

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

**Special Meeting #1741 – June 19, 2018**

***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 6:30 P. M. by Chairman Ouellette.

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

**ABSENT:**    **Regular Members:**    All Regular Members present.  
                  **Alternate Members:**    Anne Gobin.

Also present was Town Planner Whitten.

**GUESTS:**    Dorian Famiglietti, of Kahan, Kerensky, and Capossela; Craig Lapinski, P.E., Fuss & O'Neill; Stephanie Whiting, Landscape Architect, Fuss & O'Neill; Mark Vertucci, Traffic Engineer, Fuss & O'Neill; Dan Thornton, Senior Architect, JCJ Architecture; Charles Szymanski, Selectman; John Matthews; Bill Loos; Bob Lyke; Richard Pippin, Jr.; Kathy Pippin.

**ESTABLISHMENT OF QUORUM:**

A quorum was established as five Regular Members and two Alternate Members were present at the Call to Order. Chairman Ouellette queried Regular Member Sullivan if he would be comfortable sitting in this evening? Regular Member Sullivan responded affirmatively, noting he had been provided with the material from the previous meeting/public hearing.

**LEGAL NOTICE:**

No new Legal Notices posted for this evening.

**PUBLIC PARTICIPATION:**

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

**RECEIPT OF APPLICATIONS:**

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Chairman Ouellette noted no new applications were received to be acknowledged this evening.

**CONTINUED PUBLIC HEARINGS: MMCT Venture, LLC** – General Development Plan Special Use Permit - HIZ (in accordance with Section 500.5 and 504 Highway Interchange Zone of the Zoning Regulations) to allow construction of a proposed new commercial recreational use (casino) and site improvements, at the following properties:

105 Prospect Hill Road; HIZ Zone (underlying B-1 Zone); Map 102, Block 14, Lot 001.

119 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 003.

115 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 004.

113 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 005.

93 Prospect Hill Road; HIZ Zone (underlying M-1 Zone); Map 102, Block 14, Lot 008

*(Deadline to close hearing July 17, 2018):*

Chairman Ouellette read the description of the Public Hearing, noting the deadline to close is July 17, 2018.

Attorney Famiglietti began the continued presentation by introducing the development team – Craig Lapinski, (Professional Engineer), Mark Vertucci (Traffic Engineer), Stephanie Whiting, (Landscape Architect) – all from Fuss & O’Neill, and Dan Thornton, (Senior Architect), of JCJ Architecture. Attorney Famiglietti noted the team has given the Commission a presentation of the General Development Plan, while including some of the information regarding the Site Plan as well. She suggested the team will address the Commission’s comments and questions from the previous meeting tonight. She noted they are continuing to schedule a meeting with the Police Chief, who has been unavailable. Attorney Famiglietti also noted that they have submitted applications to OSTA (Office of the State Traffic Administration) for a Major Traffic Generator Certificate, and CTDOT for an Encroachment Permit Review. Should any modifications be made to the plans presented this evening they would return to this Commission for plan modifications. Attorney Famiglietti indicated they would like to continue their presentation this evening. If, after the presentation, the Commission feels their questions and concerns have been answered or addressed then they would like to close the Public Hearing and request the Commission to act on the Special Use Permit with the understanding that nothing can move forward without the approvals from OSTA and CTDOT.

Attorney Famiglietti suggested many of the questions raised at the previous meeting related to pedestrian circulation, including the sidewalks. Mr. Vertucci and Mr. Thornton will discuss that issue shortly.

A second question that was raised related to **the liquor sales at the casino – are the hours of operation at the casino governed by State law?** Attorney Famiglietti reported the Connecticut Liquor Commission is in charge of casino liquor sales; the same cut off hours apply to casino liquor sales as other establishments – nothing is sold after 1 a.m. weekdays and 2 a.m. on weekends. Authorization from the State Liquor Commission

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would be required to extend those hours. Attorney Famiglietti reported in Massachusetts casinos can extend those hours to 4 a.m. but nothing like that is planned in Connecticut at present.

Attorney Famiglietti indicated another question raised was whether *weekend construction hours were necessary?* She cited concerns were raised regarding nearby residential properties and potential noise. Attorney Famiglietti suggested there will be no regularly scheduled construction on the weekends, the only reason to work on weekends would be weather or other delays. They would like to have the flexibility for construction to occur on weekends if necessary.

Mr. Vertucci joined the discussion regarding traffic related questions. Mr. Vertucci indicated he is a Senior Traffic Engineer and Professional Engineer licensed in Connecticut and is employed by Fuss & O'Neill. Mr. Vertucci reported he prepared the Traffic Index Study

With regard to the issue of *traffic distribution and how they determine the arrivals and where they'll be coming from,* Mr. Vertucci suggested most of the traffic will approach via I-91 coming north; he estimated 50% of the traffic will turn right into the facility; 70% will enter via the right in/right out on Route 140. Mr. Vertucci suggested most of the exiting traffic will go south on Route 5 and head towards Exit 44. Mr. Vertucci noted there will be internal signage at the site to encourage a right turn rather than making a left turn onto Route 140 to head south on I-91.

Mr. Vertucci suggested there are rationale methods they consider when developing the distribution figures. Those include using actual traffic counts today on I-91, Route 5, and Route 140. They also look at the location of the site driveway in relation to its proximity to the I-91 on and off ramps.

Mr. Vertucci noted these volume figures have been submitted to CTDOT Planning Department during a scoping meeting with them; their comments have been incorporated into these plans and they have approved the arrival/departure distributions.

*Existing cinema driveway south of the site:* –Mr. Vertucci indicated they are proposing to use that driveway to the south; there's currently a traffic signal at that driveway at Route 5. Mr. Vertucci noted Chairman Ouellette's question was– does it need warrants to be there given that there is another driveway to the north and the site driveway on Route 140? Mr. Vertucci indicated they ran the numbers and they feel they will have a fairly significant volume coming out of that southerly driveway. The signal warrants were reviewed in the MUTC - Manual of Uniform Traffic Control Devices; the existing traffic signal will still be warranted in the proposed conditions; it did meet the peak hour warrants and a 4 hour and 8 hour volume, all of which continues to be satisfied. That traffic signal will remain in operation in addition to the new traffic signal being proposed at the parking garage.

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**Right –in/right-out driveway on Route 140 at casino entrance/entering traffic backing up onto Route 140** :- Mr. Vertucci suggested there will be a free flowing condition

entering the site, those making a right turn can go in and make a right turn to the valet drop off or go to the rear surface parking lot, or go straight into the parking garage. There are no stop signs or traffic controls precluding that; entering the garage there are no gates inside the garage. Mr. Vertucci suggested they don't see anything impeding traffic coming in from valet parking or traffic coming out of the garage; they will have to yield to traffic entering the site. Mr. Vertucci also noted the casino traffic tends to be a constant steady flow, it's not getting a spike in the traffic like for concerts or when schools let out.

**Exiting traffic:** – Mr. Vertucci indicated they have proposed a right turn out movement (at the site driveway) to mimic what's there today; they expect only 5% of the site generated traffic to exit at this point. Mr. Vertucci noted there is an exit for the garage at the top level; traffic will be signed to funnel towards the top of the garage and exit right onto Route 5. Mr. Vertucci indicated the southerly surface parking lot will be exiting via the southerly (cinema) driveway. The intention is to get people exiting back to I-91 northbound or southbound to exit on Route 5. They plan to make a no left turn restriction at this driveway; to encourage that they plan to reconfigure the island in the cinema driveway to make it more restrictive. Mr. Vertucci indicated there was also discussion of adding a median on Route 140 at the site entrance as well to prohibit left turns out. He noted there is an existing driveway across the street which has a no left turn restriction as well. Mr. Vertucci indicated they don't object to doing that if the DOT or the Town required that.

**Queuing on the site driveway and approaching Route 5/vehicles unable to exit the site:**– Mr. Vertucci reiterated it's only 5% of the traffic exiting at that point, the traffic signals on Route 140 are timed and coordinated to create gaps in traffic to allow traffic to get onto Route 140 at that driveway. They could also add do not block the intersection signage.

**Sidewalk along Route 5:** Mr. Vertucci reported they are proposing a sidewalk on the east side of Route 5 to connect the intersection of Route 5 and Route 140; the sidewalk will continue south down to the Eversource driveway with the new traffic signal where a crosswalk will be provided to enable pedestrians to enter the casino from the parking garage. Mr. Vertucci reported the sidewalks have been added to provide pedestrian connectivity between the casino and the retail businesses on the four corners of the intersection; there isn't that much pedestrian traffic today but with the casino this is to provide safe movement into the intersection. They are proposing to modify the traffic signal with pedestrian signaling equipment and add ramps for easier passage. Mr. Vertucci noted this walkway was requested by DOT/OSTA during their preliminary meeting to provide better pedestrian connectivity. Citing Chairman Ouellette's "complete streets" comment, this is meant to do that. CRCOG (Capitol Region Council

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of Governments) is undergoing a corridor study of Route 5 from the Enfield town line to the South Windsor town line; they will be looking at better access for alternate modes of traffic, such as bikes and pedestrian traffic. Mr. Vertucci felt they will be looking at this area greatly because of the proximity of the retail businesses.

Mr. Vertucci turned the presentation over to Dan Thornton, of JCJ Architects, Project Architect for MMCT.

**Regarding the pedestrian circulation at the south end of the site:** Mr. Thornton reported there are two primary entrances at this end of the casino, one for employees at the east side of the building, and a public entrance at the west end of the building to serve bus traffic for patrons. They have provided 3 spaces for buses coming in from Route 140; they'll loop around, park in the 3 spaces provided, and continue around and exit out by the same way they came in. Mr. Thornton indicated 42 parking spaces are provided for the patrons' entrance at this location, which is for patrons age 21 and over. Mr. Thornton noted minors couldn't enter at this location as it opens into the gaming area; it will be monitored by security personnel. Mr. Thornton gave a description of the sidewalk system on the west side of the casino, noting its accessibility to people using either of the surface parking lots. He noted they are providing 158 spaces for both lots; it would be more convenient and preferable for the employees to use those parking lots. Mr. Thornton noted there is non-parking striping and fire lane striping within the pedestrian walkway access as well.

**Space behind the casino building relative to use as emergency vehicle access:** Mr. Thornton noted the question had been raised regarding the space behind the building and the grade – would it provide emergency access? Mr. Thornton replied negatively, noting the plans had been reviewed with the Fire Marshal whom they feel is on board with that; it's not intended for emergency access.

**Walking from Walmart parking at the south end of the site/is there any intent to block that access:** – Mr. Thornton noted they have no intention to block that access, as it was intended to be active providing cross communication between the two sites and to allow for emergency vehicle access. They don't feel there will be a large amount of people walking from the former Walmart parking lots; the closest path from that parking lot to the casino will be 890 feet compared to 690 feet to the furthest space in the garage. The furthest space in the garage is 200 feet closer than the closest parking at Walmart.

**Pedestrian circulation coming from Route 5 into the garage, and how to make it safely to the elevators connecting to the casino:** Mr. Thornton suggested they are making modifications to the previous presentation. They are proposing a continuous pedestrian walk with a cross walk to get to the location referenced by Mr. Thornton on the slide. Mr. Thornton indicated that the intersections would be signed to yield to pedestrians, and, they have created visual openings in the garage walls to increase the driver visibility to see pedestrians coming in better. To make that work as a net zero change to the total

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parking count Mr. Thornton reported they have reduced several 10 foot by 20 foot parking spaces to a standard 9 foot by 18 foot space and increased the number of spaces on level 5 to get to the 50 spaces originally proposed. Mr. Thornton indicated that doesn't change the total parking spaces but it does change the number of oversized parking spaces.

**Details on the graphic displays on the garage elevation:** Mr. Thornton referenced construction of the graphic panels, noting the vinyl banners will attach by large "j-hooks" to a large frame system which will give the graphic rigidity. The material of the graphics are durable and can last several years; the intent would be for some to be nearly permanent while others would change with event changes.

**Garage height in relation to plantings:** Mr. Thornton noted there had been questions regarding the relationship of the landscaping to Route 5 and to the garage at the Route 5 level. Mr. Thornton noted Route 5 slopes from the top of the hill by the casino to the flatter area at the intersection of Route 140 and Route 5; there is a 35 foot grade change from one end of the property to the other. Under the underlying B-1 Zone the height requirement is 50 feet and 4 stories, while under the HIZ the height is 65 feet and 5 stories as measured from Route 5. They've talked about a 5 level garage but the 5<sup>th</sup> level is the roof of the garage so the mass of the building is comparable to a 4 story building. Mr. Thornton noted there are the light poles and the projecting towers and stair enclosures that raise it to a height above the 4 story level. The overall proposed height is 53.7 feet to the parapet and 72.2 feet to the highest point of the building overall not taking into account its relationship to Route 5. Mr. Thornton suggested that when you include the topography of Route 5 they have the 15 foot area so the building can be lower and sunk into the hill. At the high end of the site they are only about 20 feet tall for the mass of the building, and 38.8 feet for the height. At the other end, the tallest extreme, they are about 29.7 feet above grade and 48.2 feet to the very highest point.

Mr. Thornton then referenced cross section slides of the site to explain the building height. Mr. Thornton suggested that at the highest end of the site Route 5 is well above the building, it's even with the building crossing from the casino to the garage, and because the garage is higher than the casino they are above eye level for the entirety of the garage – starting at a 1 ½ story mass extending to a 2 ½ story mass including the popups. Mr. Thornton suggested that overall they feel they meet the intent of the 5 story restriction for Route 5, and are well within the height restrictions for Route 5 as well.

Commissioner Kowalski noted the **placement of sidewalks on another property owner's land and the liability, maintenance and snow removal associated with the sidewalks .** Commissioner Kowalski questioned if the development team would consider adding the sidewalks to the casino site? Mr. Vertucci cited the substantial grade on the casino site; he indicated they did look at it but it wasn't feasible. Mr. Vertucci felt it's better on the east side because the plaza draws pedestrians. Regarding the sidewalk location on private property, Mr. Vertucci indicated the proposed sidewalk is actually located within the

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right-of-way. Mr. Vertucci concurred the maintenance of the sidewalks, including the snow removal, would fall to that property owner. Attorney Famiglietti indicated Town ordinances require the abutting property owner to maintain sidewalks, but she also indicated they've had discussions, which are continuing, with that property owner and are trying to satisfy her concerns.

Commissioner Thurz referenced Mr. Vertucci had previously said that 50% of the patrons will enter from Route 5, he noted GPS takes you to Exit 44 but the signs on the highway direct people to Exit 45. Commissioner Thurz questioned if there is any intent to put a sign on the highway to direct people to Exit 45? Mr. Vertucci indicated they haven't discussed a sign on the highway; that would have to be approved by DOT. Mr. Vertucci noted there will be a large pylon sign at the site which will be visible from I-91; he felt repeat visitors will find the easiest way is Exit 45 and taking a right turn in. Mr. Vertucci felt if people came off at Exit 44 it's a longer distance and isn't as quick as people will have to go through more signals. Mr. Vertucci indicated they have assumed some people will come that way but it's a lesser percentage. Commissioner Thurz felt a first time visitor will follow the GPS directions.

Commissioner Thurz questioned if there is any consideration for expansion? – He felt everyone knows the casino probably will get bigger. – Mr. Vertucci noted everything is a level of service D or better, which is an acceptable level of service. Commissioner Thurz reported the other casinos were built in the middle of fields and they had traffic issues for about 5 years; this is being built in the middle of East Windsor. Commissioner Thurz indicated he has big concerns regarding traffic. Mr. Vertucci reported he prepared the traffic study on what's been proposed. He noted the rates have been reviewed/approved by DOT and are conservative; they used more gaming positions than are actually proposed, they used casino peak hours overlapping with adjacent street hours which really isn't going to happen, and casino rates provided to them by DOT which are actually higher than the recent casino counts they've seen for southern New England and other casinos. Mr. Vertucci indicated that the traffic study is very conservative regarding the traffic impact on adjacent roadways for what's proposed. Mr. Vertucci noted if there was future expansion, which is not proposed, they would have to come back with a new application.

Commissioner Thurz noted you mentioned 3 bus parking spaces, any provisions for overflow?—Mr. Thornton noted there is a queuing space along the side “here”. Mr. Thornton reported these are not big buses. The bus program for this type of facility isn't the same as large resort casinos; this is a regional destination. Mr. Thornton reported the systems that drive the bus programs don't require large lots; they feel the 3 spaces being provided are in keeping with the casino proposed. Mr. Thornton also noted the casino is managing those arrivals; the buses don't just drive up.

Regarding the (former) Walmart parking, Commissioner Thurz questioned if there is any deal with Walmart or signage to not to park there proposed? Attorney Famiglietti

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indicated they don't have plans to negotiate a cross parking agreement with that property owner, and they don't want to encourage people to park there. They feel they have enough parking to handle this venue; they don't feel the additional parking is warranted.

Regarding the entrance for 21 and older patrons, Commissioner Moore questioned if there would be signage explaining that to the people? Mr. Thornton replied affirmatively, noting the signage would be on the south end. Regarding snow removal on the roof, Commissioner Moore questioned if you need to truck it out, are the levels high enough to have a tri-axle truck haul it out? Mr. Thornton suggested they feel there is adequate snow storage space on site for the majority of the events, they have designed designated areas to truck to for the larger snow storms. Although they would lose a couple of parking spaces it wouldn't be a period of peak attendance so they don't feel there would be a conflict. Regarding snow removal from the garage roof they are comfortable they can move it to the places designated. Commissioner Moore referenced a location on the west side where sidewalks are supposed to be, he questioned if there is a wall there at the top of the garage so no one would drop snow over the edge? Mr. Thornton indicated there's a parapet wall around the entire perimeter of the garage, there will be specific snow locations where we would want them to dump the snow which would be relocated to the designated areas.

Commissioner Moore referenced the statement that the 5% of the traffic would be coming off Route 140, he questioned what about people coming from South Windsor, Coventry, Stafford or Ellington? Commissioner Moore felt they would use Route 140 rather than 84 and 91 north; Commissioner Moore felt GPS would direct them to Route 140 rather than the highways. Mr. Vertucci suggested they feel that regionally most people will come from the Interstate – from the larger population centers like Hartford, East Hartford and other large population areas near Hartford. Mr. Vertucci indicated they have 50% coming from I-91 from Hartford, 70% at “this” intersection, and a smaller percentage coming from Route 140 from the east, and also 15% comes along Route 5 from the south.

Commissioner Sullivan referenced the area exiting the casino going east on Route 140, you've eliminated the left hand turn but, if person A makes a right turn out and wants to make a left turn on Route 5 they have a short distance to do that. He noted so much is happening there – businesses on both sides - where people will have to cross 4 to 5 lanes of traffic. Commissioner Sullivan questioned if there was any way to separate the highway access going left onto Route 5, so when they come off the highway they'll be in their lane to go left? You can't get out of the casino and make that jump to Route 5 north, you have to go around. Commissioner Sullivan suggested that if the light changes to red to go left onto Route 5 if someone pulls out of the casino and also wants to go left onto Route 5 they get stuck outside that line. Mr. Vertucci indicated that's a movement that could be made, they would have to cross 2 lanes of traffic to make the left turn onto Route 5. They'll also have the opportunity to make this left turn at the (new) traffic signal at the garage on Route 5, he noted they plan to utilize signage internally to direct



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people to exit from the parking garage on Route 5. Mr. Vertucci indicated they feel it will be a small percentage of people trying to make that turn onto Route 140. Traffic queues going up the hill when the signal light turns red; that timing provides gaps which would allow people to make that movement out.

Commissioner Gowdy questioned **why are you stopping the sidewalks at the intersection and not going to the hotel and then go to the casino?** Mr. Vertucci reported the location referenced by Commissioner Gowdy is beyond the limit of their site; going south towards Walmart is beyond their site limit as well. Mr. Vertucci noted there is that CRCOG corridor study which should address the sidewalks but for now they're limiting the sidewalks to sidewalks required for their site. Commissioner Gowdy noted a 49 room hotel has already been approved for the La Renaissance site as well.

Chairman Ouellette suggested regarding **the right in/right out onto Route 140**, building on the scenario Commissioner Sullivan mentioned, someone wants to come out and turns right and wants to go up and make a left turn onto Route 5. You also have the potential for people making a left turn out so you could consider an island to prevent people from making that left turn but it could restrict access for the property owner across the street. Chairman Ouellette suggested because of the low volume is it a must have to have that right turn out there? Could the driveway be redesigned for right turns in only? You've said you'll have the internal signage encouraging people to exit onto Route 5, he suggested eliminating the turn and don't allow anyone to come out there; it could be an entrance only right off the highway. Mr. Vertucci suggested one of main reasons is this driveway is for delivery trucks that will need to make that exiting maneuver, also buses and emergency vehicles. Mr. Vertucci indicated they have difficulty with the reverse curve and the hill at the cinema driveway so they'll be directed to exit here and make a right hand turn onto Route 5 south and ultimately access I-91. Mr. Vertucci indicted they looked at reconstructing the cinema access but they can't do a lot to make the grade less severe.

Chairman Ouellette referenced **the intersection of I-91 and Route 140 northbound ramps – the intersection to the west:** Chairman Ouellette suggested that under today evening rush hour that right lane does back up. The proposal was to extend the markings there. Chairman Ouellette suggested the casino traffic is adding a lot of traffic to the right turn maneuver. He suggested a lot of people don't realize it's a double right. One of his concerns is someone wanting to go to the casino will get in the leftmost right lane. Chairman Ouellette noted that you can't make a right turn on red there so most people want to gravitate to the curb lane. So if someone does turn right and then decides that they wanted to go to the casino it's too close to that driveway; they'll have to go up to Route 5 and make that right turn. Chairman Ouellette suggested they're adding additional traffic to the network unnecessarily. Chairman Ouellette asked the development team to consider making that right turn even longer. He cited that with regard to queuing the traffic analysis assumed there will be an even distribution of traffic between the 2 lanes; that doesn't happen today and won't happen in the future. Chairman

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Ouellette suggested most people want to be in the right lane because they know where they're going. He felt the people that want to bypass the casino will be in the center lane. Chairman Ouellette indicated he doesn't feel the right lane will be long enough although he does understand you'll be widening it.

Mr. Vertucci noted they are going through the OSTA process; these plans have also been submitted to DOT. This ramp was discussed extensively during their scoping meetings. Mr. Vertucci concurred that they can consider extending that lane. He suggested that he felt signage directing casino traffic to the inside right turn lane and directing traffic heading to Route 5 to the outside right turn lane will be important as well.

Chairman Ouellette referenced the new site driveway across from Eversource with the new signal. He noted that's level 4 in the garage. Chairman Ouellette questioned if there is enough internal stacking space in the garage to not create a gridlock in the garage? Are the lanes long enough to allow proper storage within the garage? Mr. Vertucci suggested the lanes would be approximately 120 feet, which can handle 10 – 12 cars before you get to the entrance. Mr. Vertucci indicated they feel that would be enough to accommodate the maximum que. He also noted there would be enough space if they had to filter into the aisle. Mr. Vertucci also indicated that the (Eversource) driveway across the street shouldn't be generating much traffic during peak casino times; they feel the traffic should be able to flow out pretty well.

Chairman Ouellette opened discussion to the audience.

**John Matthews, Melrose Road, Broad Brook:** offered condolences to the business associates of Mr. Rappaport. Mr. Matthews reported he's been a supporter of the casino from day one; his comments are meant to be constructive. He referenced Commissioner Sullivan and Chairman Ouellette's questions/comments about the exit coming out onto Route 140, he feels that's the biggest traffic issue you have. Regarding the left turn onto Route 5 he felt you're looking at the potential for accidents; just be bold and close it down, or maybe use it for buses only.

Regarding the garage exit, and the queuing inside, is there a double lane coming out so the left hand lane has their lane and the right hand lane has their lane? Chairman Ouellette suggested the plan did show that; Mr. Matthews apologized for raising the question.

Regarding the large panels, Mr. Matthews suggested they're intriguing and creative but will they be a distraction facing the highway? Do they change the image? Attorney Famiglietti replied negatively, they won't change unless the overall panel changes. Mr. Matthews reiterated if they were changing he would be concerned about them being a distraction for people on the highway.

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Regarding *the elevation from the north showing the main entrance*, Mr. Matthews noted you're talking a \$300 million facility. He feels this design looks dated, it's like looking at a 1950s fast food building. Mr. Matthews would like the team to reconsider the design. He cited the design going north done by your competitor; it's incredible how they've made it fit into the community. Mr. Matthews reiterated his request for the team to reconsider the design, the façade, putting the name of this facility above it. Mr. Matthews suggested it's the purview of the Commission to approve the architectural design

**Bob Lyke, Jr., 80 Rye Street:** Mr. Lyke noted he's a member of the Economic Development Commission and is a director on the Board of the Chamber of Commerce, and owns a local business – Images by Bob. Mr. Lyke suggested he wanted to begin with a compliment. He felt he could speak for all the citizens and the taxpayers in town in acknowledging that we have a panel here tonight asking great questions; he also wanted to acknowledge Chairman Ouellette's background as a traffic engineer. Mr. Lyke also wanted to note that after attending numerous meetings in town for decades he is impressed with the dialogue between these two entities; they have been respectful and knowledgeable.

Mr. Lyke cited as a businessman he has a couple of questions about the study being done and the questions about expansion of the casino. Somewhere he would have liked *to see plans for commuter service/transport from the new high speed rail station that's going to be in Windsor Locks – vans between there and the casino*. Mr. Lyke suggested that will add to the economic development of East Windsor in the future. He was also pleased to hear the mention of CRCOG's study of the Route 5 corridor between Enfield and South Windsor. He noted East Windsor is also in the middle of the Knowledge Corridor – for the expansion of education, schooling, and business – Mr. Lyke noted the Knowledge Corridor not only extends from Hartford to Springfield but extends from New York to Boston as well. Mr. Lyke noted the Economic Development Commission is looking with great anticipation of being the center of that corridor and helping advance the businesses in this town. Mr. Lyke suggested he must trust you people – the Commission as much as the MMCT people because you have the final say not only on is it the best use of the property but that the site is being developed in the best interest of the taxpayers in the community.

Mr. Lyke disagreed with Mr. Matthews regarding *the aesthetics of the facility*, he doesn't like the glitz; he likes the more mundane approach for East Windsor. Mr. Lyke feels if he were a multibillion dollar company bringing their business to East Windsor they would feel confident that they will make it easy for the potential casino attendees to get in and off the highway; Mr. Lyke felt they will do that.

**Charlie Szymanski, 57 Rockville Road, member of the Board of Selectmen:** Regarding *the exit on Route 140*, Selectman Szymanski recognized you said you're building the exit

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with a curve to train the driver to stay to the right, and, if that doesn't work you would consider building a median on Route 140. Selectman Szymanski noted there are two fairly large businesses there – the Shell Station and the Burger King. Selectman Szymanski felt that when you divide that road that will probably cut their revenues in half; that's happened wherever that's been done. Selectman Szymanski cited that was an issue; we don't need to see another vacated business and they need to generate a certain amount of business to keep those businesses going.

Selectman Szymanski also felt **that putting the median there is a concern for safety reasons.** He suggested that in the event there's a fire or vehicle fire the fire vehicles or ambulance or the police, the first responders, would be coming from the Warehouse Point Fire Department; putting in the median would force them into the eastbound lane to deal with traffic there, or they would have to try to get across if there was a cut in the median. Selectman Szymanski suggested that won't be easy for a large fire truck. Selectman Szymanski didn't feel that was a good solution for those few that will decide to make the left turn; he felt that area needs to be kept open for those reasons.

**Dick Pippin:** has been doing business in town for 50 years, he feels they've hit the nail on the head putting the right turn up the hill, maybe consider changing the cinema entrance and keep the trucks and buses out of the casino .

Regarding the façade, leave it alone. The design team has done a great job. He cited the Wetlands packet was 86 pages and this packet was even bigger.

Chairman Ouellette queried the Board for additional comments.

**Commissioner Gowdy** was ok with the presentation.

**Commissioner Zhigailo** was ok as well.

**Commissioner Kowalski** felt there are a lot of assumptions associated with the traffic information; he questioned **what are the recourses if something needs to be tweaked?** Chairman Ouellette noted the project is under OSTA's purview; they have multiple people looking at it from the State and OSTA. There shouldn't be any fatal flaws.. Commissioner Kowalski felt this isn't set in stone, if the end result doesn't work as intended there are provisions for revisions.

**Commissioner Thurz** **noted the construction schedule and trips/day are higher than normal.** Attorney Famiglietti noted the truck trips are required to haul material off site. Mr. Lipinski noted there would be 4 months of hauling at 50 – 100/trucks per day; because of the nature of the soil most of the material will have to be removed and better material brought in. It depends on the direction the material will come from and go to; he cited the benefit of the close access to the highway.

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Commissioner Thurz questioned the hours of operation? Mr. Lipinski reported 7:00 a.m. to 6:00 p.m. would be typical hours; if they fall behind because of the weather they would like to do a full 8 hour day Saturday . Commissioner Thurz noted that Town Engineer had questions. Attorney Famiglietti cited Town Engineer Norton didn't have the revised stormwater report when he wrote the original memo; he subsequently prepared an updated memo. Joe Sauerhoefer provided an updated memo for the Commission. Town Planner Whitten read the memo dated June 19<sup>th</sup>, 2018, noting Town Engineer Norton has indicated all his previous comments have been addressed.

Commissioner Thurz questioned if the Fire Marshal will sign off as a condition of approval? Attorney Famiglietti noted they've had discussions with him and feel they've addressed his concerns; they have no objections to a condition of approval regarding the Fire Marshal's comments.

Commissioner Thurz questioned the status of review with the Police? Attorney Famiglietti noted the Police Chief's approval will be a condition of the OSTA permit but it could also be a condition of this approval.

Chairman Ouellette queried Attorney Famiglietti what are you looking for from this Commission? Attorney Famiglietti suggested if the Commission feels the team has given you sufficient information then they would like to close the Public Hearing; she felt they have addressed the Commission's questions/concerns raised at the previous meeting and this meeting. Attorney Famiglietti reiterated they would like to close the Public Hearing as long as the Commission feels you don't need additional information. Chairman Ouellette noted this is a multi-step process; we could close the Public Hearing on the General Development Plan and vote on that. The Site Plan approval isn't open to the public but there can be discussion between the Commission and the development team. Chairman Ouellette suggested there are still issues with the driveway on Route 140; he questioned if it's a fine detail that could be hammered out during the Site Plan approval process rather than the General Development Plan which the Public Hearing is open for? Attorney Famiglietti Dory felt that as long as you're comfortable approving the General Development Plan she believed the Commission could close the Public Hearing. Attorney Famiglietti suggested the General Development Plan/Special Permit sets out the big picture design; it's an overview of how the intricacies of the Site Plan fit together. Chairman Ouellette noted the Commission only gets this level of detail for a General Development Plan. Attorney Famiglietti noted that for efficiency of presentation and seeing some of the minute detail gives you some explanation for why we set our vision, why we established these bulk and area requirements as we did, so that's why we presented it kind of all as one. If you're comfortable closing the Special Permit Hearing, voting on that and have an additional dialogue on the Site Plan they can go into that tonight or subsequently. She suggested they didn't envision doing a whole separate presentation on the Site Plan, but would incorporate the record from the Public Hearing for the Site Plan application and would pick up your questions and have further dialogue on the outstanding issues.

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Discussion followed regarding continuation tonight vs. scheduling another Special Meeting.

Attorney Famiglietti felt they have met the requirements of the Special Use Permit; she felt it would be within the discretion of the Commission to act on the General Development Plan this evening as long as you feel you don't need additional information. Town Planner Whitten felt that with regard to the General Development Plan they have described everything needed for the bulk and area requirements. She noted the Commission also requires the traffic study and that it show ingress/egress and the traffic patterns but we need to do that with the Site Plan approval as well. Town Planner Whitten felt if you're ok with that and pushing the traffic study concerns to the Site Plan approval level, and are happy with everything else we could close the Public Hearing for the General Development Plan. Town Planner Whitten also noted that the traffic study may not be completed with the Police Chief's comments by the July OSTA review. Chairman Ouellette suggested while it's good to have comments from other boards traffic is under the purview of this Commission as well. Town Planner Whitten felt that if the Commission is ok with it she didn't see any reason for keeping the General Development Plan Public Hearing open at this point; they have met all the requirements for the HIZ and the General Development Plan.

Chairman Ouellette queried the audience again, no one requested to speak.

Attorney Famiglietti suggested as her conclusion she was going to review the findings and determinations required for the General Development Plan/Special Permit in the Highway Interchange Zone, which are outlined in Section 504.1 and 504.3 of the HIZ and 701 of the regulations which outlines the general Special Permit criteria. In reviewing her presentation Attorney Famiglietti realized that Town Planner Whitten's memo did a good job of summarizing those criteria. Attorney Famiglietti suggested that rather than she being redundant in reviewing all of those criteria she felt that when it comes down to it you look at a few key components: if the proposal is consistent with the Plan of Conservation and Development; is it compatible and in harmony with adjacent development; does it demonstrate a high standard of construction details and design; does it appropriately address traffic concerns; is there adequate infrastructure and utilities, and does the proposal protect environmentally sensitive or regulated areas on site? Attorney Famiglietti suggested if the Commission reviews all the information presented and you find that it satisfactorily addresses those concerns then she would submit to the Commission that this proposal will not have a detrimental effect on the public health and safety and welfare.

Regarding the design, Attorney Famiglietti suggested that's in the eye of the beholder. The architect has spent much time and attention on the themes recurring throughout the property. Attorney Famiglietti suggested they believe both the construction and landscaping quality are very high. She also noted they've talked extensively about the

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traffic implications and the improvements they are proposing to mitigate any adverse impacts, and also talked extensively about the infrastructure for the site. Attorney Famiglietti noted they've designed the site to comply with both local and State regulations with regard to storm water and erosion controls.

Attorney Famiglietti addressed the issue of sidewalks. She cited that what they're proposing for the sidewalks is a scope that's relevant to the casino. They feel it improves the Town's existing infrastructure and extends it much further than beyond what they feel should be dealt with under the Route 5 corridor study which is occurring now. Attorney Famiglietti cited they're proposing an extensive network but felt that to tell an individual developer to provide sidewalks from one end of Route 5 to the other was onerous. Attorney Famiglietti felt that the corridor study will look at that and make recommendations; she felt that what they're proposing is a good start based on the concerns raised by the Commission and the OSTA preliminary corridor study they've seen so far.

Attorney Famiglietti noted they've also talked about the only environmentally regulated areas on the site, which is the wetlands on the western part of the site. Attorney Famiglietti suggested their design has no impact on that area and received unanimous approval from the Inland Wetlands Commission for any activities within the 150 foot regulated area. She noted there are no other regulated areas on the site; no vernal pools, no flood zones, no aquifer protection areas, and no documented areas of State listed threatened or endangered species on the site based on the Natural Diversity Database maintained by DEEP.

Regarding the proposal's compatibility and harmony with the surrounding area, Attorney Famiglietti felt it's important to recognize that their proposal is a commercial use in a predominantly commercially developed area. There was a commercial use there before – there may have been a little higher intensity from the prior use. They are surrounded by Route 140, Route 5, and I-91; it's a commercial corridor all around them. And larger scale commercial is what's intended and appropriate for this site. Attorney Famiglietti suggested they submit that the proposal is compatible with the surrounding commercial development on the Route 5 corridor in this area.

Attorney Famiglietti noted traffic circulation has been signed to be compatible with adjoining commercial development to the south by maintaining and utilizing that historic cross-access easement between the properties. They feel the development is compatible with other surrounding commercial developments from a traffic perspective because the casino's peak periods don't coincide with peak periods on surrounding road networks. They're also proposing those off-site improvements that they feel confidently that the traffic associated with the development can be safely and efficiently accommodated at acceptable levels of service. Attorney Famiglietti indicated they don't feel it will cause unreasonable impact on any of the surrounding commercial uses.

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Attorney Famiglietti noted they've put much thought into developing the details of the building and the site landscaping. They feel that it creates an aesthetically pleasing development that's not only compatible with neighboring development but they feel they have raised the bar for future redevelopment of properties in the area.

Attorney Famiglietti suggested the scale of the development is compatible with what's contemplated for this zone. The HIZ Regulations for consolidated parcels will allow impervious lot coverage up to 75%; with their development they are proposing 65% lot coverage. Attorney Famiglietti suggested it's also been noted in Town Planner Whitten's memo that the proposed building is not as large as the Super Walmart down the street, so you have large scale development in the corridor already. They feel that speaks to the compatibility with the area. Attorney Famiglietti suggested the design of the casino is also compatible with our topographically challenging site; they've worked with and taken advantage of the grades to minimize a large rooftop mechanical service yard and when the grade of Route 5 is a little bit lower and the top of the garage is visible we've provided what they think is an attractive streetscape. They've been mindful to design it to maintain the streetscape from Route 5. Attorney Famiglietti noted the signage package is typical of what you see for signage along Route 5 today. All of the design features are meant to create a compatibility and harmony with the surrounding area.

Is the proposal consistent with the Plan of Conservation and Development? Attorney Famiglietti reported enthusiastically they submit "yes". The plan recognizes the importance of retaining and expanding economic development to support the community with services, jobs and taxes. They've spent time speaking about the Development Agreement between the Town and MMCT. The Plan of Conservation and Development recognizes the importance of increasing the tax base and employment opportunities and creating a regional development vitality. Attorney Famiglietti noted those are your stated goals. We feel that this development achieves all of those goals, and not only does it comply with all of your applicable regulations it creates jobs, it expands the tax base, it also includes a \$3 million a year impact fee. It creates a development of high quality to attract people to this place to be a regional destination and a showcase for the Town of East Windsor and to set the bar for future development of what's in the area. And, based on everything you've heard on the last two nights of the Public Hearing presentation Attorney Famiglietti suggested they feel this proposal is absolutely appropriate for an HIZ designation and the issuance of a General Development Plan permit in accordance with the criteria set forth in their plan.

Chairman Ouellette queried the audience and the public for final comments; no one requested to speak. Chairman Ouellette then queried the Commission regarding closing the Public Hearing on this application this evening, or continuing discussion to another evening.



**MOTION:** To CLOSE the Public Hearing on the Application of MMCT Venture, LLC – General Development Plan Special Use Permit - HIZ (in accordance with Section 500.5 and 504 Highway Interchange Zone of the Zoning Regulations) to allow construction of a proposed new commercial recreational use (casino) and site improvements, at the following properties:  
105 Prospect Hill Road; HIZ Zone (underlying B-1 Zone); Map 102, Block 14, Lot 001.  
119 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 003.  
115 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 004.  
113 Prospect Hill Road; HIZ Zone (underlying R-2 Zone); Map 112, Block 14, Lot 005.  
93 Prospect Hill Road; HIZ Zone (underlying M-1 Zone); Map 102, Block 14, Lot 008

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

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

Chairman Ouellette questioned the Commissioners if they wanted to take action on General Development Plan Application this evening or delay the vote until they've heard the presentation for the Site Plan Application? The consensus of the Commission was to vote this evening on the General Development Plan.

**MOTION to Approve the Application of MMCT Venture LLC, requesting an HIZ designation through a Special Use Permit/General Development Plan for a commercial recreation/casino use with restaurants, retail, bar and office uses, and associated site improvements; and to accept the bulk and area and signage requests as proposed, to be located at 105 Prospect Hill Road, East Windsor, CT. Map 102, Block 14, Lots 001 & 008; and Map 112, Block 14, Lots 003,4,&5, in the B-1, R-2 and M1 zones. Conditions of Approval as may be modified.**

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**Referenced Plans**

\*Cover Sheet – The New MMCT East Windsor Casino, 105 Prospect Hill Road, East Windsor CT 06088. MMCT Venture LLC c/o Wiggin & Dana, LLC 265 Church Street #14, New Haven, CT 06541 GDP Special Permit 5/22/18, prepared by Desman Design Management, EXP,

Desimone Consulting Engineers, Fuss & O'Neill, JCJ Architecture, Advantage Engineers, & Freeman Companies, sheets dated May 22, 2018.

*See attachment A for cover sheet and sheet G001 - list of drawings.*

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**Conditions that must be met prior to signing of mylars**

1. The applicant shall submit a paper copy of the final approved plans to the Town Planner for review and comment prior to the submission of the final mylars.
2. All mylars submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
3. The final mylars shall contain the street numbers and the Map, Block and Lot numbers assigned by the Assessor's Office.
4. 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 mylars.

**General conditions of approval**

5. Two sets of final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. One set of signed mylars, shall be filed with the town clerk by the applicant, no later than 90 days from publication of decision or this approval shall be considered null and void unless an extension is granted by the Commission. One set, shall be filed in the Planning and Zoning Department.
6. The approval of this special permit and General Development Plan shall not be interpreted as an approval for site development and/or construction. An approved site plan by the Commission, shall be required before the site may be developed. The approved General Development Plan is a concept plan and shall not be binding on the Commission for a future site plan application, except for proposed bulk , area and signage calculations.
7. 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.

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Attachments:

- A: Cover sheet and sheet G001 list of drawings
- B: Chapter 504 - Highway Interchange Zone (HIZ) Regulations
- C: Zoning Map with HIZ Designated Area

**Sullivan moved/Kowalski seconded/DISCUSSION: See reasons for approval..  
VOTE: In Favor: Unanimous (Ouellette/Kowalski/Moore/Sullivan/Thurz)  
No one opposed/No abstentions.**

**REASONS FOR APPROVAL:**

Chairman Ouellette cited he voted in favor of the General Development Plan for four specific reasons – 1) because it's consistent with the POCD (Plan of Conservation and Development), 2) the development proposal is in harmony with the surrounding commercial development, 3) it meets the requirements of the HIZ (Highway Interchange Zone), and 4) probably the most important, it's a much needed economic generator to the town. Commissioner Sullivan indicated he also voted in favor because it's a great

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economic generator for the town – he wants it to be successful, it follows along with the POCD, and he has confidence in MMCT - this is not the first time they have done this and he believes that no one wants it to be more successful than they do. Commissioner Moore concurred with the reasons stated by Chairman Ouellette and Commissioner Sullivan. Commissioner Thurz suggested he voted in favor for the reasons stated by Chairman Ouellette. Commissioner Kowalski indicated his yes vote was very similar - based on the economic development. Commissioner Kowalski liked that they are making our town a smaller destination point – not nearly as large as Ledyard has become and the other surrounding towns but he thought it will be beneficial to businesses in town. Commissioner Kowalski didn't think that people will come just to your venue, once they come to our town they will spend money in other establishments in town and it will help boost the economic development in the entire town. Commissioner Zhigailo and Commissioner Gowdy didn't vote on the application approval but offered their comments. Commissioner Zhigailo suggested - bingo - sometimes bigger is not better, she felt a mid-sized handable/manageable facility is – let's face it, older people don't like walking forever and so if we can make it convenient in/out for the day tripper, little shuttle services from some of the community developments that we have for our residents – she thought it would be a nice destination point. And, yes, it fits our town, it fits that space, it has the highway access, and she gave it an applaud for the design, it looks very nice and she wished you good luck with it and she wants to see more of it on the site plan. Let's get the traffic worked out; she felt it will go. Commissioner Gowdy concurred with the comments made by his fellow Commissioners, especially with what the lawyer said – just read it off of Town Planner Whitten's memo. Commissioner Gowdy felt his fellow Commissioners said it all.

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

**Sullivan moved/Moore seconded/**

**VOTE: Unanimous (Ouellette/Kowalski/Moore/Sullivan/Thurz/)**

The Commission RECESSED AT 8:20 p.m.; Chairman Ouellette called the meeting BACK TO ORDER at 8:30 p.m.

**NEW BUSINESS - MMCT Venture, LLC** – Site Plan Approval in connection with development of a proposed new casino at 105, 119, 115, 113, and 93 Prospect Hill Road. All properties located within the HIZ. (*Deadline for decision July 26, 2018*)

Chairman Ouellette read the description of this Agenda item.

Attorney Famiglietti indicated that after conferring with the development team they would like to continue discussion on the Site Plan Application as they want to focus on the Route 140 access drive, and the sidewalks. Discussion followed regarding scheduling for the Site Plan review. After considering the potential applications for the

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Commissioner's next regularly scheduled meeting the Commission felt they would prefer scheduling a Special Meeting to complete this application review. Town Planner Whitten cited conflicts with various other commission schedules; the Commission agreed to the continuation, with Town Planner Whitten to work out the details.

Chairman Ouellette queried the Commissioners for any final comments/concerns for the development team to consider?

Commissioner Kowalski questioned that with regard to the Route 140 exit will there be a new/additional right turn lane going up the hill towards the light? Mr. Vertucci suggested the right turn lane currently exists. Commissioner Kowalski suggested if the right turn out only exit had a merged lane that wasn't queuing against incoming traffic it would solve the concern about someone trying to make a left turn out. Mr. Vertucci suggested that lane serves as the right turn lane and existing Route 140 traffic onto Route 5.

Chairman Ouellette requested more detail on the valet drop off area. Mr. Thornton described various scenarios for valet parking, noting the movement to the casino entrance and back into the garage to park the vehicles. He suggested there are two uses for the road; one is for the valet dropping off the patron and the second use is for people who have made a mistake and want to bypass the area.

Commissioner Thurz questioned if they will have electronic signs indicating the valet area is full, like they do at Mohegan Sun? Mr. Thornton suggested the system they're proposing doesn't include electronic monitoring of parking spaces; it would have to be a manual management of signage indicating the garage is full.

No other questions or comments were raised.

**MOTION: To CONTINUE the MMCT Venture, LLC – Site Plan Approval in connection with development of a proposed new casino at 105, 119, 115, 113, and 93 Prospect Hill Road. All properties located within the HIZ until Wednesday, June 27, 2018 – location to be determined.**

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

**VOTE: Unanimous (Ouellette/Kowalski/Moore/Sullivan/Thurz/)**

**CORRESPONDENCE: None.**

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 9:48 p.m.**

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

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Respectfully submitted,

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