



TOWN of THOMPSON

PLANNING AND ZONING COMMISSION

Minutes—PZC Special Meeting
Thursday, June 11, 2020 at 7:00 PM
Zoom Meeting

Topic: Planning & Zoning Commission Special Meeting - Public Hearing
Time: Jun 11, 2020 07:00 PM Eastern Time (US and Canada)

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Topic: Planning & Zoning Commission Special Meeting - Public Hearing
Date: Jun 11, 2020 06:29 PM Eastern Time (US and Canada)

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1. Call to Order at 7:00 PM

Roll Call:

Joseph Parodi-Brown	Alvan Hill	Missy Desrochers
Robert Werge Sr.	John Lenky	Randy Blackmer
Charlene Langlois	Brian Santos	Christine Chatelle
John Rice		

Seated: Alvan Hill for Mike Krogul, and Brian Santos for Christopher Nelson

Absent: Michael Krugel, Christopher Nelson

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

2. Public Hearing

PZC Application #20-08 – Applicant J.& J Construction, LLC, property Owner Richard Desrochers, 484 & 486 Quaddick Town Farm Road, Map 158, Block 20, Lot 81 for a Gravel Operation Permit.

Missy recused herself from meeting.

Janet Blanchette and Daniel Blanchette of J & D Civil Engineers represented J & J Construction and gave an overview of the project. The site encompasses 2 residential lots totaling 38 acres. Property was first graveled in 1997 and another permit was issued in 2000. Most of the activity on the site ceased from 2005-2018. Mr. Desrochers started working the property in 2019 with the intention of building his retirement home. In April 2020, Mr. Desrochers was issued a Cease and Desist order from the ZEO. He hauled 4,802 cubic yards of gravel in 2020 which the town used to calculate the application fee. Mr. Desrochers is currently working on Phase 1 where he intends to build a home. Phase 2 will have another home which will be completed in the future. This site is well behind the residential houses on Quaddick Town Farm Road with the center of the site about 700 feet from the closest residence. A grading plan showed location of stockpiles, grading for the driveway, erosion sediment control and a fueling pad. Mr. Desrochers, 11 Holmes Street, added that the stockpiles were initially screened for the driveway coming into the property. The previously approved section of the site was approved to elevation 410. A grading plan for the southern half of the property showed a large stockpile of material. The quantities of gravel that have been removed are: Phase 1 10,900, and Phase 2 6,500. Janet Blanchette added that most of the gravel on this property (75%) was removed previously.

The ZEO letter of May 18, 2020 listed seven points and most of the items had to do with things Mr. Desrochers added to the plan, which J & D did complete and the ZEO acknowledged completion in her June 1, 2020 letter. The ZEO listed a couple more items that needed to be addressed including the applicant's name, lots to be added, and the description of the operation which the applicant also completed.

Janet Blanchette gave the following time schedule:

- Phase 1 – Finished by end of 2020
- Phase 2 – 2-3 years in the future

Janet Blanchette commented that they believe this project meets regulations. She also noted that Mr. Desrochers isn't just a gravel contractor on this property it is his personal land which he intends to live on and leave in a nice condition.

Questions from the Commissioners:

Brian Santos questioned the screening of stockpiles relative to Phase 1 and 2 and erosion. Mr. Desrochers replied he never had any erosion because he's contained it within the site and trees are now growing.

Robert Werge Sr. asked for ZEO's input. The ZEO commented on 8 issues:

- Amend Applicant's name to read Richard P. Desrochers DBA J & J Construction LLC, which is consistent with the Town Clerk's Certificate of Adoption of Trade Name from 2002.
- Amend Application to add Lots 8I and 8J
- Amend Application to correct description of request to read "Gravel Operation Permit in 2 Phases."
- Addressed blasting on the site stating as a permit condition, there will be no blasting on the site.
- Hours of Operation: Monday thru Friday 7:00am to 5:00pm and Saturday 7:00am to 12:00pm.
- Gravel removal figures were resolved with invoices in Application packet.
- ZEO suggested two "Truck Entering" signs be added to the Site Plan and they will be installed on Quaddick Town Farm Road.

ZEO stated that any gravel mining work done on the property since Cease and Desist has ceased. The trucking he is doing in and out is for his other job sites. The ZEO also stated she has been told by Mr. Desrochers that he is complying with hours of operation.

Charlene Langlois asked for clarification on hours of operation for working on your own property as a homeowner versus a contractor. John Rice responded hours of operation pertain only to the Gravel Mining Permit which will be a condition of the permit should it be approved.

Randy Blackmer asked the ZEO if the Inland Wetlands Commission had any report on Mr. Desrochers property. She replied that he's working the uplands view area. The ZEO deferred to George O'Neil from the Inland Wetlands Commission who stated there was a deferral for citizens comments and Marla is waiting to receive those comments to render her decision. Janet Blanchette commented in the eyes of the state there is a difference between individual wetlands permit and wetland agent approval. If there is no work in wetlands then an individual permit is not required. Agent approval is outside of the Planning and Zoning jurisdiction.

3. Citizens Comments

Jennifer Burlingame-480 Quaddick Town Farm Road-Direct abutter commented the Cease and Desist activity has decreased but has not stopped. Work is being done till 8:30 at night. Beeping noises, dust from driveway, vibration from trucks entering and leaving the site are a problem. Mr. Desrochers refusal to listen to directions, lack of respect for the neighborhood, continual removal of material and shut down per the Cease and Desist Order is also a problem. She's concerned that he is 8 feet or less from the water table. She referred to the ground water diagram which shows water recharge for the wells in the area and said if the water table in this neighborhood is compromised there will be a serious problem. Abuse has to stop. Love to see true colors of this application noticed by the

Commission with violations and wetlands noted. Also, Mr. Desrochers should be bonded per acreage and made to follow the rules.

Robert Williams, Quaddick Town Farm Road- Stated Barnes trucks were on the site on Sunday at 12:10 in the morning. He has pictures and video of Mr. Desrochers leaving the site at 8:30 at night. Other companies are working on that property too. Too many trucks are on this road, it's not safe. It's a gravel operation under the disguise of building a house. He added that Mr. Desrochers should follow the rules and go home at 5:00 pm. Nobody gets a break from the trucks and noise.

Nadine Edwards commented that if any property should be considered for a Conservation site it would be this one and Conservation should look into this. She further stated trees are gone and she's concerned about water. If rules are disregarded, what incentive does everyone have to abide by these rules. Everything needs to be done by the rules.

Nancy Reading 496 Quaddick Town Farm Rd-A direct abutter is concerned about the hours of operation, road conditions, water table, fuel pad and volume of trucks traveling on the road. It's dangerous for kids and residents. She suggested that Mr. Desrochers stay consistent with Rawson and not have Saturday hours. Also even though he has a Cease and Desist he's working out there.

Robert Mann read a portion of Permitting General Conditions Gravel Mining. He's concerned about stockpile of materials on the lot, and ongoing excavation. Mr. Desrochers property borders endangered species and according to State of Connecticut overlays it's a water shed. Mr. Desrochers also sells materials from this gravel pit.

Amy St. Onge-139 Riverside Drive speaking as a resident stated she is following this issue closely. She commented on the information Ms. Burlingame provided concerning the water table and asked the Commission to closely consider its implications. A second point she mentioned was there would be two gravel mining operations close to one another on a road that is already travelled heavily by large trucks and it's a narrow road with lots of curves which will allow more traffic for these residents. Lastly with this case there has been a high level of disrespect and disregards for rules and regulations and wasn't sure this type of behavior should be rewarded with a permit. At what point do we as a town to say regulations are in place for a reason. Therefore she would like the Commission to consider the fact that a Cease and Desist had to be issued and after that was issued work continued. This blatant disregard and disrespect should weigh on the Commission's decision.

Gail Arsenault 157 Spicer Road-Expressed concern of Mr. Desrochers operating for 12 years without a permit and that all of the revenue from the gravel that has been taken out of the site has not been realized by the Town of Thompson. She also said that if Thompson is encouraging other businesses to come in it is so the town can realize some revenue.

Further she said that if the Commission is considering granting this permit, there should be a fine imposed and restitution to the town for gravel taken out of the site without a permit.

Janet Blanchette-Addressed the Water Table concerns. She stated that there is no further excavation below the ground that will take place than what was approved in the 2002 Earth Excavation Permit filed in the Town Hall. That permit allowed the elevation to go down to 410 because at that time regulations of the town allowed excavation to within four feet of the Groundwater Table. The Groundwater Table on this site is between elevations of 405 and 406. So the proposed grading 8 feet above that should be about 413 and 414 and the plans clearly indicate they are.

Robert Werge Sr. asked Janet Blanchette if she was confident that Mr. Desrochers followed the regulations that were in place previously and she replied that he did follow the rules in the previously approved section that's already been completed. Charlene Langlois questioned the source of abutter information when Janet Blanchette is stating the regulations were followed.

Brian Santos questioned Sandpipe #1 and Janet Blanchette replied that it is located around elevation 410 and there is no proposal to go any lower.

Randy Blackmer asked Janet Blanchette confirm that Mr. Desrochers was not mining or is he just cleaning up stock piles. She replied that it's mainly stockpiles and the earth being moved is regrading. Randy Blackmer questioned the cut and Janet Blanchette answered it was a 22 foot cut. She also said the access road to the property is going to go to 20 feet in one section.

The ZEO clarified that the Cease and Desist she issued was for the gravel operation. Any activity going on has to do with him moving things around on his property or bringing materials to jobs that he's working on. The large stockpile of crushed asphalt is for his driveway. John Rice stated that the state is grinding asphalt on I395 and is giving it away to anyone who wants it for free.

Charlene Langlois commented that this Commission is Planning and Zoning and should look at this application as a permit and approve or disapprove based on the regulations. The applicant's performance is a separate issue. The ZEO commented that compliance will come after the permit and any legitimate complaint that comes in will be addressed by the Zoning Office.

Joseph Parodi-Brown entertained a motion to close the Public Hearing.

John Rice moved and Robert Werge Sr. seconded the motion to close the Public Hearing. A "Yes" vote is to close and a "No" vote is not to close.

Roll call vote:

John Lenky-Yes Robert Werge Sr.-Yes Charlene Chatelle-Yes

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

John Rice-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

Motion Carried

Joseph Parodi-Brown entertained a motion to amend the agenda.

John Rice moved and Robert Werge Sr. seconded the motion to amend the agenda to add Item 2-Discuss the Public Hearing potential action. A "Yes" vote to amend and a "No" vote to not amend.

Roll call vote:

John Lenky-Yes Robert Werge Sr.-Yes Charlene Chatelle-Yes

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

John Rice-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

Motion Carried

Item 3: Discuss Public Hearing and Potential Action

John Rice moved and Charlene Langlois seconded the motion to amend the applicant's name on Application #20-08 to Richard P Desrochers, DBA J & J Construction LLC. A "Yes" vote to amend and a "No" vote to leave as is.

Roll call vote:

John Lenky-Yes Robert Werge Sr.-Yes Charlene Chatelle-Yes

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

John Rice-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

Motion carried. Application amended according to ZEO recommendations.

John Rice moved and Alvan Hill seconded to amend the Application #20-08 to indicate it is a gravel operation in two phases. A "Yes" vote to amend and a "No" vote to leave as is.

Roll call vote:

John Lenky-Yes Robert Werge Sr.-Yes Charlene Chatelle-Yes

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

John Rice-Yes

Randy Blackmer-Yes

Joseph Parodi-Brown-Yes

Motion carried. Application amended according to ZEO recommendations.

John Rice moved and Randy Blackmer seconded the motion to amend Application #20-08 and add Lots 8 1 and 8J to the Site Plan.

Discussion on motion: Lot should be 8I and 8J.

John Rice moved and Randy Blackmer seconded the motion as amended to add Lots 8I and 8J to the Site Plan. A "Yes" vote to amend and a "No" vote to leave as is.

Roll call vote:

John Lenky-Yes	Robert Werge Sr.-Yes	Charlene Chatelle-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
John Rice-Yes	Randy Blackmer-Yes	Joseph Parodi-Brown-Yes

Motion carried. Application amended according to ZEO recommendations.

Discussion and Action on Application #20-08

ZEO commented that the truck signs are noted on the site plan and will be installed on the property.

Joseph Parodi-Brown replied to Brian Santos question stating the completion of Phase 1 is noted on the Site Plan.

John Rice moved and Alvan Hill seconded the motion to approve Application #20-08 with the condition the hours of operation according to the regulations be limited on Saturday till noon.

Discussion on the motion: Brian Santos suggested adding as a condition. approval from Wetlands. The ZEO responded that Mr. Desrochers is not doing anything in the wetland area. Joseph Parodi-Brown commented that the upland view is separate from this application.

Amy St. Onge, First Selectmen, asked if the same rules are going to be applied for Mr. Desrochers as has been applied to Rawson Materials including hours of operation on Saturdays and dust control. She stated that rules for one gravel mining operation should be the same for both gravel mining operations. The ZEO replied that these issues would be addressed in compliance. Amy St. Onge commented that in the case of Rawson Materials the public asked that there be no work on Saturdays and now they are asking again.

John Rice suggested that there be no work on Saturdays relative to the gravel mining operation and the Commissioners agreed.

John Rice moved and Alvan Hill seconded the motion as amended to further amend the previous motion to approve Application #20-08 to include conditions hours of operation Monday thru Friday 7:00am to 5:00pm and no Saturday work relative to gravel mining operation. A "Yes" vote will approve Application #20-08 with conditions and a "No" vote to not approve.

Roll call vote:

John Lenky-Yes	Robert Werge Sr.-Yes	Charlene Chatelle-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
John Rice-Yes	Randy Blackmer-Yes	Joseph Parodi-Brown-Yes

Motion carried. Application approved with conditions.

Adjourn

John Lenky moved and Alvan Hill seconded the motion to adjourn. Motion carried.

Meeting adjourned at 8:52 pm.

Respectfully Submitted,
Gloria Harvey,
Recording Secretary