their review. Lengthy discussion followed. The revisions include:

- Elimination of left turn access either into or from Route 5 at the end of the island going south on Route 5
- and access from Route 5 in either direction would now occur at the intersection with Thompson Road. This access point would require an additional entrance-only curb cut off of Thompson Road into the front of the Mercury Fuel site.
- Also transfer to the Town of East Windsor via easement a triangular portion of the site at the southerly corner of Thompson Road.

Chairman Ouellette queried if this additional curb cut would reduce the number of angled parking spaces presently proposed along the Thompson Road side of the proposed facility? Town Planner Whitten replied the number of spaces would not be reduced. Review of the plans with regard to circulation of traffic raised questions regarding concern that vehicles backing out of those spaces would have sufficient length to not back into the traffic lane for the drive-through window. Chairman Ouellette suggested the applicant could cut further into the buffer/set-back along Thompson Road to allow moving the parking spaces further away from the drive-through lane; the parking spaces could also be straight rather than angled. Town Planner Whitten recalled that the buffer area under discussion is already a non-conforming setback area. Commissioner Zhigailo felt the angled parking allowed backing into the lane for circulating traffic without

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1659 – August 12, 2014
MEETING MINUTES**

5

cutting into the drive-through lane. Commissioner Devanney raised concern that the new access would cause people to ignore the entrance-only signage and use that access to exit the facility. Chairman Ouellette cited concern with elimination of left-turn onto Route 5 access impacting the Lomac property across Route 5. Discussion continued with regard to the Commission's input on traffic issues.

Chairman Ouellette clarified traffic impact was within the purview of the Commission. He noted the local Police department would have been involved in review of this proposal. Town Planner Whitten was requested to contact the Police Department regarding their comments. Discussion continued regarding various circulation and access scenarios. Commissioner Sullivan suggested that if someone were driving a tractor trailer and tried to turn into the new access proposed on Thompson Road, and if anything tied up the completion of that turn then the box of the tractor trailer would be obstructing traffic on Route 5. Chairman Ouellette queried members regarding re-review of the Site Plan based on the proposed modifications. Commissioners Devanney, Ouellette, Sullivan, and Zhigailo would like to have the Applicant return for further discussion; Commissioner Gowdy questioned what would be accomplished if these are the State's recommendations? Town Planner Whitten asked if the Applicant agreed to close off the second entrance on Thompson Road and bring the Site Plan back to the access as previously approved would the Commission then forego a Site Plan Modification review? Commissioners Devanney, Ouellette, Sullivan, and Zhigailo agreed to Town Planner Whitten's suggestion.

Town Planner Whitten will contact Mr. Hesketh with the results of this discussion.

CORRESPONDENCE/Aquifer Protection Map:

Town Planner Whitten referenced a new Aquifer Protection Map which has been provided for the Commissioners. She noted this new map was recently received in the Planning Office; the Commission is required to create Aquifer Protection Regulations to support this map.

BUSINESS MEETING/(1) Plan of Conservation & Development 2014:

No discussion this evening.

BUSINESS MEETING/(2) Signing of Mylars/Plans, Motions:

Mylars:

- **Olender Family Limited Partnership** – Modification of Approved Site Plan to allow construction of a 4,868 square foot addition to existing building at 1 Shoham Road. [M-1 Zone; Map 113, Block 17, Lot S1].

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1659 – August 12, 2014
MEETING MINUTES**

6

- **Styles Brook Storage LLC** – Site Plan Approval to allow construction of two 9,000 square foot buildings for use as contractor’s offices at 22 Wagner Lane, owned by TJL Investment Trust LLC. [M-1 Zone; Map 81, Block 11, Lot 3].

Motions: None.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:45 p.m.

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

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission
(1644)