

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

REGULAR Meeting #1728. – November 28, 2017

MEETING MINUTES

*******Minutes are not official until approved at a subsequent meeting *******

The Meeting was called to order in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT. at 6:32 P. M. by Vice Chairman Sullivan.

PRESENT: **Regular Members:** Dick Sullivan (Vice Chairman), Michael Kowalski, Tim Moore, and Jim Thurz.
 Alternate Members: Frank Gowdy, and Marti Zhigailo.

ABSENT: **Regular Members:** Joe Ouellette
 Alternate Members: Both are present this evening

Also present was Town Planner Whitten.

GUESTS: Richard P. Pippin, Jr., Inland Wetlands and Watercourse Agency; Kathy Pippin, Board of Finance.

ESTABLISHMENT OF QUORUM:

A quorum was established as three Regular Members and two Alternate Members were present at the Call to Order; Regular Member Moore arrived at 6:34 p.m. Vice Chairman Sullivan noted all Regular Members, and Alternate Member Zhigailo would sit in, and vote, on all Items of Business this evening. Alternate Member Gowdy would also join the Board regarding discussion and action on all Items of Business this evening as well.

LEGAL NOTICE: None.

ADDED AGENDA ITEMS:

Town Planner Whitten requested the addition of the following application under **NEW BUSINESS: Southern Auto Sales** for a Site Plan modification for new lighting at 186 Main Street. [B-2 Zone; Map 32, Block 5, Lots 76 & 76A].

PUBLIC PARTICIPATION:

Vice Chairman Sullivan queried the audience for comments regarding items/issues not posted on the Agenda. No one requested to speak.

APPROVAL OF MINUTES//November 14, 2017:

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

2

MOTION: To ACCEPT the Minutes of Regular Meeting of the Planning and Zoning Commission #1727 dated November 14, 2017 as written.

Moore moved/Zhigailo seconded/DISCUSSION: None.

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

RECEIPT OF APPLICATIONS:

Vice Chairman Sullivan noted receipt of the following new Applications:

1. Application of owner Southern Auto Sales for a Site Plan modification for new lighting at 186 Main Street. [B-2 Zone; Map 32, Block 5, Lots 76 & 76A].

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE:

Newberry Village – Corrected Motion for partial release of the paving bond for Phase 1, 2 and 3 for the Newberry Village active adult community located at the corner of Newberry Road and Winkler Road. [Map 104, Block 17, Lot 19]:

Town Planner Whitten reported that the Commission needs to revote on the motion made at the Commission's November 14, 2017 Meeting regarding the bond release for Newberry Village as staff had interpreted the release in error.

MOTION: To RESCIND Commissions' action and motion for release \$64,419 for Newberry Village from Meeting of November 7, 2017.

Moore moved/Zhigailo seconded/DISCUSSION: None.

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

MOTION: To RELEASE \$5,325 of bonds for Newberry Village.

Moore moved/Kowalski seconded/DISCUSSION: None.

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

CONTINUED PUBLIC HEARINGS: None.

NEW PUBLIC HEARINGS None.

OTHER BUSINESS: None.

OLD BUSINESS: None

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

NEW BUSINESS: Application of owner Southern Auto Sales for a Site Plan modification for new lighting at 186 Main Street. [B-2 Zone; Map 32, Block 5, Lots 76 & 76A]:

Town Planner Whitten reported the electrician doing this work for Southern Auto Auction came into the Planning Office for a Zoning Permit. She felt this work required a PZC application. Mr. Namnoon is here this evening to discuss the proposed work.

Todd Namnoon joined the Commission. He reported that Southern Auto Auction owns the building occupied by Shamrock Motors. They are proposing to add three 25 foot light poles to the parking lot to increase safety at the premises, and to deter theft. Mr. Namnoon referenced a photometric plan, noting the lighting fixtures will be LED fixtures facing straight down. Town Planner Whitten noted the property to the south will get a small amount of light spillage but she sees no problem as Southern Auto Auction owns that property as well.

Vice Chairman Sullivan questioned if the lights will be on from dusk to dawn? Mr. Namnoon indicated they will be equipped with a timer to turn off about 1:30 a.m. but they could also run them longer on a lower wattage, or utilize motion sensors. Vice Chairman Sullivan questioned if an animal would set off the motion sensors? Mr. Namnoon replied negatively.

Vice Chairman Sullivan queried the Commissioners for additional comments; no one raised any other questions.

MOTION TO APPROVE Application of owner Southern Auto Sales for a site plan modification for new lighting at 186 South Main Street Map 32, Block 05, Lot 76 and 76A B2 Zone.

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

Referenced Plans:

Photometric Plan 1" = 50", no date, nor reference to engineer or professional stamp

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 sets of final plans, and One set of mylars with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. Both sets shall be filed

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

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 shall be in place or a bond for the unfinished work submitted.
6. Final as-built survey showing all structures, pins, driveways and final floor elevations as well as spot grades shall be submitted. (*not applicable*)
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 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 Section 13.5.4 of the Zoning Regulations, any approval of a site plan application shall commence the construction of buildings within **one year from the date of approval** 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. All light fixtures **MUST** be full cut off , with low glare and directed lighting. Detail must be added to the plan.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

5

15. All non-essential lighting for security purposes shall be turned off after hours.

Moore moved/Kowalski seconded/DISCUSSION:None.

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

BUSINESS MEETING/(1) Discussion on HIZ

Town Planner Whitten offered the Commission a revised draft which now includes changes discussed at a previous meeting. She reviewed the following changes:

500.5 HIGHWAY INTERCHANGE FLOATING ZONE (HIFZ) –

- Throughout the document HIFZ will be changed to HIZ.
- Various language revisions shown in red in this document

501 BULK & AREA REQUIREMENTS – BUSINESS & INDUSTRIAL DISTRICTS

- Minimum parcel in the HIZ will be 1 acre

501 PERMITTED USES IN BUSINESS & INDUSTRIAL DISTRICTS

- All uses under the HIZ should be by Special Use Permit due to the requirement to file a General Development Plan (GDP) rather than permitted uses.
- Removed all industrial uses; existing industrial uses will be grandfathered.
- Removed drive-through facilities
- Removed dog care and dog associated uses
- Allowed fueling stations
- Gas stations allowed only in areas identified on associated HIZ maps
- Footnote 13 refers to density as discussed at a previous meeting

504 HIGHWAY INTERCHANGE FLOATING ZONE

- Removed “floating” from zone identification

504.2A PROHIBITED USES

- Added “J” PUBLIC PLACES OF WORSHIP
- Added “K” private, social, and membership clubs, lodges – Discussion followed regarding definition of membership clubs – retail (Costco) vs private (Moose lodge).

504.5 SITE APPEARANCE REQUIREMENTS

- Revised “F” to include requirement for compact and large vehicle parking spaces; ration of parking spaces removed.
- Added “K” to include waiver provisions

504.5 SIGNAGE REQUIREMENTS

- Added “F” - Discussion of inclusion of digital signage.

504.8 GENERAL DEVELOPMENT PLAN (GDP)

- Revised “C” to include greenspace.
- Revised “T” to include greenspace.

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

504.9 ACTION ON GDP

- Commission agrees with language proposed.

504.13 WAIVERS

- New section; revise language to “Any requirements in this section, “except for uses”.....

Town Planner Whitten reiterated the goal of this revision is to allow easier development of this area. She queried the Commission on acceptance of this draft; should the Commission approve this draft a Public Hearing could potentially be held in January, 2018.

MOTION: To ACCEPT the template for discussion of the HIFZ to HIZ Overlay Zone.

Moore moved/Kowalski seconded/DISCUSSION:None.

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

BUSINESS MEETING/(5) Discussion on Aquifer Protection Regulators:

No discussion this evening.

BUSINESS MEETING/(6) General Discussion of Planning Issues:

Discussion of proposal to hold workshop with business owners/chamber members at the end of January, 2018 regarding digital

BUSINESS MEETING/(7) Signing of Mylars/Plans, Motions:

Mylars/Plans: None.

Motions:

- **Guy Burns** – Modification of approved Site Plan for property located at 32 North Road to allow two existing buildings to be split into individual rental units for businesses and contractors, and added parking behind rear of building [M-1 zone; Map 113, Block 17, Lot 3A]
- **East Windsor Housing LTD, LLC** – Request for reduction of the following bonds: (2) performance bond in connection with the development of the Meadow Farms Active Adult housing development.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:35 p.m.

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

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1728 – November 28, 2017
MEETING MINUTES**

7

Respectfully submitted,

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