

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

REGULAR Meeting #1741 – June 26, 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 6:31 P. M. by Chairman Ouellette.

Chairman Ouellette welcomed Alternate Member Anne Gobin to the Commission.

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

Alternate Members: Anne Gobin, Frank Gowdy, and Marti Zhigailo.

ABSENT: All Regular and Alternate Members were present this evening.

Also present was Town Planner Whitten.

GUESTS: Dick and Kathy Pippin.

ESTABLISHMENT OF QUORUM:

A quorum was established as five Regular Members and three 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.

LEGAL NOTICE:

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, June 14, 2018, and Thursday, June 21, 2018, was read by Chairman Ouellette:

1. Application of Recycled Concrete Products of CT and owner Herb Holden Trucking, Inc. for property located at 33 Apothecaries Hall Road for renewal of existing Special Use Permit under Section 809 to fill in an area of the site to create additional area for future commercial use in association with existing volume reduction facility. [M-1 Zone; Map 57, Block 48, Lot 38].

2. Application of owners Apothecaries Hall Enterprises, LLC and the East Windsor Sportsmans Club for property located on the south side of Apothecaries Hall Road for renewal of existing Special Use Permit for earth excavation. [M-1, R-3 & A-1 Zones; Map 57, Block 49, Lot 3; Map 57 Block 65, Lot 1 and Map 48, Block 65, Lot 7]

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3. Proposed Text Amendment to the Zoning Regulations for Modification of Section 602.11 to allow municipal service signs for community information.

ADDED AGENDA ITEMS: None

PUBLIC PARTICIPATION:

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

APPROVAL OF MINUTES/June 12, 2018 and June 13, 2018 (Special Meetings):

MOTION: To APPROVE the Minutes of Special Meeting #1739 dated June 12, 2018 and Special Meeting #1740 dated June 13, 2018 as written.

Moore moved/Sullivan seconded/DISCUSSION: None.

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

RECEIPT OF APPLICATIONS:

Chairman Ouellette noted receipt of the following new Applications:

1. Application of owner Laird Building, LLC for a Special Use Permit/Site Plan Approval for modification of use to allow natural gas fueling of fleet vehicles at Shoham Road. [M-1 Zone; Map 113, Block 17, Lot S003].

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE

No requests presented under this Item of Business this evening.

CONTINUED PUBLIC HEARINGS: Crane Properties, LLC - Special Use Permit for Site Plan Modification to regrade and stabilize the area where excess material is stored, and associated improvements at 118 Prospect Hill Road. Zone M-1, Map 112, Block 17, Lot 000PA & 2A1. (*Deadline to close hearing July 17, 2018*)

Chairman Ouellette read the description of this Public Hearing.

Appearing to discuss this application was Brian Denno, of Denno Land Surveyors, Michael Cherpak, P.E. (supplied drainage calculations), and the Applicant, Carl Crane.

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Mr. Denno reported that Mr. Crane had received a Cease & Desist Order from the Town for the small parcel on which he deposited the stockpile of topsoil taken from the larger parcel. The Town asked them to remedy the situation so they've come up with a grading plan to mimic the grading that was there before the site work was done. The grading plan includes a small swale, and removal of the stockpile of topsoil.

Referencing photos submitted with Mr. Cherpak's e-mail Mr. Denno noted the direction of the drainage, which flows towards Don's Auto. Mr. Cherpak suggested there is no formal swale, just a berm which directs the water to the north and east – this is the pre-construction condition. Once the construction was done it caused water to sheet off to the west; there were also concerns for Sofia's Plaza regarding the water sheet flowing over the retaining wall. Mr. Cherpak indicated that rather than keeping a small part of the water coming down this way they decided to pick up the water and dispose of it. They're proposing to install a grassline swale on the west side, install yard drains, and direct the water to the northeast corner to an existing swale which exits to Route 140. The water will now discharge to a new outlet, which will be reinforced with riprap. Previous discussion raised a concern for pollution. Mr. Cherpak suggested there are no pollution problems on this site related to oil or other pollutants.

The property owner to the northeast was concerned about being flooded out by these improvements. Mr. Cherpak suggested the water that flowed in that direction before the stockpiling of topsoil is the same water that will be flowing in that direction now.

Mr. Cherpak suggested they feel this proposal is above and beyond what should be done; they feel they're being good neighbors.

Commissioner Kowalski recalled there was previous discussion of removing the topsoil and restoring the parcel; are you no longer doing that? Mr. Denno suggested the stockpile of unsuitable material was placed on the smaller parcel without approval, which was the action that imitated the Cease and Desist Order. Mr. Denno noted they looked at the property to the north which has a driveway with an underdrain so they already have groundwater; they feel their proposal will help that condition. Commissioner Kowalski noted he had asked for more details on the detention pond. Mr. Cherpak suggested it collects water that flows to the north; it slows it down; it wasn't meant to store water for any length of time. Mr. Cherpak indicated they could put the property back to its original contours but felt this was a good solution.

Commissioner Thurz questioned if you'll now be leaving the stockpile where it is? Mr. Denno indicated the stockpile will be removed; they'll spread out about 4 inches of the topsoil on the larger site and then remove the remainder of the material.

Commissioner Gowdy questioned how deep would the swale be? Mr. Denno indicated the swale will be about 2 feet deep with about a 1% slope.

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Commissioner Thurz questioned how bad the conditions were during the last rainstorm? Mr. Denno indicated there was no run off on Friday afternoon, although the swale was a bit soggy. Commissioner Thurz questioned the condition of the retaining wall at Sofia's? Mr. Cherpak suggested the retaining wall at Sofia's was one of the reasons for putting in the swale.

Discussion continued regarding remediation of the site to address the violation vs. regulation requirements. Chairman Ouellette suggested the Commission was hearing the proposed plan would be an improvement to the original state of the properties. Town Planner Whitten concurred; the proposed plan should reduce the water going onto the neighboring properties. Commissioner Gowdy questioned that they were installing trees; Mr. Denno noted they are proposing to add 10 maple trees.

Chairman Ouellette opened discussion to the audience.

Despina Tartsinis: Ms. Tartsinis noted she is the westerly abutter. She indicated that so long as the plan addresses, or improves, the drainage situation she's ok with it. She recalled that water used to trickle through the retaining wall while now it's increased; she's not happy with the cracks in the retaining wall but.....Mr. Denno explained the proposal to spread several inches of topsoil over the larger parcel; the remainder would be removed. He indicated they'll be reducing the velocity of the water going through the swale. Town Planner Whitten requested clarification that Mr. Crane would be selling the excess topsoil and not dumping it elsewhere on the properties? Mr. Crane indicated he would be selling it. Ms. Tartsinis indicated she had read Town Engineer Norton's memo which questioned the removal of soil vs. storage; she was confused by the statements. Mr. Crane suggested they will be spreading some of the topsoil out as part of Mr. Denno's proposal; the excess will be taken away. Mr. Denno felt Town Engineer Norton pretty much agreed with their proposal.

Chairman Ouellette questioned the timeframe to complete the proposed improvements? He noted condition #6 of the Site Plan approval for the larger site gives Mr. Crane a year to complete the work but that length of restoration isn't acceptable to Chairman Ouellette; he felt the improvements should be made relatively quickly to address the violation. Mr. Crane suggested completing the work by the end of September; Mr. Denno reported he was planning to do this work himself. Mr. Crane noted he needs to fill in the ditch and move the piping on the approved Site Plan; Town Planner Whitten suggested the violation takes precedence to the other work. Commissioner Sullivan suggested setting a September 30th completion date; the Commission considered the scope of work to be completed within that timeframe, and settled on: **All improvements, grading, infrastructure, and plantings shall be completed by September 30, 2018.** Mr. Crane was ok with that; Mr. Denno felt it's important to put the timetable on the work to ease the minds of the neighbors; he felt the proposal will be an improvement when it's done.

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Chairman Ouellette queried the audience for final comments; no one requested to speak.

MOTION: To CLOSE the Public Hearing on the Application of Crane Properties, LLC for a Special Use Permit for Site Plan Modification to regrade and stabilize the area where excess material is stored, and associated improvements at 118 Prospect Hill Road. Zone M-1, Map 112, Block 17, Lot 000PA & 2A1.

Moore moved/Sullivan seconded/DISCUSSION: None.

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

MOTION TO APPROVE, Application of Carl Crane, and owner Crane Properties, LLC, requesting a Special Use Permit for filling activities related to previous modification to Site Plan Approval per Chapter 600 and 814 of the Zoning Regulations, with associated site improvements at 118 Prospect Hill Road. M-1 Zone. (Map 112, Block 17, Lot PA-2A1). **This approval is granted subject to conformance with the referenced plans (as may be modified by the Conditions) and the following conditions:**

Referenced Plans:

- 1 of 6 Title Sheet - Revision to the Site Plan, Lot 2A1, 118 Prospect Hill Road – East Windsor CT Applicant Carl Crane; Owner – Crane Properties, LLC, Site Planner – Denno Land Surveying and Consulting, LLC, 2 Tunxis Rd, Ste #210, Tariffville, CT 06081, dated 4/24/18,
- 2 of 6 Existing conditions Plan scale 1" = 40'
- 3 of 6 Layout Plan Revision to Site Plan 2A1 scale 1" = 20'
- 4 of 6 Grading, Utility, Landscaping and Erosion Control Plan
- 5 of 6 Sedimentation and Erosion Control Details
- 6 of 6 Construction Details Plan

Conditions which must be met prior to signing of mylars:

1. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
2. The conditions of this approval shall be binding upon the applicant, land owners, and their successors and assigns. A copy of this approval motion shall be filed in the land records prior to the signing of the final plans.

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

3. Two final mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Commission. One shall be filed on the Town Land Records, and one filed with the Planning and Zoning Department.
4. An erosion and sedimentation control bond shall be posted.

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Conditions which must be met prior to certificates of compliance:

5. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.
6. Conditions as set forth in the original special use permits dated February 9, 2006 and November 2016 are hereby incorporated into this permit. Conditions within this new permit may supersede the previous conditions.

General Conditions:

7. Conditions as set forth in Ch. 816 of the East Windsor Zoning Regulations shall be adhered to.
8. A zoning permit shall be obtained prior to the start of construction or change in use of a composting/wood chipping facility. All zoning permits are valid for one year. Zoning permit renewals shall be accompanied by a current as-built and documentation showing compliance with the provisions of this regulation and the special use permit conditions.
9. 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.
10. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town engineer.
11. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
12. 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.

Additional Condition:

13. **All improvements, grading, infrastructure, and plantings shall be completed by September 30, 2018.**

Sullivan moved/Kowalski seconded/DISCUSSION: None.

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

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NEW PUBLIC HEARINGS - Recycled Concrete Products of CT and owner Herb Holden Trucking, Inc. – Application for property located at 33 Apothecaries Hall Road for renewal of existing Special Use Permit under Section 809 to fill in an area of the site to create additional area for future commercial use in association with existing volume reduction facility. [M-1 Zone; Map 57, Block 48, Lot 38].

Chairman Ouellette noted the opening of this Public Hearing has been postponed to July 10, 2018 at the request of the Applicant. No discussion will occur this evening.

NEW PUBLIC HEARINGS – Apothecaries Hall Enterprises, LLC and the East Windsor Sportsmans Club - Property located on the south side of Apothecaries Hall Road for renewal of existing Special Use Permit for earth excavation. [M-1, R-3 & A-1 zones; Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1 and Map 48, Block 65, Lot 7] (*Deadline to close hearing July 31, 2018*)

Chairman Ouellette read the description of this Public Hearing. Appearing to discuss the application was Jay Ussery, of J. R. Russo and Associates, and the Applicant, Kevin Charbonneau. Also present was Attorney Ralph Alexander.

Mr. Ussery noted this request is a renewal of a permit for a gravel operation which has been going on in East Windsor for over 50 years. The pit was formerly operated by Manchester Sand and Gravel, and was purchased by the Charbonneau in the early 90s.

Mr. Ussery reported that at the time of the last renewal there were 5 or 6 residents on Apothecaries Hall Road that complained of dust. Mr. Charbonneau implemented procedures to reduce the dust coming off the pit, including reducing the speed of the trucks internally within the pit, adding bituminous millings to the driveways within the pit, and adding a water wagon.

Mr. Ussery noted they're in the processing of installing a new driveway at Chamberlain Road to reroute some of the truck traffic off Apothecaries Hall Road. While the new driveway is not yet operational the gate has been added.

Mr. Ussery reported they had intended to complete work in 6 acres along the south side of the powerline – the intent was to grade, seed, and complete that phase but that work was delayed due to work being done to the powerline by Eversource. Eversource has now gone; Mr. Charbonneau can resume his plan to complete those 6 acres.

Mr. Ussery referenced Town Planner Whitten's memo and Town Engineer Norton's memo indicating there are continuing complaints about the dirt on

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Windsorville Road, and the dust. Mr. Ussery reiterated Mr. Charbonneau has given his cell phone number to the neighbors but has not received phone calls or complaints about those conditions. Mr. Charbonneau has hired Capitol Sweeping to sweep Windsorville Road; they're also on-call to sweep as well. Mr. Ussery noted the operation includes a 700 – 800 foot anti-tracking pad as required by the regulations. While the sweeping removes most of the dirt particles some remains which becomes mud when you add the water from the dewatering truck. Referencing Town Engineer Norton's photo which accompanied his memo Mr. Ussery reported that situation occurred between courses of paving on Windsorville Road. Mr. Ussery reiterated that Mr. Charbonneau has signed a contract with Capitol Sweeping to sweep Windsorville Road twice a week; when the gate on Apothecaries Hall Road opens they'll sweep that as well.

Mr. Ussery noted that last year the Commission approved Phase 17; that phase hasn't been opened and probably won't be until next year; the berm hasn't been put in yet. Mr. Ussery reported they're working in the northwest corner near the gate. In response to the Commission's question of the completion timeframe Mr. Ussery suggested that rather than granting a one year approval that the Commission grant an approval from the July expiration of the current permit to the Commission's last meeting in November 2018. At that time they expect that the area will be graded and seeded, the gate would be installed, and the bituminous road completed so the trucks would no longer need to use Windsorville Road – they would use Apothecaries Hall Road instead. Mr. Ussery reported the open areas haven't changed substantially from last year. Mr. Charbonneau needs to remove debris left by Eversource when they installed new poles. Mr. Ussery suggested that in hindsight they should have come in to advise the Commission of the work being done by Eversource.

Commissioner Gobin cited she's unfamiliar with the history of the current permit. She can feel for the people on Windsorville Road; she felt if the entrance moves to Apothecaries Hall Road the sightline is pretty good. She noted the steep hill on O'Melia Road. Commissioner Gobin questioned the hours of operation; she noted she sees the dirt bikes in the area and questioned the safety for the people with the dirt bikes and the trucks. Chairman Ouellette reviewed the hours of operation as being 7:30 a.m. to 5:00 p.m. Monday through Friday, no holiday or weekend work. The current permit allows no more than 90 trips/day when the second driveway is open.

Commissioner Gobin questioned if anyone has looked at directing truck traffic to use alternative routes? Chairman Ouellette recalled there had been some discussion on that in the past - separating the direction of travel out of Windsorville Road. The trucks would then be going by a number of residences on Apothecaries Hall Road, although he noted that won't be necessary when the second driveway is opened. Commissioner Gobin suggested there would be no

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net increase in the traffic on O'Melia and Apothecaries Hall Road; to funnel traffic by the gun range, Holden's site, and the fertilizer plan is more appropriate than sending them by the residences.

Commissioner Gowdy had no questions at this point.

Commissioner Zhigailo questioned that Mr. Charbonneau had not received any phone calls? Mr. Charbonneau replied he had not been called in the past year. Commissioner Zhigailo recalled Mr. Charbonneau requesting the residents to call him with concerns; she questioned how he could fix something if he didn't know it was occurring? She questioned if, in the sweeping plan, Capitol Sweeping would also be sweeping the access road? Mr. Ussery replied they would be doing the access road and Windsorville Road; they were there today. Commissioner Moore reported he took a walk through there today; the driveway looked good.

Commissioner Sullivan requested a list of the areas to be completed by November 1st. Mr. Ussery indicated Phase 1, including 4.9 acres, 1+ acre to the west, and the remainder of the work around Phase 8 will be completed in a month, then finish the gate, and finish the bituminous material on the road. Commissioner Sullivan questioned if sweeping the road twice a week is enough? Mr. Charbonneau reported on his conversation with Capitol Sweeping, who felt once a week should be sufficient. Mr. Charbonneau indicated he's asked them to sweep twice a week; they're on call if additional sweeping is needed.

Chairman Ouellette clarified the current request for a 4 month extension to give the Applicant time to complete the outstanding items, with the Commission revisiting the one year extension request at the end of that 4 month period. Discussion continued regarding adding an additional condition related the sweeping requirement.

Chairman Ouellette opened discussion to the audience.

Dick Pippin: Mr. Pippin didn't feel Mr. Charbonneau was dragging his feet; Mr. Pippin referenced his property on Deerfield Road as another example of Eversource's work. He hadn't been called to advise him they would be working in the area and they didn't clean up there either.

Regarding the trucks going down O'Melia Road, Mr. Pippin noted they go down there now and probably will continue to do so. Truckers will choose the closest route.

Regarding the dirt bikes, Mr. Pippin suggested the Police Department did an outstanding job recently working with dirt bike riders, running the plates. Mr. Pippin felt the dust will go away when they get the bikes out.

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John Maslak, 176 Windsorville Road: Mr. Maslak disagreed with Mr. Ussery; he can't recall the last time he saw a sweeper dusting the road since last Fall; the first time this year was when they were grinding the road. Capitol Sweeping was there and went up and down the road twice. Mr. Maslak indicated to Town staff and Town Engineer Norton issues with the trucks but didn't see anyone there until the road was repaved. He noted his house is 30 feet from the road; it doesn't take much for the dust and material to hit his house. His windows rattle. Mr. Maslak indicated he appreciates the sweeping; he felt condition #15 should be revised to add "driveway and roadway"; condition #23 should say "additional measures if required".

Mr. Maslak turned his attention to the load counts. He cited a condition that calls for "60 trucks/day". Town Planner Whitten clarified that she copied the wrong approval; the Commission changed the truck count last year to "60 trucks/day or a maximum of 300 trucks/week" – see condition #20. She noted the Commission increased that number to 90 trucks/day once the second entrance has been established and the berm has been installed – she read the condition for everyone. Mr. Maslak countered the count currently should be 60 trucks/day; he questioned if anyone from Town staff can confirm those numbers?

Mr. Maslak felt the manner of counting the trucks was incorrect. He noted material is brought in; we don't know what that material is and we don't know the count on those trucks. Mr. Maslak continued his disagreement with the number of trucks using the site. He felt the trucks could be directed down other roads – like Rye Street – to cut down on the traffic on Windsorville Road. Mr. Maslak continued his description of the truck traffic, and the routes taken, for some time.

Ron Stamm, 53 Apothecaries Hall Road: Mr. Stamm's complaint is the dust. He cited a ring of dust around his car in the driveway, the gutters are filled with dirt, his white house is pink from the dust, power washing the house didn't remove the dust. They have 7 phases open in the pit when the regulations say he should only have 2 phases open at a time. Mr. Stamm felt Mr. Charbonneau should close operations until he can get the pit up to par. The wind coming over the berm causes grit in his eyes. The Department of Agricultural (DOA) has a soil conservation team who help with erosion controls. Mr. Stamm is tired of breathing the dust. He feels the operation is out of control; the Town should enforce the regulations.

Discussion continued regarding the truck traffic, the load counts, what constitutes a trip – in or out or in and out – Commissioner Gowdy requested information on the load count.

Regarding the dust, Mr. Ussery reiterated the efforts made to control dust within the site; he felt conditions will improve when the second access is open. He

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reiterated Mr. Charbonneau has given the neighbors his cell phone number and asked that they call him with problems; he wants to be a good neighbor. Regarding the wind blowing the dust Mr. Ussery was unsure how that could be controlled. Commissioner Zhigailo noted she's seen the dust blow off the farmland in that area as well.

Chairman Ouellette recalled at the previous Public Hearing the Applicant had spoken of materials added to the stockpiles. Mr. Ussery suggested they put mulch on the slopes. Chairman Ouellette questioned if mulch could be added in other open areas? Mr. Ussery indicated they'll look at that but he felt continuing the bituminous road would help more. He felt closing the open areas up was the thing to do rather than closing the operation down.

John Maslak, 176 Windsorville Road: returned discussion to the truck count. He referenced condition #20, which refers to trucks going out; he felt the trucks going in should be counted as well. Mr. Maslak felt the trucks going in don't get counted. It was noted the trucks are given a load ticket.

Chairman Ouellette queried the Commission regarding the request for the 4 month extension?

The majority of the Commissioners favored the 4 month extension to give the applicant the ability to bring the site into a better level of compliance. The issues of concern are dust control, tracking mud/dirt onto Windsorville Road; additional mulch on slopes no longer active, and information on the vehicle counts.

John Maslak, 176 Windsorville Road: questioned if someone could work with the Planning Department to determine the roads/directions the trucks take when leaving the pit? He felt most trucks are going down Wapping Road and then on to Rye Street; he felt there were a lot of Hartford trucks. His point is to cut the traffic running in front of his home in half. Commissioner Thurz cited the pit has been operational for 50 or more years.

Ron Stamm, 53 Apothecaries Hall Road: reiterated his suggestion to bring in the DOA for assistance. He felt Mr. Charbonneau should be allowed to keep only the 2 phases open at a time; the problem is so many phases are open the wind carries the dust over his house. He would like to see the work completed. Mr. Stamm felt if the pit wasn't in compliance then it should be shut down. The Commission felt that was counterproductive as the problems won't be resolved.

Town Planner Whitten questioned Mr. Stamm if he ever called Mr. Charbonneau to advise him of the dust? Mr. Stamm replied negatively, noting the neighbors haven't called either; you can't fight city hall. Town Planner Whitten recalled that the Commission was adamant that the neighbors call Mr. Charbonneau when

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they're experiencing the problems; she questioned if Mr. Stamm had Mr. Charbonneau's phone number? Mr. Stamm indicated that he did; he felt this was the forum to launch complaints. Town Planner Whitten suggested the Town can't help the neighbors if they don't know the issue is happening. Mr. Stamm questioned if the Town could have his house scrubbed, or have Capitol Sweeping sweep his driveway?

Discussion continued regarding additional preventative measures. Commissioner Moore suggested planting a row of arborvitae to filter the dust; Commissioner Gobin suggested contacting the State regarding air pollution issues.

Chairman Ouellette summarized the issues of concern:

- additional information from Mr. Charbonneau regarding the number of trucks
- Additional grading work to minimize blowing sand and dust
- Additional mulching
- Capitol Sweeping contract to include new driveway
- Commission in agreement to the 4 month extension

Chairman Ouellette queried the audience and Commissioners for new information.

John Maslak, 176 Windsorville Road: felt the number of trucks using the pit should be reviewed.

Hearing no requests for further discussion Chairman Ouellette questioned if the Commission was ready to close the Public Hearing?

MOTION: To CLOSE the Public Hearing on the Application of –
Apothecaries Hall Enterprises, LLC and the East Windsor Sportsmans Club - Property located on the south side of Apothecaries Hall Road for renewal of existing Special Use Permit for earth excavation. [M-1, R-3 & A-1 zones; Map 57, Block 49, Lot 3; Map 57, Block 65, Lot 1 and Map 48, Block 65, Lot 7] :

Sullivan moved/Moore seconded/DISCUSSION: None

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

No action was taken on this application this evening.

MOTION: To TAKE A FIVE MINUTE BREAK

Sullivan moved/Moore seconded/DISCUSSION: None

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

The Commission RECESSED at 8:55 p.m. and RECONVENED at 9:02 p.m.

NEW PUBLIC HEARINGS - Proposed Text Amendment to the Zoning Regulations for Modification of Section 602.11 to allow municipal service signs for community information.

Town Planner Whitten advised the Commission the response from CRCOG came back indicating they found no conflict with surrounding municipalities.

Town Planner Whitten clarified that approval of this proposed Text Amendment will modify the existing sign regulations to allow municipal service signs in front of municipal buildings, such as the Town Hall, the schools, the Fire Departments, the libraries. The signs are to be used for informational purposes, not advertisements. Those individuals wishing to use this signage must file an application through the Planning and Zoning Commission for Site Plan Approval. Town Planner Whitten reviewed the proposed text amendment as it applies to municipal signage.

Commissioner Gobin cited concern that signs with changing messages will be a distraction for drivers; she questioned the appropriate amount of time for the message to change? Town Planner Whitten noted this Text Amendment allows the message to change every 5 seconds, which is information she acquired during a regional sign conference. Commissioner Gobin questioned if the foot candle level was consistent with DOT? Town Planner Whitten noted that .3 is actually pretty dim.

Commissioner Kowalski cited the list of municipal buildings has been specified in the Text Amendment; he suggested adding language “or any other municipal building” to cover new acquisitions.

Commissioners Thurz, Sullivan, Moore, Gowdy, and Zhigailo were also in favor of the Text Amendment. Chairman Ouellette offered minor formatting changes but indicated he couldn't support this proposal as he sees the digital signage to be a distraction. Although this has become prevalent in all 169 towns Chairman Ouellette didn't want to see this in East Windsor; he felt approving the signage for municipal buildings was cracking the doors for other requests; this will create issues.

**MOTION: To CLOSE the Public Hearing on the Application for a
Proposed Text Amendment** to the Zoning Regulations for Modification

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of Section 602.11 to allow municipal service signs for community information.

Sullivan moved/Moore seconded/DISCUSSION: None

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

MOTION TO APPROVE

1. The proposed text amendment to the Zoning regulations for modification of Section 602.11 to allow municipal service signs for community information, as amended.

Sullivan moved/Thurz seconded/DISCUSSION: None

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

REASONS FOR VOTE: Commissioner Kowalski cited he voted in favor of the Text Amendment for the municipal buildings, especially the school system and Town Hall who need to get information out to the community. Commissioner Sullivan felt the Commission needed to start somewhere. By having the municipal buildings first we can see how it works and maybe then we can pass it on to commercial users. Commissioner Thurz agreed with Commissioner Kowalski. Commissioner Moore agreed with the reasons mentioned by his fellow Commissioners. Chairman Ouellette reiterated his concern that the digital signage creates distractions, and will cause issues for the Town.

NEW BUSINESS:

Town Planner Whitten noted she'll be meeting with the Department of Economic and Community Development regarding the work related to the recent grant awarded to the Town. The grant will enable her to work on the stormwater management plan for the Warehouse Point area, which includes study of the Blue Ditch. She'll be scheduling new workshops to involve the community, write regulations to fit with the CRCOG/DOT plan and will then work this information into the Town's POCD. Town Planner Whitten also anticipates working with DOT regarding the round-about related to the Transit-Oriented-Development in Windsor Locks.

OLD BUSINESS: None.

OTHER BUSINESS: None

CORRESPONDENCE: None.

BUSINESS MEETING/(1) CEPA Intervention Information:

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1741 – June 26, 2018
MEETING MINUTES**

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No discussion this evening.

BUSINESS MEETING/(2) TOD Smart Growth Grant for Warehouse

Point:

See discussion above.

BUSINESS MEETING/(3) Zoning Compliance Issues:

Town Planner Whitten reported Zoning Enforcement Officer Tyksinski continues to work on 20 Margaret Drive; Mahoney Road has gone to review by the Hearing Officer.

BUSINESS MEETING/(4) Discussion on Aquifer Protection Regulations:

Town Planner Whitten reported ZEO Tyksinski has been taking on-line classes regarding Aquifer protection.

BUSINESS MEETING/(5) Signing of Mylars/Plans, Motions:

Documents to be signed to be identified at approval of Minutes.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 9:34 p.m.

Sullivan moved/Moore seconded/VOTE: In Favor: Unanimous

Respectfully submitted,

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