

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

**REGULAR Meeting #1721 – July 11, 2017**

***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:** Tim Moore, and Marti Zhigailo.

**ABSENT:**    **Regular Members:** Lorry Devanney  
                  **Alternate Members:** None

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, Chairman of the Conservation Commission.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as four Regular Members and two Alternate 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 he noted Alternate Member Moore would continue to sit in on the application for Apothecaries Hall Enterprises, and Alternate Zhigailo would also join the Board regarding discussion and action on all other Items of Business this evening as well.

**LEGAL NOTICE:**

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, June 29, 2017 and Thursday, July 6, 2017, was read by Chairman Ouellette:

- Application of Four Fathers, Inc. (Sports World) for a Special Use Permit for addition of approximately 60 parking spaces and use of current farmland as sports fields at 226 Main Street, East Windsor. [M-1 zone; Map 101, Block 12, Lot 30A]

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**ADDED AGENDA ITEMS:**

Town Planner Whitten requested the following Agenda additions:

- Under NEW BUSINESS: Calamar – Request for extension to start construction.
- Under BUSINESS MEETING: Albert Grant – Discussion of Conservation Commission recommendation for Open Space preservation.
- Under APPROVAL OF MINUTES: Warehouse Point Stakeholders Workshop dated June 22, 2017, “Hartford Line, TOD Action Plan”.

(See applicable motions later in the Meeting).

**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/June 27, 2017:**

**MOTION:** To APPROVE the Minutes of Regular Meeting #1719 dated June 27, 2017; with the following amendment:  
Page 2, PUBLIC PARTICIPATION: Jim Martino: forth line: “The neighbor ~~bought~~ **BROUGHT** his business here ”

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

**VOTE:** In Favor: Unanimous (Kowalski/Sullivan/Thurz/Zhigailo)  
Opposed: No one  
Abstained: Ouellette

**RECEIPT OF APPLICATIONS:**

Chairman Ouellette noted there were no new applications to be received tonight.

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

No requests presented under this Item of Business this evening.

**CONTINUED PUBLIC HEARINGS: Apothecaries Hall Enterprises, LLC and the East Windsor Sportsman’s Club, Inc. -** Renewal of existing Special Use Permit for earth excavation and expansion of excavation area to include Phase 17 (4.5 acres) located on the south side of Apothecaries Hall Road. [Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1; & Map 48, Block 65, Lot 7] (*Deadline to close hearing 7/18/2017*)

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Chairman Ouellette read the description of this Public Hearing. Appearing to continue discussion on this Application was Jay Ussery, of J. R. Russo and Associates, LLC; also present was Kevin Charbonneau.

Mr. Ussery recalled that at the previous Meeting much discussion occurred regarding the dust and its effect on the neighbors' property. Mr. Ussery reported that some of the Commission members had visited the site. Mr. Ussery reported they are looking for a renewal of the existing permit for Phases 1 to 16; they are also looking at an area in the south east corner which contains 6+/- acres which are currently considered open - that area has become heavily vegetated. They would like to add that area/acreage to the reclaimed area, which would increase the total reclaimed area to 32.6 acres. Mr. Ussery noted this Application also requests to add Phase 17, which is closer to Apothecaries Hall Road. At the edge of Phase 17 they would implement a temporary berm starting at the wood line and wrapping around to cut down on dust and noise. The berm would be more substantial regarding size and height, which would also reduce the noise and dust.

Mr. Ussery reported Mr. Charbonneau also had a visit from DEEP; the neighbors had requested the visit to ask DEEP to view the operation relative to their concerns. Mr. Ussery noted no citations were issued, however, DEEP made some recommendations, including: to create a more defined drive aisle/haul road; reduce the speed limit within the pit to 5 miles per hour; institute temporary mulching of stockpiles which are not used every day; operating the water wagon on a daily basis, and, most significantly, they are using bituminous millings to cover some of the 400 to 500 feet of driveway approaching the excavation area. Mr. Ussery provided photos for the Commission to illustrate the mitigation measures; he noted the photos were taken today. Mr. Ussery referenced Phase 16, which includes the Sportsman's Club archery area, and the new driveway. Mr. Ussery indicated Town Planner Whitten had suggested they contact the neighbors. Mr. Ussery reported they sent letters and invited the neighbors to a meeting; only one property owner – who didn't live in the area – showed up. That property owner had no concerns. Mr. Ussery reiterated they have tried to reach out to the neighbors.

Chairman Ouellette questioned what was the significance of reducing the speed on the haul road? Mr. Ussery indicated it's no different than seeing someone driving down a gravel road; you see someone kicking up the dust but if someone is driving 5 miles per hour it doesn't create as much dust. DEEP also suggested posting speed limit signs. Mr. Ussery reported Mr. Charbonneau has created a defined haul road and has spread bituminous millings. Chairman Ouellette concurred that the bituminous surface should cut down the dust. Mr. Ussery felt the bituminous surface needs to move forward as the activities move forward as well. The bituminous surface should follow the activity. Mr. Charbonneau will also continue to water the driveway.

Chairman Ouellette recalled that at the last Meeting Mr. Ussery spoke of the raw materials; what makes Phase 17 so special? Mr. Ussery reported Phase 17 contains a vein of gravel which continues across to the east with 4 to 5 inches of material on top.

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That material is the most valuable; there is finer sand beneath. With regard to the grading, the floor elevation is 130; they are at 150 now. Mr. Ussery felt it's not likely they will go to 130; the gravel is higher. Phase 17 would allow them to extract the gravel, which is a component of blacktop, sidewalks, concrete, and other construction materials.

Commissioner Sullivan questioned if the new driveway going out to Apothecaries Hall Road will be millings? Mr. Ussery reported there will be a bituminous apron where they come in; members of the Sportsman's Club can drive on the paved driveway and parking lot. If it could be used on a regular basis for through traffic the millings would help keep the dust to a minimum. For those of you who came to the site you found how far it is when you enter from the other side; this new driveway would cut down the distance.

Commissioner Thurz had no questions at this time.

Commissioner Zhigailo questioned the height of the berm? Mr. Ussery suggested it will be about 44 feet across the base, 4 feet "here", a 2:1 slope, 10+/- feet in height, and will be vegetated with grass. Mr. Ussery recalled someone had referenced the berm on Phelps Road as an example, which includes trees and plantings; he noted the berm on Phelps Road includes a sophisticated irrigation system which maintains the plantings. Commissioner Kowalski questioned that they wouldn't see the activity? Mr. Ussery replied negatively.

Commissioner Zhigailo indicated she had no other questions.

Commissioner Moore questioned not using trees on the berm? Mr. Ussery suggested when you create a berm with a mound of soil the trees would die without the water. Mr. Moore submitted a rendering of a potential berm containing trees of varying heights. Mr. Ussery didn't feel cutting the existing trees would be a good idea; many are large and presently keep the dust down. Town Planner Whitten referenced the site plan, questioning if the bright green area is where the berm is proposed? Mr. Ussery replied affirmatively.

Town Planner Whitten questioned which Commissioners visited the site, and what did you observe? Chairman Ouellette indicated he visited the site on Saturday morning. He saw the haul road where there was evidence of compaction of the millings. He also witnessed mulching going on. He also saw an area of excavation going on; birds were digging holes in the wall to create nests. Chairman Ouellette felt he got a good feel for how the pit operates.

Commissioner Sullivan indicated he visited the site Monday. He went through the whole area and got a good overview of the site.

Commissioner Thurz wasn't able to visit the site as he was on vacation.

Commissioner Kowalski reported he visited the site on Saturday. He thanked Mr. Charbonneau; his visit was very enlightening. This is a very vast area; the entrance is well over a mile away. He didn't realize the elevation of where they are working in relation to the street level. He feels the wall is a good buffer for the dust and wind. He did see evidence of the millings. He noted Mr. Charbonneau made a statement that he wants to be a good neighbor; he wasn't aware of complaints and is willing to do whatever he can to keep the dust down. Mr. Ussery noted the Charbonneaus have been here for 20+ years; before that it was operated by Manchester Sand and Gravel. He reported that the Charbonneaus hadn't been aware of the complaints before; now they are aware of the neighbor's concerns.

Commissioner Moore reported he hadn't visited the site since the last meeting but he's visited the pit many times; he agrees that the millings are a good idea. He acknowledged that the ATVs are a problem; with a more structured road that may reduce their activity.

Chairman Ouellette opened discussion to the public.

**Alan Andrews, 51 Apothecaries Hall Road:** questioned where the 100 foot berm would start? Mr. Ussery suggested the berm would start about 50 feet from the property line; the berm, which is temporary, would be outside that area. Mr. Ussery referenced the Site Plan, which Mr. Andrews viewed. Mr. Andrews questioned if there was currently anything in the pit which could break up the wind; how many phases are open? Referencing a location on the Site Plan Mr. Andrews questioned "is this area open?" Mr. Ussery indicated the area identified by Mr. Andrews was currently being mulched. Regarding the wind, they could put in a wind break but cited the frequent use of heavy equipment. Discussion continued regarding options for a wind break.

Mr. Andrews also noted the sand contains a component which causes silicosis, which is a lung disease. Chairman Ouellette noted there are also farming operations occurring across the street; he questioned if when the farmer is harvesting the corn does Mr. Andrews notice anything from that? Mr. Andrews suggested that's only corn; they do the farming when he isn't around; Mr. Charbonneau's operation is 5 days a week – when Mr. Andrews is there in the morning. And then there is the ATV activity – which he understands isn't Mr. Charbonneau.

**Shawn Carroll, 45 Apothecaries Hall Road:** questioned that a motion had been made to double the number of truck loads? Chairman Ouellette noted that's on the table for consideration; it's a condition and is open for discussion. The hours of operation are in the regulations. Mr. Carroll suggested that you slow the trucks down but then you double the trucks; is that helping cut down the dust? He reported he understands the millings and the water trucks help but you can't water down the berm. His biggest concern is the berm is 50 feet from the road; it's temporary. Chairman Ouellette suggested if you don't like the berm then it could be taken down. Mr. Carroll questioned how long is temporary? Chairman Ouellette suggested until the operation is finished, maybe 2 to 3

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years. Mr. Carroll questioned if this was happening across from your house would you like it?

No one else from the audience offered additional comments; Mr. Ussery suggested he had nothing additional to add.

Commissioner Kowalski questioned that inward of Phase 17, isn't there a row of trees? He felt the trees he saw during his site visit would create a wind break. The Commission reviewed the location on the Site Plan.

Chairman Ouellette suggested the truth is, there isn't a perfect solution for the applicant or the neighbors. Someone isn't going to be happy. Now that the complaints have been made about the dust and the noise the applicant has taken positive steps to mitigate those issues, but he can't do anything with the ATV activity. Chairman Ouellette indicated he would like to see how the changes made by the applicant work, and have the applicant return for Phase 17. Chairman Ouellette suggested he doesn't understand why multiple phases need to be open at the same time; he would like to see recovery of some open areas before opening a new phase.

Commissioner Sullivan indicated he would like to see the following additional conditions: 1) that when that/the driveway becomes a renewal that millings or pavement go out to Apothecaries Hall Road on the new driveway; and, 2) to make sure the trucks go in a direction that they avoid going by the neighbor's houses. Chairman Ouellette noted the applicant isn't at the point of starting the new driveway yet. Commissioner Moore felt trees could be planted now that might be more effective than a berm. Chairman Ouellette questioned the height of the trees? Commissioner Moore indicated 30 to 40 feet eventually; they would plant them at 6 to 8 feet. Chairman Ouellette suggested it would be years before they reached a height of 30 to 40 feet. Commissioner Moore suggested that at 15 feet they would cut the wind and would be better for the neighbors than to be looking down into the pit. Commissioner Kowalski indicated maybe they could plant trees along the road area but there should be a berm going back into the pit. Chairman Ouellette questioned that the tree concept would be in lieu of the berm? Commissioner Moore suggested it would send the wind up over the neighbor's houses and filter the dust through a combination of heights. Chairman Ouellette suggested it should be designed by a landscape architect; Commissioner Moore offered a conceptual drawing of his proposal.

Town Planner Whitten suggested there seems there are a number of things to be addressed, including:

- The extension of the permit for Phases 1 to 16.
- Consider Phases 8 and 11 to be closed because they have become vegetated.
- Consider the number of trucks per day.
- It seems they are making great strides regarding the dust and noise, but we don't know how the mitigation will work.

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- Permit for Phase 17.

Commissioner Thurz suggested that with regard to Phase 17, the gravel pit has been there for 60 to 70 years; no one has known it's there. Now that we're starting to bring the operation closer to the street – they're doing the millings and the new driveway road. Maybe we should see how that goes and look at Phase 17 later. Commissioner Sullivan questioned what would be the depth of Phase 17; would it be visible from the road? Mr. Charbonneau indicated it would be about 40 feet; it wouldn't be visible from the street. Commissioner Sullivan questioned if that elevation would be kept for all of Phase 17? Mr. Ussery replied affirmatively.

Chairman Ouellette requested discussion on Phases 8 and 11. Mr. Ussery indicated the intent is to include Phase 8 and 11 in the reclaimed acreage calculations as they are significantly vegetated. Chairman Ouellette questioned what alternatives might be? Mr. Ussery suggested they could cut down the trees, spread topsoil over the area and plant vegetation again. Chairman Ouellette felt that alternative made no sense; the Commission agreed.

Chairman Ouellette indicated he has a hard time granting approval for a new phase when there are still outstanding issues with the older phases; granted, they are being worked on. Discussion followed regarding denial of Phase 17 relative to the submission of the combined requests under the one application. Town Planner Whitten clarified procedural options, including withdrawal of the request for Phase 17, or submission of Site Plan modifications.

Chairman Ouellette turned discussion to the number of vehicle loads. He suggested that in one aspect it's not a bad idea as the operation will close down sooner. He noted the direction of the truck traffic needs to be managed to avoid impact on the neighbors on Apothecaries Hall Road; he suggested there would be no relief for the neighbors unless the new driveway is created.

Commissioner Moore suggested planting the additional trees would allow Mr. Charbonneau to do the work quicker, if the market is there. Chairman Ouellette suggested he didn't like the truck traffic either, but the truth is they are allowed to be on the road. Everything we own is delivered on a truck. Commissioner Thurz noted the pit has been there before the houses. Commissioner Sullivan questioned, in a perfect world, how soon would Mr. Charbonneau get into Phase 17? Mr. Charbonneau indicated perhaps next week. Town Planner Whitten clarified that work isn't complete in Phase 16 yet; Mr. Charbonneau suggested that you asked - in a perfect world.....

**Jennifer Carroll, 45 Apothecaries Hall Road**, spoke from the audience. Ms. Carroll reported that last week on Friday night way after 5 there were trucks coming out of the pit tearing down the road. Is he putting these contingencies in there so he can get approval; will he keep them up? She cited she doesn't know the regulations. Chairman

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Ouellette suggested Ms. Carroll file a complaint. Town Planner Whitten suggested the homeowners can get a copy of the conditions of approval for operation of the pit. Ms. Carroll reported they are new here; they've only been here 2 years.

Chairman Ouellette queried the Commissioners regarding their preference for allowing access to Phase 17? Commissioner Kowalski suggested he would like to see Phase 17 stop at the tree line, which allows Mr. Charbonneau to start that phase. Commissioner Kowalski suggested you have an existing tree line for a dust/noise barrier rather than wait to have new trees get established; it would allow access to the material now but not be visible to the homeowners. Mr. Ussery suggested they could scale it back and make it 2 phases, which would allow them to get some of the material. Mr. Ussery felt it was important to create the new road. Commissioner Thurz questioned if this proposal would eliminate the berm? Mr. Ussery suggested they would keep the berm along the easterly edge. Chairman Ouellette questioned the extent of the material? Mr. Ussery suggested there is material all along the east side. Chairman Ouellette questioned if the material encroaches on the farm field; Mr. Ussery replied affirmatively.

Town Planner Whitten questioned what's the reality of closing Phases 4, 5, 6, and 7? Mr. Ussery suggested Phases 1 and 4 are south of the power line; the slopes have to be finished. They could be finished and then closed. They could close part of Phase 7. Mr. Ussery clarified that the stump pile was approved by DEEP. Phase 6, which is blacktop, concrete, and mulch waiting for processing – could be processed/crushed and closed. Town Planner Whitten questioned what commences the processing of the material; is it on an as needed basis? Mr. Charbonneau replied the material is processed when someone needs it; it could take a year or 2 to finish. Town Planner Whitten and Mr. Ussery concurred on the following closures – Phase 1 and 4 can be closed, part of Phase 5 and part of Phase 7 can be closed, maybe part of Phase 6 in the future. Town Planner Whitten felt those closures would cut down on the noise and dust; the Commission concurred.

Discussion returned to Phase 17. Chairman Ouellette questioned the regulation language regarding the phasing, and the size of an open phase. Town Planner Whitten referenced Section 8.14(3)(f) regarding phasing; she read an excerpt of the regulations.

Chairman Ouellette noted that based on the timeframe the Hearing should be closed this evening; he questioned if the Applicant could offer an extension to give them time to come back with plan modifications for Phase 17, and a punchlist of things that need to be accomplished, as that would make evaluation of the application easier. Mr. Ussery suggested he'll submit a modified plan to make the proposed changes clearer. Chairman Ouellette indicated he'd like to see a schedule of when the new driveway might be created at Apothecaries Hall Road as that would provide relief from the access through the main entrance.

Chairman Ouellette advised the audience the Public Hearing will remain open. Residents had the following additional comments.



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**Alan Andrews, 51 Apothecaries Hall Road:** questioned where he could find the regulations? Chairman Ouellette and Town Planner Whitten both noted the regulations are available online; conditions of approval would be available through the Planning Office.

**Shawn Carroll, 45 Apothecaries Hall Road:** suggested every now and then there's a plume of dust; it's been better this year because of the rain, but.....He indicated he appreciates what Mr. Charbonneau has to do; he gets it, but the comments about not knowing about the complaints, you know you're creating dust. Mr. Carroll suggested he would have liked to walk the site. Commissioner Thurz suggested if Mr. Carroll has been there for 2 years he must have known there was a gravel pit nearby. Mr. Carroll suggested it was way in the back. Commissioner Thurz questioned Mr. Andrews how long he's been a resident? **Mr. Andrews (51 Apothecaries Hall Road)** reported he's been there since 2003; the pit was behind the tree line. If he knew the pit was there he wouldn't have bought the property. Commissioner Thurz noted the proximity of the farmland as well. Mr. Andrews suggested Mr. Charbonneau has come up 285 feet; he didn't know he could complain or that he could talk to Mr. Charbonneau. Mr. Andrews suggested he knows Mr. Charbonneau can't do anything about the ATVs but he has videos of the plumes. Mr. Andrews indicated he appreciates the berm; it cuts down the noise. Mr. Andrews reported the ATVs haven't been as bad; it's almost like someone knows; the ATVs drive him out of his mind. He reported they come in behind the power lines and come down the railroad tracks.

Discussion returned to the Commission Meeting schedule and the permit extension.

**MOTION: To GRANT A 35 DAY EXTENSION and CONTINUE the Public Hearing for Apothecaries Hall Enterprises, LLC and the East Windsor Sportsman's Club, Inc. for Renewal of existing Special Use Permit for earth excavation and expansion of excavation area to include Phase 17 (4.5 acres) located on the south side of Apothecaries Hall Road. [Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1; & Map 48, Block 65, Lot 7]. The Hearing is CONTINUED until the Commission's July 25<sup>th</sup>, 2017 Meeting to be held at the Town Hall, 11 Rye Street, Broad Brook, CT. at 6:30 p.m.**

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

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

The recording secretary requested a short break.

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

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

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The Commission RECESSED at 7:50 p.m. and RECONVENED at 8:00 p.m.

**NEW PUBLIC HEARINGS – Four Fathers, Inc. (Sports World)** - Special Use Permit for addition of approximately 60 parking spaces and use of current farmland as sports fields at 226 Main Street, East Windsor. [M-1 Zone; Map 101, Block 12, Lot 30A] (*Deadline to close hearing 8/15/2017*)

Chairman Ouellette read the description of this Public Hearing. Joining the Commission was Michael Fioretti, a partner in Four Fathers, Inc. Mr. Fioretti reported he is making the presentation this evening as his engineer was unavailable.

Referencing a Site Plan, Mr. Fioretti reported he and his partners purchased the original parcel 14 years ago; 2 years ago they purchased additional land from Don Wagner. The purpose of this application is to put in 3 soccer fields on the farmland and add 60+/- new parking spaces on “this” side of the dome (Sports World). Mr. Fioretti noted that currently everything enters the site through the existing private road; Mr. Fioretti reported there are 114 existing parking spaces “in the center.”

Mr. Fioretti reported they presently have a Special Use Permit for their current operation (Sports World). They are proposing to use the cornfields and seed the area to create 3 outdoor fields for soccer and lacrosse and also practice. Mr. Fioretti reported they are proposing to add 60+/- parking spaces wrapping around the dome structure. Mr. Fioretti feels they have enough parking for both the indoor and outdoor uses. Town Planner Whitten noted the parking plan was approved before the applicants acquired the additional land.

Mr. Fioretti described the playing schedule for the indoor activities, which turn over every hour. Mr. Fioretti reported they have enough parking for the programs, including players, coaches, and parents; the problem is the turnover of people parking as one game ends and another is beginning. Mr. Fioretti indicated the indoor fields are used mid-November to mid-April; the outdoor fields are not useable during that time as they are grass fields. Mr. Fioretti reported they own 14 soccer teams which play all over the State; they could play half of those games at home. The 14 teams currently practice on the existing fields. Mr. Fioretti suggested the seasons are mutually exclusive, the outdoor fields are not in use while the inside games are going on. Currently, all games are being played are on one field.

Town Planner Whitten questioned when the cross fit classes occur? Mr. Fioretti indicated they are scheduled for 5:30, 6:30 and 7:30 on weekends and 5:00, 6:00, and 7:00 week nights.

Commissioner Thurz indicated he’s been involved in these activities and the parking situation for some time; he questioned if the partners plan to do any more parking? Mr.

Fioretti suggested they would like to keep the site natural. They had originally planned to construct an additional building but have now retracted that proposal. Commissioner Thurz questioned if you have the space why not plan more parking? Mr. Fioretti felt there wasn't that much more space. Town Planner Whitten referenced the triangle of land near the highway. Mr. Fioretti suggested people would have to drive along the fields to get to that area. Commissioner Thurz requested clarification that there would be no indoor games while the outdoor games were going on? Mr. Fioretti replied "no".

Chairman Ouellette noted that the parking was previously approved but you opted not to formerly pave it. Mr. Fioretti indicated his engineer had called Town Engineer Norton, who had questions about the size of the (drainage) pipe so they had a drainage report done. By the time that was completed it was too late.

Chairman Ouellette suggested the Commission had expressed concerns regarding the proximity of the fields to I-91 so they wanted a chain link fence installed. He noted that hasn't been done. Mr. Fioretti indicated it's a 70 degree grade with existing high shrubs and trees. He questioned who makes that decision? Chairman Ouellette replied that would be the State.

Chairman Ouellette questioned the approval date for the previously approved parking; would that have expired if this work hasn't been done? Town Planner Whitten noted the previous approval was September 8, 2015, and should have been done within a year. The Commission could reapprove it.

Chairman Ouellette suggested he understood this facility had also included a child care facility at one time; he questioned if that facility is still operating? Mr. Fioretti suggested that facility has been closed for 2 or 3 years.

Commissioner Moore questioned if there will be netting between the fields to prevent cross balls from going from one field to another? He questioned if the proposal is a normal layout for these types of fields? Mr. Fioretti replied "yes".

Commissioner Zhigailo had no problem with the proposal; she was glad to hear the operation is doing well.

Commissioner Kowalski referenced regulation requirements which call for parking based on building square footage; he questioned if there is a similar standard for fields? Town Planner Whitten indicated they've relied on information given by the applicant. She noted she had also asked for a parking study but was not given one. Commissioner Kowalski suggested that the young the kids participating in the games generally have more people come to watch. He referenced Mr. Fioretti's information regarding half of the games being played at this location; he questioned if that could worsen the situation? Mr. Fioretti suggested they have control over the timing of the use of the fields. Commissioner Thurz indicated that it's the overlap time that kills you with regard to

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parking. He noted there are existing problems and you're adding more fields. Commissioner Kowalski agreed; he noted they currently have 1 outdoor field and they are now proposing to triple that – you could have problems. Mr. Fioretti gave a lengthy explanation of the scheduling, including extending the timing between games to avoid the overlap. Commissioner Thurz indicated he wanted to see a traffic study regarding the adequacy of parking for the 3 additional fields. He also noted Town Engineer Norton had raised concerns as well; those concerns don't appear to have been addressed.

Town Planner Whitten returned discussion to the crossfit classes. She questioned that none would be held on the weekends? Mr. Fioretti replied negatively. Town Planner Whitten questioned the number of people participating in the crossfit training? Mr. Fioretti replied 6 to 8 people. Town Planner Whitten clarified that there would be 6 to 8 additional cars plus the trainers; she requested clarification that there were no games inside? Mr. Fioretti replied "no"; the training will be inside.

Town Planner Whitten questioned the usage for the inside activities again. Mr. Fioretti replied they might get between 120 to 130 people for the inside activities on a weekend. Commissioner Thurz felt that the parking was a huge safety issue; he noted he's seen people fighting over the parking spaces. Commissioner Thurz reiterated he would like a traffic study.

Town Planner Whitten questioned when you were operating inside before April, were people still using the cul-de-sac to park? Mr. Fioretti indicated he hadn't heard any complaints.

Commissioner Thurz suggested the additional parking had been required to be lined and striped. Chairman Ouellette noted they are parking on gravel rather than pavement; that condition related to a paved surface.

Commissioner Sullivan indicated he wants to see Town Engineer Norton satisfied regarding the response to his comments.

Town Planner Whitten clarified that they are required to provide a 100 foot buffer between the recreational use and the residential uses. She noted they are proposing a 50 foot buffer but she hasn't seen the proposal. Mr. Fioretti indicated his engineer hadn't been able to get to the revision of the plans.

Chairman Ouellette opened discussion to the public.

**Ray Boynton, 236 Main Street:** Mr. Boynton reported his property abuts the Sports World property. Mr. Boynton reported parking is really a problem; he doesn't feel they can absorb 3 more fields. He felt there was no way 150 spaces will take care of that activity. Mr. Boynton reported his property abuts the buffer zone. Chairman Ouellette requested clarification of the buffer issue. Town Planner Whitten reported Mr. Boynton

is south west of “this” property; there is a buffer strip of remaining land which Mr. Boynton abuts. It was decided some time ago that no structures could be built on that strip but it’s not on this plan. Town Planner Whitten questioned if Mr. Boynton hears any noise from the parking? Mr. Boynton replied that on the weekends there is parking all along the cul-de-sac. Town Planner Whitten queried Mr. Boynton if he had any issues with the buffer? Mr. Boynton replied that it was decided that the buffer zone couldn’t be used for anything other than farmland; his concern is that they are wanting to use the buffer for more parking in the future – which could result in another lawsuit for the Town.

Chairman Ouellette referenced his concerns:

- **Town Engineer Norton’s comments** need to be addressed satisfactorily.
- He has concerns with **the adequacy of the parking** and how that will be mitigated. Chairman Ouellette suggested he read in the support documentation that the applicant had planned to rest one of the fields. Mr. Fioretti concurred. Chairman Ouellette questioned that when the field is rested they won’t be parking cars on it? Mr. Fioretti replied “no”. Commissioner Thurz questioned that in the long run isn’t it more desirable for your patrons to have more parking? Mr. Fioretti felt the parking wasn’t an issue; he noted they won’t be making money from these fields. He noted they purchased the other land to solve another problem. Chairman Ouellette questioned the possibility of making one of the fields smaller; Mr. Fioretti cited the need to have regulation sized fields. Chairman Ouellette questioned if there was an opportunity to do something different with the cul-de-sac, if some of the pavement could be eliminated, or the grass strip in the middle removed and the parking reconfigured. Chairman Ouellette noted such changes would require drainage revisions; he also cited concern for people exiting vehicles without sidewalks as a safety issue. Town Planner Whitten suggested angled parking might address some of the safety concerns, but any parking must be 25 feet from a property line which would require a variance for this property. Town Planner Whitten indicated she’ll contact the Town Planner in Tolland for information as there is a similar facility in Tolland. Commissioner Thurz advised Mr. Fioretti he loves everything the applicants are doing but the parking is a public safety issue.

Chairman Ouellette suggested keeping the Public Hearing open to take information from Mr. Fioretti’s engineer, and for comments from Town Engineer Norton regarding a response to his comments/recommendations. Chairman Ouellette suggested Mr. Fioretti is convinced that the facility is providing enough parking but he’s not sure the Commission shares that opinion. Chairman Ouellette suggested Mr. Fioretti’s engineer could contact a group such as the ITE which has information regarding traffic studies. He suggested Mr. Fioretti’s engineer should also include the peak period parking issues when addressing parking adequacy. Town Planner Whitten suggested including the use by the crossfit classes in the study as well.

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Commissioner Kowalski questioned the ownership of the two houses near the recently purchased farmland; he questioned if that area is flat? Could additional parking go there? Mr. Fioretti indicated that land includes a steep slope. Town Planner Whitten clarified that everything around those 2 houses lies within the area of the Blue Ditch.

Town Planner Whitten returned discussion to the buffer proposal. She noted the buffer currently requires a 6 foot fence or 6 foot arborvitae.

Chairman Ouellette referenced a volleyball court shown on the Site Plan; he questioned if that's included in the drainage calculations? Mr. Fioretti reported that hasn't worked out. Town Planner Whitten suggested perhaps that area could be a source for parking.

Chairman Ouellette queried the audience again; no additional requests for comments were made.

**MOTION:** To CONTINUE the Application of Four Fathers, Inc. (Sports World) for a Special Use Permit for addition of approximately 60 parking spaces and use of current farmland as sports fields at 226 Main Street, East Windsor. [M-1 zone; Map 101, Block 12, Lot 30A]. The Hearing is CONTINUED to the Commission's July 25<sup>th</sup> Meeting to be held at 6:30 p.m. at the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

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

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

**OTHER BUSINESS:** None.

**OLD BUSINESS:** None.

**CORRESPONDENCE:** None.

**BUSINESS MEETING/(5) Albert Grant – Discussion of support for Grant Submission – Development Rights:**

Albert Grant, Chairman of the Conservation Commission, joined the Commission. Mr. Grant reported the Conservation Commission wants to work in conjunction with the Town of South Windsor to pursue submission of an application to the Community Farmland Preservation Program for the State's purchase of Development Rights for a parcel of farmland. The parcel abuts the Town line of East Windsor/South Windsor on Barber Hill Road. Approximately 1/3 of the parcel is in East Windsor, 2/3 is located in South Windsor.

Town Planner Whitten questioned where this property scored on the Open Space ranking list? Mr. Grant replied it was 29<sup>th</sup>, which is approximately in the middle of the ranking list because it's a small parcel vs. the high cost of Development Rights. Mr. Grant suggested the parcel is prime farmland which is currently in an agricultural use. Town Planner Whitten questioned if East Windsor would be required to provide 25% of the purchase cost of the Development Rights for our portion of the parcel? Mr. Grant wasn't sure of the cost until the application has been submitted. Chairman Ouellette questioned if the Town has enough money remaining in the Open Space Fund, as another parcel is also under consideration for a similar purpose? Town Planner Whitten doubted the Town could accommodate both purchases.

Discussion followed regarding the Commission's role in this proposal. Mr. Grant suggested the State needs a letter of support for the application. Town Planner Whitten questioned who will pay for the appraisals of the parcel, and what will the cost of the matching funding be for East Windsor? Mr. Grant couldn't identify either cost at this time. Town Planner Whitten questioned the acreage for this parcel? Mr. Grant reported the East Windsor parcel contains 6.2 acres while the South Windsor parcel contains 13 acres – 20 plus acres in total. Discussion continued regarding what commitment the towns are making regarding this proposal. Mr. Grant concurred that the costs were unknown at this point; the application must be submitted and accepted before going forward with appraisals and the percentage of financial commitment required of East Windsor is identified. Tonight he is asking for a letter of support to include with the application submittal. Town Planner Whitten clarified that the Board of Selectmen have no say over this purchase; the letter of support needs to come from the PZC as the oversight board for the Conservation Commission regarding Open Space acquisitions. She reiterated that this parcel is in the middle range of the ranking list for purchase.

Town Planner Whitten suggested she and Mr. Grant meet before the Commission's next meeting to prepare a letter for signature. Mr. Grant didn't want to wait two weeks for the next PZC Meeting; he noted South Windsor has recently qualified for the program. Discussion followed regarding composition of the letter and the Commission meeting schedule; the Commission offered the following:

**MOTION: That we, the Planning and Zoning Commission of East Windsor, support the Application of the Community Farms Preservation Program to the Department of Agricultural for the sale of Development Rights to property known as Map 9, Block 71, Lot 009 at Barber Hill Road which is partially in East Windsor. The Planning and Zoning Commission feels it's valuable to preserve and is adjacent to other farmland, and it meets our Plan of Conservation and Development goals and regional efforts.**

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

**VOTE: In Favor: Kowalski/Sullivan/Thurz/Zhigailo**

**Opposed: No one  
Abstained: Ouellette**

**BUSINESS MEETING/(1) Discussion on HIFZ:**

Town Planner Whitten referenced minutes from a previous Meeting in which the Commissioners discussed potential permitted uses and development criteria for the HIFZ (Highway Interchange Floating Zone). The following points were discussed this evening:

- Mixed use with residential over commercial; maybe some inclusion of elderly or senior housing. Both uses would increase tax revenue while reducing parking requirements.
- Gas stations – where should they be located? At interchanges only or mixed throughout the HIFZ but controlled by separating distances? Should diesel fuel be included? What about charging stations for battery operated cars? Should traffic studies be required? Would convenience stores be included with new gas stations?
- Consider how to control site creeping.
- Promote medical offices/complexes
- Building height standards – is I-91 the base elevation for height requirements/standards? Can building height be managed by creating terraced development? How to screen rooftop mechanicals which are visible from Route 5? Commission considering 4 stories as the maximum height from the Route 5 elevation, such as for properties to the north of Bridge Street. How is that impacted by sites whose base elevation is closer to I-91? Consider setback distance relative to number of stories proposed. Consider building height relative to size of site. Consider eliminating building height from development criteria; require developer to convince Commission proposed building height/design is appropriate for his or her proposal.
- Hotel development – would we prefer clustering in a singular location, or spread throughout the HIFZ? Would a separating distance be effective for hotels? Consider/research impact of current emergency equipment relative to building height. Consider the number of rooms relative to parking availability.
- Try to maintain some aspect of westerly vista of the Farmington area; don't create/develop a wall of structures along Route 5.
- Restrict parking structures to below the Route 5 level.
- Consider a minimum lot area/size to develop the smaller parcels – Commission agreed to 3/4 acre as a minimum. Consider combining parcels to quality for HIFZ status.
- Consideration of inclusion of property south of Exit 44 (Wagner Lane, Stone Works) to the HIFZ. What building height in this area?
- Discussion of splitting into multiple HIFZs, each carrying its own criteria.
- Consider excluding strip malls in the HIFZ; plazas already exist.



- “Square out” property lines below red crosshatched area on aerial; avoid splitting parcels by the boundaries of the HIFZ.
- Open space requirements – how to handle? Create landscaping buffers instead? Create “art spaces” with outside seating, maybe rooftop greenspace.

**BUSINESS MEETING/(5) - SIGNAGE:**

Town Planner Whitten provided the Commissioners with 2 handouts related to signage to review before the next Meeting. She advised the Commission the Planning Office has been receiving many calls regarding digital signage containing moving content. Signage must be content neutral; the Commission can regulate height, size, and color. Bring questions/comment to next Meeting.

**MOTION:** To ADD TO THE AGENDA, 1) under NEW BUSINESS, Request for a one year extension for Calamar; and, 2) under APPROVAL OF MINUTES, Warehouse Point Stakeholders Workshop dated June 22, 2017, “Hartford Line, TOD Action Plan”.

Sullivan moved/Kowalski seconded/DISCUSSION: None.

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

**APPROVAL OF MINUTES**, Warehouse Point Stakeholders Workshop dated June 22, 2017, “Hartford Line, TOD Action Plan”.

**MOTION:** To APPROVE the Minutes of the Warehouse Point Stakeholders Workshop dated June 22, 2017, “Hartford Line, TOD Action Plan”, with the following amendment:  
Page 1, the second line: “Room, 11 Rye Street, Broad Brook, CT. by Town Planner Laurie WHITTEN.”

Sullivan moved/Kowalski seconded/DISCUSSION: None.

**VOTE:** In Favor: Kowalski/Ouellette/Sullivan/Zhigailo)

Opposed: No one

Abstained: Thurz

**NEW BUSINESS,: Request for a one year extension for Calamar:**

**MOTION:** To APPROVE A ONE YEAR EXTENSION to start construction for Calamar, Senior housing project to be located at 20 North Road. One year extension will expire on September 13, 2018.

Sullivan moved/Kowalski seconded/DISCUSSION: None.

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

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

No discussion this evening.

**BUSINESS MEETING/(3) General Discussion of Planning Issues:**

No discussion this evening.

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

**Mylars/Plans:**

- **Calamar, Inc. and owner Thomas Killam** - Special Use Permit/Site Plan Approval to allow an Age-Restricted Independent Living Community located at 20 North Road.

**Motions:**

- **Harken's Landscape Supply & Garden Center and owner T & J South Main Street, LLC** - Special Use Permit for renovation of existing building and re-development of site for use as a flower shop and retail sales of fencing and prefabricated outdoor structures (sheds and gazebos) at 122 South Main Street. [TZ5 Zone; Map 42, Block 5, Lot 58].

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 9:58 p.m.**

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

Respectfully submitted,

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