

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

**REGULAR Meeting #1683 – October 27, 2015**

***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 6:43 P. M. by Chairman Ouellette.

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

**Alternate Members:** Michael Kowalski, and Marti Zhigailo.

**ABSENT:** **Regular Members:** Lorry Devanney

**Alternate Members:** Both Alternate Members present.

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 and Alternate Members Kowalski and Zhigailo were present at the Call to Order. Chairman Ouellette noted all Regular Members and Alternate Member Kowalski would sit in, and vote, on all Items of Business one through eight this evening. Regular Member Gowdy was not present for the Public Hearings for Cross Roads Cathedral last meeting. As he will be stepping down from the Continued Public Hearings scheduled for this evening Alternate Zhigailo will be replacing him during those discussions.

**DISCUSSION: With LADA regarding Warehouse Point Study for POCD (Anticipated to be 1 to 1 ½ hours):**

Chairman Ouellette read this discussion item and welcomed Terri Hahn, of LADA, PC. Land Planners to join the Commission.

Mrs. Hahn introduced several large scale aerials which depicted the existing homes and buildings within the Warehouse Point Village area. The aerials began with pages from an 1893 Atlas and continued on to current conditions reflecting the addition of I-91 and newer construction. A 1952 aerial showed the homes on North and South Water Street prior to the 1955 flood and prior to construction of I-91; a 1970 aerial shows the beginning of commercial development (Geissler's Plaza) in the center of the Warehouse

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Point area and an addition to the factory on Main Street; a 1986 aerial reflected a reduction in agricultural land, the WPCA building has been constructed, ballfields and recreational facilities have been built on the south side of South Water Street; a 1995 aerial showed that National Amusements has been built, and the exit/access ramp near Springdale Cemetery has been removed from I-91. Additional aerials depicted Warehouse Point Center and Bridge Street as they currently exists.

Mrs. Hahn discussed existing architectural styles with the Commission, noting that many of the downtown buildings – including homes along Dean Avenue, and School and Spring Street - were built in the 1890s. She discussed lot sizes within the downtown area

Mrs. Hahn then asked the Commissioners to join her reviewing larger scale aerials of the Warehouse Point Center (including North and South Water Street) areas. Mrs. Hahn has taken photographs of existing homes and structures and attached them to the aerials so the Commissioners can experience a real-time view of the area. The aerials provide the Commissioners with an existing conditions view without having to schedule site visits of the area.

Mrs. Hahn pointed out various structures, neighborhood configurations, and the current parking limitations along Bridge Street. She identified architectural styles of the older homes within the area. She encouraged the Commission to think about their intentions for future development – do they want to continue the older, village look, or encourage newer multi-story, multi-family construction? To assist the Commission Mrs. Hahn provided eight or nine newer building options to consider. She encouraged the Commission to consider if changing parking to the rear of some units by creating small parking lots would help to alleviate the limited parking conditions. The Commission spent some time reviewing the building options.

Discussion continued. Mrs. Hahn provided the Commissioners with a handout of the aerial maps which provided a background study of the Warehouse Point area, and the potential new development styles for their review. The Commission reiterated the plan is to encourage people to come from Windsor Locks to Warehouse Point and utilize our available services.

Mrs. Hahn will return Tuesday, November 24<sup>th</sup> to update the Commission further.

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

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

The Commission RECESSED at 7:15 p.m. and RECONVENED at 7:20 p.m.

**LEGAL NOTICE:** None.

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**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/October 13, 2015**

**MOTION:** To **ACCEPT** the Minutes of Regular Meeting #1682 dated October 13, 2015, with the following amendment:

**Page 1, Line 35, LEGAL NOTICE:** Chairman Ouellette read the following Legal Notice, which appeared in the Journal Inquirer on Thursday, October 1, 2015, and Thursday, October 8, 2015:

1. Application of Harken's Landscape Supply & Garden Center, LLC for Modification of Approved Site Plan regarding material storage and display reconfiguration. Property located at 287 South Main Street owned by Emilio & Adeline Parente and 275 South Main Street owned by LCC Partnership. [B-2 & A-1 zones; Map 02, Block 23, Lots 54, 38, 55, & 56].

2. Application of STP, LLC, applicant Michael V. Rock for a Special Use Permit for Unit F at Bassdale Plaza, 142 North Road. Change of Use of previous bank into restaurant serving pizza and sandwiches, and also utilizing a take-out window. Property owned by Walter Bass, Jr. [B-3 zone; Map 124, Block 24, Lot 015].

**Page 2, Lines 60 – 63: RECEIPT OF APPLICATIONS:**

1. Application of Harken's Landscape Supply & Garden Center, LLC for Modification of Approved Site Plan regarding material storage and display reconfiguration. Property located at 287 South Main Street owned by Emilio & Adeline Parente and 275 South Main Street owned by LCC Partnership. ....

Thurz moved/Sullivan seconded/**DISCUSSION:** None.

**VOTE:** In Favor: Kowalski/Ouellette/Sullivan/Thurz  
Opposed: No one  
Abstained: Gowdy

**RECEIPT OF APPLICATIONS:**

Chairman Ouellette acknowledged receipt of the following Application:

1. Application of Steve Moser for a Special Use permit/Excavation (per Section 814) for driveway relocation and parcel regrading for property located at 55 & 57

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Kreyssig Road (Sunset Valley Farms). [A-1 Zone; Map 136, Block 75, Lots 10 & 11].

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

**McLellan Way** – Request from Atty. Carl T. Landolina for extension of the Special Use Permit/Site Plan Approval for a 20-unit multi-family condominium complex (McLellan Way) located on Winker and North Roads [Map 114, Block 24, Lot 5]. *(Previous extension granted through 11/26/2015)*

Chairman Ouellette read the description of this Item of Business.

Appearing to discuss this request was Attorney Carl Landolina, representing Attorney Walter Bass, Jr. Attorney Landolina noted Attorney Bass received approval for a 20 unit common interest condominium complex on Winkler Road in November 2013. Citing Section 900.2e of our Zoning Regulations, which requires that construction begin within one (1) year of project approval, Attorney Landolina noted this Commission previously granted a one (1) year extension of that condition through November 26, 2015.

Attorney Landolina reported Attorney Bass has been marketing the project but the current economic conditions have not yet resulted in a sale. Attorney Landolina cited Section 900.2f of our Zoning Regulations which provides that no Special Use Permit shall remain valid if the activity has not commenced within 24 months, unless an extension has been requested. Due to the current market conditions Attorney Bass is requesting an extension of both sections of the regulations.

Discussion followed regarding the timeframe of the extension. Attorney Landolina requested a two (2) year extension. The consensus of the Commission was that the request was not unreasonable.

**MOTION:** To APPROVE a two (2) year extension through 11/26/2017 the approval for the Special Use Permit/Site Plan Approval for a 20-unit multi-family condominium complex (McLellan Way) located on Winker and North Roads [Map 114, Block 24, Lot 5].

**Gowdy moved/Thurz seconded/DISCUSSION:** None.

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

**CONTINUED PUBLIC HEARINGS: Cross Roads Cathedral** - Zone Change from M-1 to HIFZ for property located at 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lot 10) *(Deadline to close hearing 11/17/2015)*; **AND, Cross Roads Cathedral:** Special Use Permit for modification to GDP in HIFZ; Special Use Permit for church use; and Site Plan

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Approval to allow construction of a 4-story, 80-room hotel with day spa and use of existing banquet facility as a public place of worship for property located at 53, 55 and 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lots 10, 11 & 12) [In accordance with Section 504] (*Deadline to close hearing 11/17/2015*):

Chairman Ouellette noted that Commissioner Gowdy will be stepping down from service on both of the Applications for Cross Roads Cathedral as he was not present at the previous Meeting. Commissioner Gowdy concurred, noting he had read the Meeting Minutes and had a few questions he would like to present. Chairman Ouellette noted Alternate Member Zhigailo will replace Commission Gowdy with regard to voting on both of these Applications.

Chairman Ouellette noted both Applications will be heard concurrently.

Appearing to represent Cross Roads Cathedral were Frank Borawski, of PDS Engineering & Construction (Bloomfield), Tim Coon, of J. R. Russo & Associates, LLC (East Windsor), Scott Hesketh, of F. A. Hesketh and Associates, Inc., and Pastor Sean Wiles.

Mr. Borawski introduced Mr. Coon to begin the presentation. Mr. Coon summarized that the site under discussion is comprised of three (3) parcels located at 53, 55, and 59 Prospect Hill Road. The parcels were previously occupied by La Renaissance Banquet Facility and a flower shop. The Applicant is requesting a Zone Change for the flower shop to HIFZ so it can become part of the other development. The Applicant is proposing an 80 room hotel. In 2004 an approval was granted for this site for a 95 room hotel which was never constructed; that approval has now expired. Parking which was previously designed to be located at 49 Prospect Hill Road has been removed from this project; that parcel is under separate ownership and is proposed for a separate project. Under the current proposal the parking for the hotel will be provided via the parcel containing the flower shop at 59 Prospect Hill Road.

Mr. Coon indicated they left the previous Meeting with requests for additional information:

**Signs:** They are proposing building mounted signage and a monument sign for the hotel. Mr. Coon noted the Commission had questioned if the Applicant would consider a **unified sign** identifying both uses. The Applicant has agreed to that request; Mr. Coon has submitted revised plans which depict a sign 20' in height containing 109 square feet of area.

The Commission had no questions at this time.

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**Re-evaluate the truck traffic circulation:** Mr. Coon suggested the largest truck they anticipate to enter the site would be box trucks. Mr. Coon has generated 3 circulation examples of two types of trucks – 1) “single unit (box) truck SU-40, and 2) a tractor trailer WB-40. Mr. Coon suggested the diagrams indicated there is sufficient room for either type truck to get into and out of both the hotel and the loading dock at the church building.

Chairman Ouellette suggested that **one of the sketches/diagrams seems to show the truck running over the curb when leaving the site.** Mr. Coon suggested that curb is being cut back as part of the road widening project. Chairman Ouellette suggested that if nothing is done to the road then the truck would be running over the curb. Commissioner Thurz **suggested the diagram shows the truck coming in and turning around, but not backing up.** Mr. Coon suggested that’s a simple maneuver; there is plenty of room for the WD-40 (tractor trailer). He referenced diagram #2 is coming down into the loading dock which gives the driver room to move ahead and #3 is moving away.

Commissioner Kowalski questioned **the depth of the parking spaces?** Mr. Coon suggested 18 or 20’. Commissioner Kowalski suggested the diagram maneuver shows the vehicle pulling up next to that parking space; **he questioned if there were a larger vehicle parked in that spot would it hinder that maneuver?** Mr. Coon replied negatively, noting there is a lot of aisle to use. Chairman Ouellette suggested he felt the deliveries would be made when other vehicles were not in the lot; Mr. Coon replied affirmatively.

**Site lighting/photometric plan:** Mr. Coon indicated they have now changed to LED fixtures, which requires a slight modification of the location of the light poles. Mr. Coon indicated they have also submitted the photometric plan.

Chairman Ouellette suggested **he didn’t notice any luminaire as part of the site lighting,** although there is one up the road. He suggested that may become important when a police office is out in the road directing traffic.

Town Planner Whitten noted **there is some light spillage going onto neighboring properties.** Mr. Coon suggested most towns allow a small percentage. Town Planner Whitten clarified that East Windsor’s regulations call for NO spillage. Chairman Ouellette questioned if that could be remedied by adding cut-offs? Mr. Coon suggested he would make the adjustments. Chairman Ouellette questioned if that could be handled as a Staff approval? Town Planner Whitten suggested it could be a condition of approval.

Commissioner Kowalski questioned if there were any **existing lights?** Mr. Coon replied affirmatively. Commissioner Kowalski questioned **if the site lighting**

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**would go in without construction of the hotel?** Mr. Coon replied negatively, noting the existing lighting is there now. If there is a need for extra lighting at the entrance that could be a condition of approval prior to construction of the hotel.

**Updated capacity letters – WPCA (Water Pollution Control Authority) and Connecticut Water:** Mr. Coon submitted updated letters from both entities. Mr. Coon read an excerpt from the Connecticut Water Company – “The availability of fire protection to this site will be determined when the requested flows for public and private fire protection are provided to the Company. Fire hydrant quantities and locations will need to be approved by the East Windsor Fire Marshal and will be incorporated into the design of the water system for this project.”

**Response from Fire Marshal:** Mr. Coon suggested her only concern is parking during events and access for emergency vehicles. Mr. Coon noted that the (previous) banquet facility served 1200 people while the church anticipates 750 members so he felt there would be a reduction in the number of people using the facility. Mr. Coon felt a ladder truck would be similar to a tractor trailer. He noted the aisle width is wider than 24’ which would help getting the vehicle out.

Chairman Ouellette questioned if Staff felt the Fire Marshal had any concerns? Town Planner Whitten read Fire Marshal Delvey’s e-mail. She noted that in talking with her **she had concerns with people parking in the aisles and they would not be able to get emergency vehicles in because people were blocking the site during its use as the banquet facility.** Pastor Sean Wiles noted the church has attendants in the parking lot during events. He agreed there are times when people want to park in fire lanes and the attendants don’t allow that. Pastor Wiles noted they have had medical emergencies at the East Hartford location and large trucks have been able to respond.

**Traffic:** Appearing to discuss the updated traffic information was Scott Hesketh, of F. A. Hesketh and Associates, Inc. Mr. Hesketh referenced his letter dated 10/23/2015 summarizing the following information:

Mr. Hesketh reported they installed a counter on Route 5 north of the site driveway for the period 10/14 through 10/20. The counts indicated that during the peak p.m. hour (5:00 p.m.) on Friday, 1043 vehicles passed the site. On Saturday during the peak hour (11:00 a.m.) the count was 924, while on Sunday during the peak hour (1:00 p.m.) the count was 842.

Mr. Hesketh reported that during the 2004 application they had a counter installed for three (3) weeks. The traffic counts indicated there were 140 vehicles in and out during the peak hour on Saturday and 180 vehicles in and out during the peak hour on Sunday. La Renaissance was not running larger events at that time. Mr. Hesketh reported the banquet facility has the capacity for 1025 people, although he

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based his report on 1250 attendees in error. A facility with that capacity has the potential for a trip generation during the peak hour of 610 vehicles – 550 in and 55 exiting. Mr. Hesketh felt a more likely scenario for this facility would be two (2) events - back to back – each attended by 250 patrons. Such a scenario would result in a trip generation of 266 during the peak hour, with 133 entering the site and 133 exiting the site.

Mr. Hesketh suggested the church anticipates an occupancy of 750 people. Services occur on Wednesday, Thursday, and Friday nights, another service on Saturday night, and three services on Sunday. Mr. Hesketh suggested the events/services on **Wednesday, Thursday, and Friday nights** are typically attended by 150 to 200 people. Such events would result in trip generations of 122 trips, with 111 entering and 11 exiting in the hour before the service, and 11 entering and 111 exiting in the hour after the service. The **Saturday service** is typically attended by 700 members. Such an event would result in a trip generation of 342 trips, with 311 entering and 31 exiting in the hour before the event and 31 entering and 311 exiting the site during the hour after the service. Three services are held on **Sunday**. The anticipated trip generation for Sunday would be 684 trips, with 342 entering and 342 exiting the site. Most activity would occur during the hour between services.

With regard to the **95 room hotel**, Mr. Hesketh suggested that use could generate a potential of 57 trips during the peak hours, with 68 trips anticipated on Saturday or Sunday. Mr. Hesketh suggested that if all those people were attending the hotel but not attending the church then all that traffic would be additional.

Mr. Hesketh suggested that both northbound and southbound traffic on Route 5 currently operate at a Level of Service A during peak hours. He suggested that the proposed left-turn lane would operate at a Level of Service A, or B. They anticipate that traffic leaving the site driveway, which is north of the WalMart driveway, would be directed either to the north – 40% - or the south and probably I-91 – 60%.

Mr. Hesketh suggested that traffic making a right turn/southbound leaving the site driveway, would operate at a Level of Service B or C (Sunday). Mr. Hesketh suggested the left turn out of the site is an issue; he suggested that left turn traffic could operate at a Level of Service F during peak hours and could experience a 53 second delay. Mr. Hesketh suggested the difficulty would occur on Sunday. Mr. Hesketh questioned was it a dangerous condition - he felt not; was it an annoying condition – he replied affirmatively. Mr. Hesketh suggested police assistance with traffic control might be necessary.

Commissioner Zhigailo **raised concerns with regard to people wishing to enter and exit the site during services**. She suggested it's scary contemplating 350



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people trying to exit the site and another 350 trying to enter. Mr. Borawski suggested this is 100% of an improvement over La Renaissance. Mr. Borawski noted that in East Hartford they have people guiding people; there is no confusion. Pastor Wiles suggested that with multiple services they structure the timing and allow more time between services. They find that typically 75% of the people leave after a service and 25% stay to serve during the next services. Mr. Hesketh suggested that 100% of the peak traffic happens in a half hour. Pastor Wiles suggested that in actuality, many people arrive 15 minutes early and many arrive after the service starts.

Commissioner Kowalski requested **clarification of the 320 anticipated trips for Saturday**. Mr. Hesketh suggested the number is 342 trips - 311 and 31 either entering or exiting. Commissioner Kowalski suggested that with a 53 second delay it would take 2 hours for that number of vehicles to exit left. Mr. Hesketh suggested it isn't a 53 second delay for each vehicle. Commissioner Kowalski questioned **the estimated time for vehicles to exit the site**; Mr. Hesketh felt it should be done in under an hour. Commissioner Kowalski then questioned **queueing within the site**. Pastor Wiles suggested if Commissioner Kowalski was discussing Saturday night they could have a police officer assist with traffic on Saturday as well. Commissioner Kowalski suggested they also discussed two more scenarios when the numbers don't seem to work; he cited **concern for people blocking the intersections**. Commissioner Kowalski suggested some of the numbers referenced when La Renaissance was still in operation; Mr. Borawski suggested WalMart wasn't there. Commissioner Kowalski **questioned how far do they anticipate cars will back up on Route 5?** Mr. Hesketh suggested the left turn would operate at a Level of Service F; he anticipated the average queue will be 58'. Discussion continued regarding the amount of time an officer might detain traffic. Chairman Ouellette suggested there is no process to measure that situation. Commissioner Thurz noted traffic backs up now from Sofia's down if there's an accident in the area. Mr. Hesketh suggested the use is a banquet facility with a capacity of 1200; they could operate that every day if they choose. Pastor Wiles compared this location to the East Hartford location. He felt most people will exit towards the highway.

Chairman Ouellette questioned **the purpose and the need for the left turn lane on Route 5?** Mr. Hesketh reported when they came in for the previous application it was reviewed and approved by the State Traffic Commission (now OSTA); they/OSTA required the left turn lane based on the amount of traffic on Route 5 to allow an area of refuge for people turning in. Since the Applicant would be resubmitting this application they are proposing the left turn lane as well. Mr. Hesketh agreed Route 5 is slightly different today with the new Walmart; there is an 8' painted aisle on Route 5 now but they still feel the left turn in is a good thing.

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Chairman Ouellette reported he **supports the left turn in lane, but he heard that it wouldn't be built until the hotel is constructed.** Chairman Ouellette felt the left turn lane is need now as he hears more about the activity at the church. Mr. Hesketh concurred that the left turn is always a good idea. Chairman Ouellette clarified he is coming from the perspective that the hotel may never be built, and if the left turn lane is tied to that then we have to live with the conditions that we have now. Commissioner Sullivan requested the peak hour numbers for 2004 again. Mr. Hesketh suggested the number was 1029 in 2004 and 1043 was observed last week; he suggested it's basically the same. Chairman Ouellette suggested the methodology is the industry standard; the information portrayed is accurate. He suggested hiring a police officer to assist moving traffic along on Route 5 is a good idea. Chairman Ouellette complimented Mr. Hesketh on doing a terrific job in turning this report in in a short amount of time.

Chairman Ouellette questioned **if the traffic volumes would change if the vacant WalMart up the street were occupied again?** He suggested the traffic study didn't consider that.

Chairman Ouellette also noted **the intersection of I-91 and Route 5 at Newberry Road has been a concern already. He questioned the impact of this proposed traffic on that intersection?** He cited the current impact of the traffic from Lincoln Tech on the intersection; he questioned **the impact of this traffic during the peak hours?** Chairman Ouellette noted Mr. Hesketh had said he didn't look at that situation. Mr. Hesketh reiterated that they are an existing banquet facility; if the church doesn't come in they can reopen as a banquet facility tomorrow. He suggested he wanted to make sure the site traffic operated correctly. Chairman Ouellette noted for the Commission that under a Special Use Permit Application traffic is a consideration. This proposed use will bring additional traffic to the site but – can it be managed? Is there adequate capacity to handle Newberry Road; we already have issues there. Will this use push it over the edge? Town Planner Whitten concurred, noting everyone understands the existing facility can be reused at any time. She cited that adding the hotel back in is a new application, with new conditions associated with that use. Pastor Wiles suggested their intention is to work with the Town. If they find they are creating traffic conditions they would lengthen the time between services. He reported Saturday isn't the typical time people come to services; it's about half full. Sunday is full and they are encouraging people to move to Saturday but it isn't in their lifestyle. Pastor Wiles reiterated it isn't their intention to create a traffic problem. Mr. Hesketh agreed they didn't analyze the Newberry Road intersection but he felt they would be impacting it during off hours; he didn't feel they would have a significant impact on that intersection.

Chairman Ouellette referenced the comments received from the police department. Chairman Ouellette read the e-mail from Chief DeMarco, noting they had not had

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time to study the impact of the proposal. He noted they are a part of the equation of solving the traffic issues.

Commissioner Sullivan suggested he couldn't help feeling the Commission wasn't dealing with a double-edged sword. He cited the Commission wants to encourage business but every time they try to add business on Route 5 they will be dealing with these traffic issues. He cited the four (4) lanes in South Windsor and Enfield while East Windsor has only two (2). He feels East Windsor is being forgotten by the State. We can't keep telling people no. The State must recognize they must do something with Route 5.

Chairman Ouellette suggested the Applicant has done their due diligence; there will be a traffic impact at their driveway and he felt they have done the best they could do. He isn't convinced there might not be problems at other locations. Chairman Ouellette suggested there is a study by CRCOG being considered; we are on the list.

Town Planner Whitten requested clarification of the timing between services. Pastor Wiles reported they vary it depending on the size of the services; it's currently 30 minutes on Sunday because that works. On Easter Sunday they shorten the service times.

Commissioner Gowdy cited he is **concerned about the hotel; he questioned if it will be built?** He also questioned **if there might be a better use for the property than what is being proposed.** Commissioner Gowdy suggested he didn't see the occupancy of the hotels up the street being full. Pastor Wiles indicated they are in discussions about the hotel now. He cited the property next door which had previously provided the parking for the previous hotel proposal is not being used, as well as the old Walmart. Pastor Wiles suggested the hotel adds income back to the Town and provides utility usage for them because it's adjacent to them. Commissioner Gowdy suggested a hotel could use the old Walmart site; Mr. Borawski felt it wasn't cost effective. He also noted they have looked at this site for another banquet facility. Commissioner Gowdy reported he understands the church will bring in other business to the town but he still questioned if this is the best use for the town? Mr. Borawski reported that previously they had a developer for the hotel and that fell through; until you have an approved site plan you can't talk to developers.

Chairman Ouellette opened discussion to the audience:

**Steve Dearborn, 144 East Road:** reported he understands this is the first step, to give them the zone change. Mr. Dearborn suggested he has nothing against churches; his concern is the tax revenue; his only concern will be losing the tax

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revenue. He questioned what it was paying now - \$50,000 a year? We will be losing that. As a resident and taxpayer he is against this – not because of religion. He guessed they have to pay taxes on the hotel; that's a good tease to get this thing approved but why lose money on the other building? This town needs money. Mr. Dearborn reported he is against this for that reason only – losing the tax revenue.

**Dick Pippin:** suggested the traffic there is a little bit of a horror show. He felt the lane should be in place within a year of approval if the hotel is built or not. And we need to keep clear what's the church and not muddy that.

Mr. Borawski felt the church was amenable to putting in the left turn lane up front and not wait for the hotel; they could combine the parking lots going forward. Mr. Borawski felt it was a lesser evil but you still have the traffic.

Pastor Wiles cited the previous discussion of the Warehouse Point Village district. He suggested they believe the use they are presenting is a good one. If they can get the hotel built that's a big financial advantage to the town; it increases the tax base. They will be bringing people to the area. The access from the highway is good. They are trying to do all the right things.

With regard to the zone change, Mr. Coon suggested adding 59 Prospect Hill Road to the HIFZ will allow this small vacant parcel to be included with the hotel. That's in the POCD. He noted the 95 room hotel was approved previously; this is a reduction to 80 rooms which reduces the impact. He cited Mr. Hesketh's comments regarding impact to the traffic earlier. Mr. Coon suggested he felt they had made an argument for the Special Use Permit; it may not be the best use but he felt it meets the Special Use criteria. With the proposed church it's a place of public assemblage which is similar to what's there. He felt the proposal met the Zoning Regulations; he hoped the Commission would give its approval this evening.

Chairman Ouellette returned discussion **to site lighting, especially that related to when a police officer may be on duty directing traffic.** He noted he's heard of the need for an officer's assistance on Sunday, and is now hearing a similar situation may occur on Saturday. He questioned if there would be any hours of darkness when an officer may be on Route 5? Pastor Wiles reported they have a Saturday evening service for which they currently provide an officer in East Hartford. That officer may not be needed all the time. An officer also assists on Sunday. The officer doesn't have his unit in the street during the whole time, only during the exiting time when the primary need is there and at those times the officer will place his car where it's needed. Pastor Wiles indicated he liked the idea of shining a light on the officer. Chairman Ouellette noted that lighting is not

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on the plan currently; he felt there was an opportunity to provide this additional lighting. Mr. Coon suggested he feels there is a light on every other pole but not across from the site driveway. Pastor Wiles suggested they did have a light from CL&P shining on the officer (in East Hartford) but CL&P didn't want to continue that. Commissioner Gowdy questioned if they could include the additional lighting? Mr. Borawski suggested they would agree to that as a condition of approval.

Chairman Ouellette suggested that with regard to a Special Use Permit and the POCD the Commission is trying to encourage commercial growth. He requested the Applicant **convince him how a proposed church is an economic engine if its events are not taxed?** Pastor Wiles suggested the church is a piece of the community, it becomes a place people go to regularly and they become familiar with the surrounding area and come back. We are talking about people coming back and doing their shopping, they will eat at the restaurants; they come back to the area to do life and other things there. They will be bringing people that wouldn't normally be in the area; they will be bringing a draw of people within 15 minutes of the area. They will become a part of the fabric of the area. Eating becomes the biggest driver of people hanging out. Pastor Wiles reported they had a board meeting recently and were talking about the hotel; the people said wouldn't it be better to have a restaurant? He suggested the people who come regularly will learn what's in the area and become a part of it. Commissioner Gowdy suggested that every Sunday you go to church and you go back home and have a Sunday dinner; his congregation is packed and no one stays.

Town Planner Whitten suggested that at the last meeting Pastor Wiles spoke of **the Broadway-type productions**; is that mostly for the church members? Pastor Wiles suggested their intention is for everyone to come. Town Planner Whitten noted **the kitchen facility has been taken out of La Renaissance** – you suggested you would use catering services. Pastor Wiles reported La Renaissance gives them the opportunity to do dinner theater; catering would be a part of that. La Renaissance had two (2) kitchens – one for multi-banquet events and a second kosher kitchen. They would envision having that second kitchen back up and running for the dinner theater for 150+/- people. Commissioner Gowdy suggested community theater is big here and in Wethersfield. Pastor Wiles reported they have an originally written show coming up in November; they would love to have you all come. Chairman Ouellette concurred that surrounding businesses would benefit from the catering perspective.

Commissioner Gowdy queried **if the Applicant had looked at anything other than the hotel?** Pastor Wiles reported they have been looking to do that for some time and were excited by the previous approval. They feel the hotel, in a smaller footprint, will bring the most benefit to the town. People who come in will bring in other people to the area. The plans for the hotel mirrored what they were

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looking for. Town Planner Whitten noted the Applicant has said they would have a large Wednesday service and funerals and those could bring money to the town. Pastor Wiles suggested the Wednesday service and the funerals are in the 200 people range, then they have the Saturday night, and the Sunday morning services is the biggest time for people coming in. At other times they are bringing in smaller segments of different people at different times. Mr. Borawski suggested flowers and catering is all part of the community business.

Town Planner Whitten suggested **the church is tax exempt. You must apply for that and if any part of the building isn't used for the church it's up to the Assessor as to whether it's tax exempt.** A member of the design team noted the concern for taking a building off the tax rolls but they also noted the Commission's requirement for looking at the criteria for a Special Use Permit. They felt a vacant building isn't the highest and best use.

Chairman Ouellette returned discussion to **the hotel**. He questioned **if the Commission moves forward is it a general approval for the hotel or do we need to nail down the specifics now?** He suggested that if the hotel were a stand-alone application the Commission would be asking more detailed questions. Pastor Wiles suggested they need to have a general approval to market the property. They/the lessee would then come in with their own application for its own unique branding. Pastor Wiles felt if you put details on it now it would make it more difficult to market. Town Planner Whitten felt this Commission can require a site plan for the hotel. Mr. Coon felt that might not be necessary to market the property. Mr. Borawski felt they/the lessee would need to come back. Mr. Coon felt this detailed site plan has demonstrated what can be done; whatever hotel comes in will have to fit in. Town Planner Whitten questioned **what the Commission was approving internally?** Mr. Coon suggested the plan doesn't include a restaurant; it's an 80 room hotel with day spa. Commissioner Sullivan questioned if the Commission approves the church and the hotel comes in for a liquor permit – the church is within 500' of the church. Mr. Borawski suggested the church could go for a variance; Town Planner Whitten noted there is no hardship to grant a variance. Town Planner Whitten noted the regulations currently include a separating distance between a church and a liquor facility. Chairman Ouellette suggested they could apply for a text change. He suggested this is why he would like to have a discussion about the hotel now. He is hearing approval for an 80 room hotel with day spa; there is no guarantee it would be anything other than that. Town Planner Whitten questioned Mr. Hesketh **if the traffic numbers associated with the day spa have been incorporated with the numbers in this traffic study?** Mr. Hesketh reported the number is trivial. Town Planner Whitten suggested the regulations currently read that the church can choose to go in next to a liquor facility but the separation distance applies if the church is there first.

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Chairman Ouellette returned discussion to **the traffic impact on the Newberry Road intersection**. He reiterated that impact hasn't been studied with regard to this application, and the local traffic authority has indicated they have not had time to review the impact of potential traffic in the area of the proposed use. Discussion followed regarding the need for the local traffic authority to concur with the approval from OSTA.

In response to the recording secretary's request for a quick break the Commission made the following motion:

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

**Thurz moved/Sullivan seconded/DISCUSSION: None.**

**VOTE: In Favor: Unanimous (Kowalski/Ouellette/Sullivan/Thurz/Zhigailo)**

The Commission RECESSED at 9:17 p.m. and RECONVENED at 9:27 p.m.

Chairman Ouellette suggested he still hasn't been convinced there isn't a negative traffic impact in the area due to this proposed use. He felt it would be one thing if the State had weighed in on this proposal, and it would be a different story if the police department had given a more glowing recommendation regarding traffic impact. Chairman Ouellette felt additional information was needed; he suggested not closing the Public Hearing yet.

Mr. Hesketh suggested he could do additional traffic counts on Friday evening at 6:00 p.m. and Sunday morning. He suggested he could follow up with the police department and return to the PZC. Chairman Ouellette suggested perhaps a meeting with the police chief directly would be helpful.

Commissioner Zhigailo questioned **who sets the timing of the traffic lights?** Town Planner Whitten noted that's a State function.

Commissioner Sullivan felt **the order of approval was important as well**. He questioned if the Commission should approve the hotel before the church? He suggested if the church is approved and the hotel wants a full liquor permit and restaurant they will have a hard time selling the hotel idea. Town Planner Whitten suggested the Commission is approving the big picture – the General Development Plan. Commissioner Sullivan questioned if the hotel comes in and wants a full liquor permit and a full restaurant under the current regulations the Commission can't approve that? Town Planner Whitten suggested someone can come in and request a change to the regulations. Town Planner Whitten also suggested that regarding the liquor permit that must be required as part of the application and that isn't the case with this application. It also was not noticed/advertised with that requirement so that's off the table at this point. Pastor Wiles felt this size hotel wouldn't want to build a restaurant.

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Chairman Ouellette summarized the pending information items:

- Revise plans to show some type of illumination on Route 5 to acknowledge the police officer's presence during traffic control
- Address light spillage onto the neighboring property.
- Meet with and review with the traffic issues with the police chief.
- At the request of Commission Kowalski he would like information on the queueing distance.

Chairman Ouellette advised the public the Public Hearing is not being closed; the Commission will continue discussion on the applications in two weeks. Chairman Ouellette queried the audience for additional comments; no one requested to speak.

Town Planner Whitten noted a sheet of **comments made by Commissioner Devanney** who was unable to be present during this evening's meeting. She suggested the Commission should consider those comments as well.

**MOTION:** To CONTINUE to 11/10/2015 the Applications for Cross Roads Cathedral for a Zone Change from M-1 to HIFZ for property located at 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lot 10); AND, Cross Roads Cathedral for a Special Use Permit for modification to GDP in HIFZ; Special Use Permit for church use; and Site Plan Approval to allow construction of a 4-story, 80-room hotel with day spa and use of existing banquet facility as a public place of worship for property located at 53, 55 and 59 Prospect Hill Road, owned by Peoples United Bank. (Map 92, Block 14, Lots 10, 11 & 12) [In accordance with Section 504]

**Thurz moved/Kowalski seconded/DISCUSSION: None.**

**VOTE: In Favor: Unanimous (Kowalski/Ouellette/Sullivan/Thurz/Zhigailo)**

LET THE RECORD SHOW Commissioner Gowdy will return to service on additional Commission business.

**NEW PUBLIC HEARINGS :** None.

**OLD BUSINESS:** None.

**NEW BUSINESS: Harken's Landscape Supply & Garden Center, LLC** - Modification of Approved Site Plan regarding material storage and display reconfiguration. Property located at 287 South Main Street owned by Emilio & Adeline Parente and 275 South Main Street owned by LCC Partnership. [B-2 & A-1 zones; Map 02, Block 23, Lots 54, 38, 55, & 56]. (*Deadline for decision 12/17/2015*):



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Chairman Ouellette read the description of this Item of Business. Appearing to discuss this Application was Tim Coon, of J. R. Russo & Associates, LLC.

Mr. Coon reported the site comprises 3.7 acres containing Harken's Market. Mr. Coon reported a small corner of the site is an A-1 Zone which received a variance for this business use. He cited the site is congested; the Applicant is proposing to rent a little over two (2) acres from the abutting property owner at 275 South Main Street to use for bins for material storage. The reconfiguration of the site will alleviate some of the congestion up front. Mr. Coon reported they will be installing concrete blocks to separate the various materials, and adding additional drainage. They will be converting the existing gravel area to paving and restoring the gravel area up front to lawn.

Mr. Coon reported he has received comments from the Town Engineer. Mr. Coon is seeking approval of the proposal this evening.

Commissioner Thurz questioned **the traffic flow**. Mr. Coon suggested only delivery trucks will be able to make the loop around the site. Jaime Gilbert, speaking from the audience, reported the traffic flow for customers will remain the same. They will enter the center of the site and come back out. Delivery trucks will be able to make the loop and only the delivery trucks will be able to exit on the north side.

Chairman Ouellette questioned **how long the stone drive at the south property line has been there?** Mr. Gilbert reported the drive has been there for the existence of the business. Chairman Ouellette suggested that would be approximately 20 to 30 years; he questioned **how it's used?** Mr. Gilbert and Mr. Coon suggested it's a service driveway. Mr. Gilbert reiterated that customers come into the center area.

Chairman Ouellette suggested that there is currently a parking area in front of the building that is in an area of a land owned by the State. He noted that in reviewing the property for this application he noticed there is a zoning violation for parking in areas not approved by the State. Chairman Ouellette noted that issue isn't part of this application but it is a sightline problem. Discussion followed regarding the delivery driveway to the north. Mr. Gilbert indicated delivery trucks come in from the left side and go around the building and come back out; it's one way going in. Chairman Ouellette suggested perhaps the addition of directional signs regarding circulation of that driveway might be a benefit. Commissioner Sullivan questioned wouldn't this proposal alleviate some of that problem? Chairman Ouellette didn't see the internal reconfiguration helping this problem. Town Planner Whitten felt now the materials will be more spread out and the circulation should improve.

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The Commission had no additional questions for the Applicant.

**MOTION TO APPROVE Application of Harken’s Landscape and Supply Garden Center LLC and owners Emilio and Adeline Parente and LCC partnership requesting a Site Plan Modification per Chapter 900 and 505, to expand the material storage and display into the neighboring property and associated site improvements located at 287, 275 South Main Street Assessors Map 02, Block 23, Lot 54, 55, 56 and 38 in the A1 and B2 zones.**

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This approval is granted subject to conformance with the referenced plans (as may be modified by the Conditions)

Referenced Plans:

- 1 of 2 - Existing Conditions/ Demolition Plan Harken’s Landscape Supply and Garden Center, LLC 287 South Main St, East Windsor, CT Map 02/Block23, lot0654, 38, 55 and 56 B-2 and A-1 zones, property of Emilio and Adeline Parente 284 South Main Street, and LCC partnership PO Box 388, East Windsor CT 06088 prepared by JR Russo & Assoc, LLC 1 Shoham Road, East Windsor CT 06088 860/623-0569 dated Sept 17, 2015 scale 1” =40’
- 2 of 2 Site Plan

**-Conditions which must be met prior to signing of mylars:**

1. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
2. The conditions of this approval shall be binding upon the applicant, land owners, 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 plans.

**Conditions which must be met prior to the issuance of any permits:**

3. One set of prints and one set of final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Sets shall be filed in the Planning and Zoning Department.
4. A cash (escrow) or passbook bond shall be submitted for sedimentation and erosion control maintenance and site restoration during the **construction of the project**. Any funds that may be withdrawn by the Town for such maintenance or restoration shall be replaced within five (5) days or this permit shall be rendered null and void. The applicant's engineer shall submit an estimated cost of the E & S controls to the Town Engineer. The amount of said bond shall be determined by the Town Engineer.

**Conditions which must be met prior to certificates of compliance:**

5. Final grading and seeding , if required, shall be in place or a bond for the unfinished work submitted.

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6. Final as-built survey showing all structures, pins, driveways and final floor elevations as well as spot grades shall be submitted.
7. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all of these components have not been completed, the Zoning Official may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

**General Conditions:**

8. In accordance with Chapter 900.3.h of the Zoning Regulations, any approval of a site plan application shall become null and void in one year from the date of approval if the activities have not commenced and the site plan shall be considered to be disapproved, and **complete all improvements within five years of the date of approval**, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
9. A Zoning Permit shall be obtained prior to the commencement of any site work.
10. This project shall be constructed and maintained in accordance with the filed plans. Minor modifications to the approved plans that result in lesser impacts may be allowed subject to staff review and approval.
11. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
12. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
13. By acceptance of this approval and conditions, the applicant, owner and/or their successors and assigns 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
14. A cross easement or consolidation document of lots document must be filed on the town land records prior to obtaining a zoning permit.
15. All materials stored at this site shall be clean, and may never be contaminated. Storage of contaminated material would constitute a hazardous waste or solid waste facility.

**Thurz moved/Gowdy seconded/DISCUSSION: None.**

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

**OTHER BUSINESS: Informal Discussion** – Proposed changes to existing building for Noble Gas, 76 North Road:

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Chairman Ouellette read the description of this Item of Business. Appearing to discuss the building changes was Attorney Carl Landolina, and Mark Smith of MDA Architects. Attorney Landolina and Mr. Smith reported the intent was to convert the existing metal building at the site of the gas station to office use. They have now found it would not be beneficial to use that building as structurally it wouldn't support the second story. Mr. Smith described the proposed two (2) story building, which he indicated meets the regulations with regard to building height.

Commissioner Thurz questioned if there were any concerns with the flat roof; Mr. Smith replied negatively. Chairman Ouellette questioned that the intended use of this building wouldn't change? Attorney Landolina replied negatively.

Town Planner Whitten noted when they came in with the application they were proposing to use the existing building but will now be demolishing that building and constructing the new building. Chairman Ouellette questioned if any signage was previously approved? Mr. Smith suggested the submission is an artist's rendering. They have not yet applied for a sign permit; he felt they would only be adding signage to the door.

The Commission concurred with Staff approval.

**CORRESPONDENCE:** None.

**BUSINESS MEETING/(1) Clarification of Casino Use as Commercial Recreation:**

Town Planner Whitten reported she is preparing an RFP for a casino in East Windsor. Should an application come through it would come in under a commercial recreational use. Town Planner Whitten sought the Commission's concurrence with that use.

The consensus of the Commission was that a casino use would fit into a commercial recreational use.

**BUSINESS MEETING/(2) Aquifer Protection Regulations:**

Town Planner Whitten reported she received notification from DEEP that the Aquifer Protection Regulations must be approved in a different manner. She reviewed the process with the Commission, noting the Public Hearing must be reheard and re-advertised.

The Commission will see the Aquifer Protection Regulations appear as a separate meeting with the regulation approval as a separate agenda item in the short term future.

**BUSINESS MEETING/(3) Signing of Mylars/Plans, Motions:** None.

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**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 10:20 p.m.**

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

Respectfully submitted,

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Peg Hoffman, Recording Secretary, East Windsor Planning and Zoning Commission  
(8581)