

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

REGULAR Meeting #1704 – October 11, 2016

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 6:30 P. M. by Chairman Ouellette.

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

Alternate Members: Marti Zhigailo.

ABSENT: **Regular Members:** Lorry Devanney

Alternate Members: Tim Moore

Also present was Town Planner Whitten.

GUESTS: Deputy Selectman Richard P. Pippin, Jr., Board of Selectmen Liaison to the Planning and Zoning Commission; Kathy Pippin, Board of Finance; Albert Grant.

ESTABLISHMENT OF QUORUM:

A quorum was established as four Regular Members were present at the Call to Order. Chairman Ouellette noted all Regular Members would sit in, and vote, on all Items of Business this evening. Following in accordance with the service rotation schedule Alternate Member Zhigailo would also join the Board regarding discussion and action on all Items of Business this evening as well.

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/September 27, 2016:

MOTION: To ACCEPT the Minutes of Regular Meeting #1703 dated September 27, 2016, with the following amendment:

Page 8, Line 333, PUBLIC HEARING, Carol B. Scott.....,
“components have NOT been completed,””

Page 11, Lines 470 – 471, NEW BUSINESS: Dri-Air Industries,
Inc.... “components have NOT been completed,””

Page 16, Lines 667 – 668, NEW BUSINESS: USA Hauling and
Recycling, LLC.,,,,,,, “components have NOT been completed,
.....”

Thurz moved/Kowalski seconded/DISCUSSION: None.

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

RECEIPT OF APPLICATIONS: None.

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD
ACCEPTANCE Mercury Fuel Service – Request for release of the erosion
control bond in the amount of \$11,500.00 for the construction of a convenience store
and gas station at 9 South Main Street. (B-2 zone; Map 81, Block 19, Lot 102):

Chairman Ouellette read the description of this item of business.

Town Planner Whitten reported she inspected this property; the corrections requested
have been completed. The Commission can now release the bond.

MOTION: To ACCEPT the request of Mercury Fuel Service for release of the
erosion control bond in the amount of \$11,500.00 for the
construction of a convenience store and gas station at 9 South Main
Street. (B-2 zone; Map 81, Block 19, Lot 102):
.....”

Thurz moved/Kowalski seconded/DISCUSSION: None.

VOTE: In Favor: Kowalski/Ouellette/Sullivan/Thurz/Zhigailo
(No one opposed/No abstentions)

CONTINUED PUBLIC HEARINGS: Herb Holden Trucking, Inc. and owner
Northern Capital Region Disposal Facility - Special Use Permit for renewal of earth
products removal permit for property located on Wapping Road. (A-1 & M-1 zones;
Map 27, Block 65, Lot 31) (Deadline to close hearing 11/1/2016)

Chairman Ouellette announced discussion of this continued Public Hearing.

Town Planner Whitten reported that Herb Holden, Sr. has been working diligently to get
the bond in place. A final number for bonding has been agreed to. Mr. Holden’s

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insurance company has changed their requirements; bonding requests must now be submitted to them on Town letterhead. Town Engineer Norton usually provides the bond amount; as he's been on vacation Mr. Holden was advised not to attend this meeting as the bonding issue remains unresolved. Chairman Ouellette recalled that they are working on additional phases at the same time, but their engineer felt that posting a bond sufficient to cover all open phases would be impractical. Town Planner Whitten reported Phase I is finished; Mr. Holden has indicated the last phase is completed as well. He will be posting a bond for the remaining 2 open phases.

Discussion continued regarding criteria for considering phase completion. Town Planner Whitten noted East Windsor's regulations were modeled on the Town of Ellington's, which also specify restricting an open phase to 7 acres.

Chairman Ouellette noted that some of the control points were removed during excavation. Town Planner Whitten recalled they discussed the difficulty of working in the field while trying to maintain the control points. She suggested the control points should be more prominent.

MOTION: To CONTINUE the Application of Herb Holden Trucking, Inc. and owner Northern Capital Region Disposal Facility for a Special Use Permit for renewal of earth products removal permit for property located on Wapping Road. (A-1 & M-1 zones; Map 27, Block 65, Lot 31); Application continued until the Commission's next Regularly scheduled meeting on Tuesday, October 25, 2016 at 6:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Thurz moved/Sullivan seconded/DISCUSSION: None.

**VOTE: In Favor: Kowalski/Ouellette/Sullivan/Thurz/Zhigailo
(No one opposed/No abstentions)**

Commissioner Sullivan advised the Commission that irrespective of this application he has been getting complaints about truck traffic on Wapping Road and Apothecaries Hall Road. He suggested that traffic associated with excavation operations occur within the same neighborhoods within the same time period. Commissioner Sullivan recognized this level of traffic means the operators are getting busy. Town Planner Whitten suggested people are selling homes again; because the applicants follow the veins of materials all the gravel operations are in the same area. She noted that the PZC had tried to limit the direction of traffic in the past but they have no real ability to do that. Chairman Ouellette suggested as renewal requests come before the Commission people need to come in to make complaints/comments during the Public Hearings so the Commission can contemplate the effect of traffic when considering the renewal request.

NEW PUBLIC HEARINGS None.

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OTHER BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: None

BUSINESS MEETING/(1) Discussion on draft Plan of Conservation & Development (POCD)

Town Planner Whitten presented the Commissioners with the most recent draft of the POCD, and an updated Future Land Use Map. With regard to the map, she noted the Warehouse Point business corridor has been expanded, the railroad/industrial area is shown, Level A Aquifer Area is now shown, areas have been targeted for farmland preservation, conceptual trail areas are shown as red lines, the industrial core area around Route 5 has been modified, and Broad Brook is now shown as a Village District Area.

Discussion followed on the following issues:

- Dedicated Open Space: can be owned by either the Town (Tschummi property/Rye Street) or the State (Flaherty Field Trials/Tromley Road). The Kogut property is dedicated for development as a school campus with multiple ballfields, a municipal complex, and senior/community center, while the Tschummi property was acquired via a grant which requires continued agricultural use.
- Route 5 Business Corridor – discussion of northern boundary.
- Promotion of process for Public Hearing/Adoption of final document.
- Properties targeted for farmland preservation.
- Add legend to identify anachronisms
- Input provided from BOE regarding education needs.

Town Planner Whitten indicated she hoped to hold the Public Hearing for review of the POCD at the next PZC Meeting (October 25th); legal notices for the Public Hearing would have to be published this Thursday or Friday.

Discussion continued regarding alternate dates for Public Hearing, including holding a Special Meeting. The consensus of the Commission was to hold the Public Hearing on Tuesday, October 25th. Commissioners were requested to e-mail Town Planner Whitten with additional comments as soon as possible.

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

Mylars/Plans: None

Motions:

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- **Carol B. Scott** - 1-lot Re-subdivision and Special Use Permit (in accordance with Section 408 of the Zoning Regulations) to create a rear lot at 19 Phelps Road. (A-1 zone; Map 42, Block 20, Lot 7A).
- **Dri-Air Industries, Inc. and owner Charda Realty LLC** - Site Plan Approval for construction of a 6,100 sq. ft. warehouse addition and construction of a driveway to access parking area at 16 Thompson Road. (M-1 zone; Map 82, Block 19, Lot 108)
- **USA Hauling & Recycling LLC and owner Laird Building LLC** - Site Plan Approval for property at 3 & 5 Shoham Road for Change of Use and renovations and expansion to provide truck sales at 3 Shoham Road, parking and natural gas fueling of fleet vehicles at both parcels, and construction of carports to support solar panels at both parcels. (M-1 zone; Map 113, Block 17, Lots 3 & 4)

MOTION: To TAKE A FIVE MINUTE BREAK

Thurz moved/Zhigailo seconded/DISCUSSION: None.

VOTE: In Favor: Unanimous

The Commission RECESSED at 7:33 p.m. and RECONVENED at 7:44 p.m.

Business Meeting/Additional Discussion:

- Letter from ZEO regarding complaints concerning 20 Margaret Drive
- ZEO preparing report of recent activity
- PZC future projects: Town Planner Whitten provided the Commission with a list of potential projects, including regulation revisions, regulation updates related to the Warehouse Point Study and the Route 5 Business Corridor Study. The Commission requested addition of the development of a POCD Implementation Committee, explore plan for use of Skylark Airport – is it private or public/

EXECUTIVE SESSION: To discuss possible grant funding.

MOTION: To GO INTO EXECUTIVE SESSION AT 7:57 P.M. TO DISCUSS POSSIBLE GRANT FUNDING. Attending: Chairman Ouellette, Commissioners Kowalski, Sullivan, Thurz, and Zhigailo, and guest Albert Grant.

Ouellette moved/Thurz seconded/DISCUSSION: None.

VOTE: In Favor: Unanimous

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The Commission CAME OUT OF EXECUTIVE SESSION at 8:44 p.m. The consensus of the Commission is agreement to continue with grant funding discussed for farmland preservation in town.

ADJOURNMENT:

The Commission ADJOURNED this Meeting at 8:46 p.m.

Respectfully submitted,

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