



TOWN OF THOMPSON

Planning and Zoning Commission

815 Riverside Drive
P.O. Box 899
North Grosvenordale, CT 06255
PHONE: 860-923-9475

Minutes –Planning and Zoning Commission Regular Meeting

Monday, February 22, 2021 at 7:00 PM

Zoom Meeting

Tyra Penn-Gesek is inviting you to a scheduled Zoom meeting.

Topic: PZC regular meeting

Time: Feb 22, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81310464568?pwd=VWJDZ3JFc3RHSm9BaEcxEWwSmFtUT09>

Copy the link below to share this recording with viewers:

<https://us02web.zoom.us/rec/share/EibvYaEe997Ga-oEkuksvjYlzd7TP-9Df1bpZ3g87N0bZcbavGvmKIgCXmwEo7ue.H0lhNVAmYHIqEa2H>

Passcode: w=.6Ak^Q

1. Call to Order, Roll Call and Seating of Alternates

Joseph Parodi-Brown

John Lenky

David Poplawski

Alvan Hill

Charlene Langlois

Michael Krogul

Christopher Nelson

Randy Blackmer

Christine Chatelle

Brian Santos

Seating: Alvan Hill was seated for John Rice, Dave Poplawski was seated for Missy Desrochers, Brian Santos for Robert Werge Sr.

Absent: Missy Desrochers, Robert Werge Sr., John Riced

Staff Present: Cindy Dunne, ZEO; Tyra Penn-Gesek, Planner, Amy St. Onge, First Selectman, Gloria Harvey, Recording Secretary

2. Public Hearing: None

3. Discuss Public Hearing and Possible Action: None

4. Approve minutes:

December 28, 2020 PZC Regular Meeting Minutes

John Lenky moved and Christopher Nelson seconded the motion to accept the Regular Meeting Minutes of December 28, 2020. A "Yes" vote to accept the Minutes of December 28, 2020. A "No" vote to deny approval.

Alvan Hill-Yes

Brian Santos-Abstain

Christopher Nelson-Yes

Christine Chatelle-Abstain

John Lenky-Yes

Michael Krogul-Yes

David Poplawski-Abstain

Charlene Langlois-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

January 25, 2021 PZC Regular Meeting Minutes

John Lenky moved and Brian Santos seconded the motion to approve the Regular Meeting Minutes of January 25, 2021. A "Yes" vote to approve. A "No" vote to deny approval.

Alvan Hill-Yes

Brian Santos-Yes

Christine Chatelle-Yes

John Lenky-Yes

Michael Krogul-Abstain

David Poplawski-Yes

Charlene Langlois-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes**Christopher Nelson-Abstain**

January 28, 2021 PZC Special Meeting Minutes

John Lenky moved and Dave Poplawski seconded the motion to accept the Minutes of January 28, 2021.

Discussion followed on the motion to accept the Minutes of January 28, 2021. Brian Santos commented the Minutes should be amended to delete Brian Santos as a present member because he wasn't at the meeting.

John Lenky moved and Dave Poplawski seconded the motion accept the Minutes of January 28, 2021 with the amendment to delete Brian Santos as a present member. A "Yes" vote to accept the Minutes of January 28, 2021 with amendment to delete Brian Santos as a present member. A "No" vote to deny.

Alvan Hill-Yes**John Lenky-Yes****Dave Poplawski-Yes****Brian Santos-Abstain****Charlene Langlois-Abstain****Randy Blackmer-Abstain****Joseph Parodi-Brown-Abstain****Christine Chatelle-Abstain****Michael Krogul-Abstain****Christopher Nelson-Abstain**

5. Applications:

Application PZC 21-01 – Lisa M. Audette, property owner Map 87, Block 53, Lot 8A-1, Zone RRAD, Child Care Facility Site Plan Review, located at the intersection of Robbins Road and Route 193.

Lisa Audette, property owner, said the Daycare will include a maximum of 32 Pre-School children ages 3-6 and 8 staff members. The building is a single story with a walk out basement. The ZEO confirmed Inland Wetlands approval has been received and made the following comments:

Application is applied for under the Amended Zoning Regulations

Article 4A Rural Residential Agricultural District (RRAD)

Article 4A, Section 2 Table of Permitted Uses

The following uses are permitted in the RRAD, under the level of review indicated in the table below, in accordance with the requirements in **Article 3A, Section 4:**

Use	Construction Type	Zoning Permit, Simple	Permit with Commission Site Plan Review	Special Permit	Prohibited
1. Care Services Facilities (see Article 7)	Existing		X		
	New		X		

Article 7, Definitions:

Care Services

Child Day Care Center—A non-residential facility that provides child care. The facility must have 30 square feet per child and one staff member per 10 children. For children under three, there must be one staff member per four children. Day care services must conform to all state, federal, and Fire Marshal regulations.

Site plans comply with:

- Article 3A, Section 4 Application Requirements
- B. Zoning Permit with Site Plan Review by Commission
 - Note #9 Impermeable surfaces to lot size is less than 50% as regulated for RRAD, Article 4A, C Lot Coverage
 - Note #9 Lighting is delineated on page 1 of site plans in back of parking area
 - Note #18 – Flood Zone - Area is not in the Town of Thompson Flood Zone
- Article 5B, Section 3 (**see footnote**) Erosion and Sediment Control – Page 3 of the **Application PZC 21-01** Site Plans outlines the implementation of ES&C Plans, process will be put in place prior to preparation of land for construction and will follow ZEO oversight regulations and time management for completion.
- Article 5B, Section 4 (**see footnote**) Stormwater Management and Low Impact Development is addressed in the record **“White Barn Children’s Centre, Stormwater Management Report”**
- Article 5B, Section 5 Parking Standards – application complies with the regulations, delineating 1 required Handicapped Parking Space, following the chart in Section 5, 3 - 0-20 parking spaces – 1 Handicapped Spaces
- Entered into record is Northeast District Department of Health Approval.
- Entered into record is copy of page 2, Inland Wetlands Commission Meeting Minutes, February 9, 2021, #7 IWA21002 – Liza Audette, 0 Robbins Rd.

Footnote – The following in the Amended regulations, **Article 3A, Section 4, B, 12 & 13** reads:

- 12. Erosion and sediment control plan, as identified in Article 5B, Section 3 of these regulations.
- 13. Stormwater management provisions, as identified in Article 5B, Section 4 of these regulations.

Discussion followed with questions about fencing around the daycare, use of property, protection of the children, width of the driveway, and conformity to all state, federal, and Fire Marshal regulations. The Commissioners were satisfied that Application #21-01 meet all the requirements of the new Zoning Regulations.

Brian Santos moved and Randy Blackmer seconded the motion to approve Application #21-01. A “Yes” vote to approve Application #21-01. A “No” vote to deny.

Alvan Hill-Yes

Brian Santos-Yes

John Lenky-Yes

Michael Krogul-Yes

David Poplawski-Yes

Charlene Langlois-Yes

Christopher Nelson-Yes

Christine Chatelle-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

Application PZC 21-05 - Site Plan Review – Gary Rawson, 0 Logee Rd Property Owners, Gary and Ben Rawson, Map 141, Block 17, Lot E, ZONE LD, New home construction on a Town unaccepted road, approval permitted by the Planning and Zoning Commission according to Town of Thompson Ordinance Article IV Building on Unaccepted Streets and section b. (1) and (2) gives the Planning Commission the Option of issuing written permission for the building permit.

Applicant is looking to build a single-family dwelling on .14 acres in the Lake District. All setbacks are according to the Amended zoning regulations, Lake District. Frontage is not on an accepted Road, 0 Logee Road is a private road, not maintained by the Town of Thompson. PZC can approve the ZEO to sign a building permit according to the Town Ordinance related in the above application description.

Brian Santos asked Gary Rawson to confirm that he will continue to maintain the street, chip seal it, plow, and cut brush and Gary Rawson agreed to continue to maintain the street. The Health

Department and Wetlands approval has been received. Alvan Hill questioned the engineering of the septic system and its design was clarified by Gary Rawson.

Brian Santos moved and Alvan Hill seconded the motion to approve Application 21-01. A “Yes” vote will approve Application #21-01. A “No” vote will deny.

Alvan Hill-Yes

Brian Santos-Yes

John Lenky-Yes

Michael Krogul-Yes

David Poplawski-Yes

Charlene Langlois-Yes

Christopher Nelson-Yes

Christine Chatelle-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

6. Applications received after agenda posted: Valerie Clark

“Applying for a special permit under RRAD, Article 4A, Section 2, Uses #8, Farm Based Recreational Activities (although the use request has nothing to do with attracting customers to my farm, which is private) in order to hold periodic horse events to help raise funds for the Bay State Trail Riders Association, a non-profit group dedicated to maintaining trails on public lands in our area. Events up to 10 per year, to be held any day of the year.”

ZEO and Planner discussed the intent of RRAD, Article 4A, Section 2, Uses #8, Farm Based Recreational Activities and their interpretation was that Fund Raising Events do not need a Zoning Permit, therefore Valerie Clark does not need the approval of the Planning and Zoning Commission for a site plan review.

Tyra commented that this proposal is not a business model and what was put in the Regulations for RRAD was for business operations within that district, where this Application is more like a private event and the only permit she needs is from the fire marshal for traffic flow review. In response to Randy Blackmer’s question regarding the type of event she would be hosting, Valerie Clark replied that the Bay State Trail Riders Association runs trail riding events and people park on the host property and ride horses in pairs or in small groups around the property and on the trail. She further stated that the purpose of these organized events is to raise money for the non-profit organization which they reinvest in trails for horses as well as for the public. Funding from the states of Massachusetts, Connecticut and Rhode Island this year has been suspended during Covid, which has restricted the ability of organizations like Bay State Trail Riders to use their properties for these types of events, so they are looking for private parties to host these events. She also stated that Covid protocol is being followed with natural spacing of 15 to 20 feet between horse trailers. Fund Raising Events are not pre-scheduled because the Property Owner does not know the window of opportunity available in advance of a particular date. Dates of events are determined by the following occurrences: weather, bug infestation and Thompson Speedway events.

Joseph Parodi-Brown commented that Valerie Clark has more than covered her due diligence with the Planning and Zoning Commission for this project. The Commissioners unanimously agreed with the interpretation presented by the ZEO and Planner that a Zoning Permit is not required for this type of fund- raising event.

7. Citizens Comments:
Valerie Clark asked how many applications for recreational agriculture the Commissioners have received under the new Zoning Regulations and their reply was her application is the first one.
8. Reports of Officers and Staff:
 - a. Planner's Report
Tyra reported that there are two ongoing projects. A Special Meeting on Tuesday, February 23, at 7:00 pm, to discuss the Definitions of the Sub Division Regulations. The Board of Selectmen opened the single bid for consultants to work on the Affordable Housing Plan. The Department of Housing will approve a formal request to extend that grant award through the end of the year if needed. The Board of Selectmen will formally accept the bid at their next meeting and a working group will then be established. The target date to start working on this project is late March and this target date was confirmed by Amy St. Onge, First Selectman.
 - b. ZEO MEMO
ZEO stated that she has received one Home Occupation request under the new regulations.
 - c. Town of Thompson Budget Reports February 2021
ZEO reported a meeting was held with the Finance Director on the budget last week
9. Correspondence:
 - a. Minutes: Zoning Board of Appeals – February 8, 2021
 - b. Town of Douglas Planning Board Legal Notice of Public Hearing
 - c. Town of Douglas Planning Board Legal Notice of Public Hearing
 - d. Municipal Practice Group Update
 - e. Connecticut Federation of Planning and Zoning Agencies – Award Nominations
10. Signing of Mylar: None
11. Old Business:
 - c. Brickyard Road Bonding – due to weather conditions project is not finished
 - b. 0 Plum Rd-Hal Merrick – Attorney Robert's Written Legal Proposal has not been received
 - c. Approval of amended PZC Bylaws – Article XI – Section 8
Section 8 amendment to read - The show of hands by those present shall not be allowed on a general question presented at a public hearing. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular (amendment) and add special meeting
Brian Santos moved and Randy Blackmer seconded the motion to approve the amendment to Article XI-Section 8 of the Planning and Zoning Commission Bylaws by adding "and special meeting following the wording "regular." A "Yes" vote to approve the amendment. A "No" vote to reject the amendment.

Alvan Hill-Yes	Brian Santos-Yes	John Lenky-Yes
Michael Krogul-Yes	David Poplawski-Yes	Charlene Langlois-Yes
Christopher Nelson-Yes	Christine Chatelle-Yes	Randy Blackmer-Yes
Joseph Parodi-Brown-Yes		

Amendment is passed unanimously

d. Planning and Development Webpage

New Page Design

Planning & Development

Mission Statement

We provide a friendly environment to effectively guide applicants through the zoning and subdivision processes, serving as a point of contact for economic development while preserving, protecting and improving our water resources and maintaining the best qualities of our rural environment.

Who We Are - What We Do:

Director of Planning & Development:

- Advisory Staff Member: Economic Development Commission (EDC), Mill Sites Redevelopment Advisory Committee (MSRAC), Planning & Zoning Commission (PZC)
- Point of contact for economic development inquiries
- Seek out and apply for Federal, State and private foundation grant funding
- Administer and monitor grant funded projects
- Develop and oversee long-term planning initiatives
- Oversee the implementation of the Town's Plan of Conservation and Development
- Process all requests that go before the Small Cities (Redevelopment) Commission

Zoning Enforcement Officer

- Advisory Staff Member: Planning & Zoning Commission, Zoning Board of Appeals
- Process all zoning reviews & permits
- Process and review all applications that go before the Planning and Zoning Commission
- Process and review all applications that go before the Zoning Board of Appeals
- Provide interpretation for zoning and subdivision regulations
- Carry out enforcement and implementation of policies established by the Planning & Zoning Commission, as articulated in the Zoning Regulations and the Subdivision Regulations of the Town of Thompson, as amended
- Greet and direct residents, developers and other applicants needing assistance
- Enforce the Town of Thompson Junk Vehicle Ordinance

ZEO suggested adding the duties of the Zoning Enforcement Office to the Planning Development page. Joseph Parodi-Brown commented that giving people access to information in a couple of places is always good, therefore, Tyra will add the Zoning Enforcement Officer's duties to the Planning Development page.

e. Bates Auto – Linehouse Road

The ZEO had a discussion on the use of the property with Attorney Cotnoir and discussed the following:

1. Attorney Cotnoir is now officially the administrator of the estate of Fred Bates.
2. He represents the estate only and has no financial commitment to the estate

3. He understands the Town is looking for the property to be cleaned up. p. 7 of 10
4. He has a few inquiries into what can be done on the property.
 - Clean up the current debris
 - Re-open the Business as a salvage operation.

Attorney Cotnoir understands that the estate has delinquent taxes to the Town of Thompson. Whoever takes on this project understands that all debts need to be cleared. Before investing in settling the financial and clean up issues the interested parties want to know if they can reopen the Business.

Investigation that needs to be done:

1. According to the 2012 or Amended 2020 regulations can this business be allowed to be classified as a Non-Conforming Business and allowed to continue
2. Investigate any responsibilities the estate has to the State
3. Investigate if the related State Agencies will let this business continue
4. The Business will need a State Motor Vehicle Salvage License

Any input from the PZC members is welcomed. This issue was discussed briefly at the ZBA meeting on Feb.8, 2021

The Municipal Practice Group Update information you received in your package this month under correspondence will be helpful in examining that case and coming to a decision of the future of Bates Auto.

Joseph Paodi-Brown stated the Planning and Zoning Commission will need guidance from Attorney Roberts on the future of Bates Auto, therefore, the Commissioners are not going to be able to come to any solution tonight.

Attorney Cotnoir stated this has been an ongoing operation since 1930. The principal owner has passed away and ownership of the permit is Bates Auto LLC, which has continued ownership. There are some violations from the Department of Motor Vehicles, DEP and the Town of Thompson which need to be addressed as well as a financial tax obligation to the Town. The only asset is the permit and if the permit is gone there are no assets left to clean up the property. If the permit is viable then there are a couple of entities who are interested in purchasing it with the understanding that there is a significant tax liability as well as some items that would have to be cleared up. Therefore, the question is:

- Is a new permit required?
or
- Is the current permit viable because it is in the name of the same company, Bates Auto LLC?

Attorney Cotnoir said If the current permit is viable, there is a good chance of getting assets to get this site cleaned up. If the current permit is not viable, then there are no assets to clean up the property, satisfy the tax liability and address the violations.

Joseph Parodi-Brown commented that if a new permit is found to be required, the Planning and Zoning Commission will not be able to issue a new permit based on our regulations, or if the current permit is still viable then the Commission will not be able to answer that question tonight.

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He further stated that a legal opinion from Attorney Roberts is necessary. The ZEO and Attorney Cotnoir will work together and write up a request to send to Attorney Roberts to get his legal opinion on how to proceed. The Commissioners and Attorney Cotnoir agreed to this suggestion.

f. Review of 9/15/2020 Amended Regulations

Review of the document that members received in their January 25, 2021 meeting package is lengthy and will take some time to review. In addition, since that document was created there are more suggestions for modifying, correcting errors (such as the footnote that I put in Application PZC 21-01 in this memo) and general discussion of intent in specific areas.

The ZEO recommended that a special meeting be called in March, before the monthly meeting, which is Monday, March 22, 2021. Brian Santos asked if there was any urgency in holding a special meeting and the answer was the sooner the better. Tyra commented that most of the errors were errors of omission.

12. New Business:

c. Interpretation of Amended Regulations, Article 4A, \Section 3 General Development Standards, Footnote 2

Dennis Blanchette represented his clients Mike and Karen Barch. He submitted a letter on February 3, 2021 outlining his interpretation of Article 4A, Section 3 General Development Standards, Footnote 2.

The ZEO's interpretation follows:

Article 4A, Section 3 General Development Standards

² Front setback for an accessory structure shall equal or exceed that of the primary structure.

ZEO was asked to sign a Zoning Permit for a Residential dwelling with a detached garage on 622 Fabyan Road. Detached garage is placed 40' from the front setback and primary residential structure is beyond the 40 foot setback. The accessory dwelling is in front of the primary structure.

Site Plan of said property is enclosed titled **12. New Business –a.**

ZEO did not sign the Zoning permit due her interpretation of the above General Development Standards, Footnote 2.

“Definition - Setback—An open space on the same lot with a building having those minimum distances prescribed by these regulations.”

“minimum distances prescribed by these regulations” for the Accessory Building is prescribed by the 40 foot residential structure setback, but with the Accessory Structure regulated by footnote #2 which I interpret as the Accessory Structure setback has to equal

or exceed that of the Primary Structure, regardless of the designers front setback placement for the Primary Structure.

Dennis Blanchette of J&D Civil Engineers, LLC, represented his clients Mike and Karen Barch and in his letter of February 3, 2021 explains why he disagrees with the decision of the ZEO. He commented that the regulations say that a detached garage cannot be constructed in the front of the house even though it is within the setback line. He believes this is incorrect for the following reasons:

- Setback is defined in the regulations as: “An open space on the same lot with a building having those minimum distances prescribed by these regulations.” He stated the garage is clearly within the open space defined by the prescribed setback lines and therefore meets the regulations.
- He also contends that it is not consistent with typical usage because the regulations do not define “front yard setback.”
- The ZEO’s interpretation requires all accessory buildings be on the side or behind the main structure.
- He believes aesthetically unappealing structures should be kept away from street view, however it is having unintended consequences in this case.

Due to the impasse in interpretation of the Footnote 2, Article 4A, Section 3 of the regulations, this issue is brought to the Commission for discussion of interpretation and a decision for the applicant moving forward.

Randy Blackmer, Brian Santos and Joseph Parodi-Brown agreed with the ZEO’s interpretation of the regulations and recommended it was a good cause for a ZBA waiver. Alvan Hill also agreed with the ZEO’s interpretation of Footnote 2 and believed by going to the ZBA there would be a legal hardship because the house cannot be moved forward.

b. Town of Thompson Sidewalk Project Discussion, Janet Blanchette Chair of MSRAC (Mill Site Redevelopment Advisory Committee)

- [Aerial Plans](#)
- [Complete Project Plans – See pages 23 & 24](#)

Riverside Drive sidewalk project-the corridor along Route 12. Received a grant in 2019 \$187,000, \$75,00 was for a consultant to design 7400 feet replacement sidewalks going through the downtown area of North Grosvenordale. It is ADA acceptable. Design is at 90% completion point. Hopefully work will take place this summer. The project will include nice landscaping design and these improvements will enhance appeal of this area of town. Tyra commented that it will revitalize and give the downtown core a major facelift. It will be safe and well maintained for pedestrians, strollers, etc. Northeast transit bus shelter will be erected in front of the town hall.

Brian Santos commented that this project is a great idea and looking forward to more projects like this in the future. Joseph Parodi-Brown said that this is an exciting project and hopefully it will have a snowball effect of progress and create more excitement.

Alvan Hill asked if there were any plans to put conduit for utilities under the sidewalks and Ylin, Project engineer for the sidewalk project, stated that choices had to be made to fit within the budget. Primary objective for the sidewalk project is to replace the current sidewalks to make them ADA acceptable and safe. As part of the project near the Main Street intersection a new type of safety improvement device which is a rapid flashing beacon, will improve safety in crossing the road and warn oncoming traffic to slow down.

Tyra said the grant request she sent in to do a walking school pilot for the Grosvenordale neighborhood was approved which will go into effect in the Fall of 2021 will be nicer, and create safer crosswalks for kids to get to the school.

13. Commissioners Comments:

Brian Santos asked if there is a document that lists unapproved streets in Thompson along with the actual parameters that apply to those streets. ZEO replied there is a list of unapproved streets and she will forward it to the Commissioners. The ZEO commented there is a question of ownership on unaccepted streets.

Michael Krogul asked for an update on Madison Avenue. He thought only 3 buildings were approved and there are 6-7 houses occupied. ZEO will research what was approved. Amy St. Onge, First Selectman, commented that the criteria at the December 2019 meeting was that the road would be accepted with the condition that the drainage issues would be met and it was her understanding that the drainage issues had been met and the work was supposed to be done by August. The road still isn't complete but the Board of Selectmen accepted the road because the drainage issues had been met.

14. Next Meetings:

- a. Special Meeting, February 23, 2021 Sub Division Regulations via Zoom
- b. Special Meeting March 4, Public Hearing PoCD via Zoom
- c. PZC Regular Meeting March 22, 2021 via Zoom

15. Adjournment:

John Lenky moved and Brian Santos seconded the motion to adjourn. The motion carried and the meeting adjourned at 8:55pm.

Respectfully Submitted,
Gloria Harvey, Recording Secretary