



## TOWN OF THOMPSON

### Planning & Zoning Commission

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Minutes – PZC Regular Meeting  
Monday, August 23, 2021 at 7:00 PM  
Merrill Seney Community Room, Thompson Town Hall, 815 Riverside Drive, North Grosvenordale, CT 06255

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

John Lenky	Dave Poplawski	Alvan Hill
Michael Krogul	John Rice	Randy Blackmer
Joseph Parodi-Brown	Brian Santos-Joined the Meeting at 7:15 PM	

Seating: Alvan Hill was seated for Missy Desrochers, Dave Poplawski was seated for Charlene Langlois and Brian Santos was seated for Robert Werge Sr.

Absent: Missy Desrochers, Robert Werge Sr., Christopher Nelson, Charlene Langlois, Christine Chatelle,  
Staff Present: Cindy Dunne, ZEO; Tyra Penn-Gesek, Planner, Gloria Harvey, Recording Secretary

**Joseph Parodi-Brown moved and John Lenky seconded the motion to amend the agenda by moving PZC Application #21-23 to Item 4 and proceed with PZC Application #21-22 and PZC Application #21-24. A Yes vote will amend the agenda and a No vote will cause the agenda to remain the same.**

<b>Randy Blackmer-Yes</b>	<b>John Lenky-Yes</b>	<b>Michael Krogul-Yees</b>
<b>Dave Poplawski-Yes</b>	<b>Alvan Hill-Yes</b>	<b>John Rice-Yes</b>
<b>Joseph Parodi-Brown-Yes</b>		

2. Public Hearing

First application

**PZC Application #21-22** Applicant Town of Thompson Planning and Zoning Commission, 815 Riverside Drive, requesting a zone change from the Town of Thompson Amended Zoning Regulations, effective September 15, 2020, Zoning District from Rural Residential Agricultural to Downtown Mill Rehabilitation District. Purpose of change to create development potential consistency with intent of Downtown Mill Rehabilitation District.

**ZEO reported that the Commissioners Packet included the following:**

1. Application
2. Assessor's property Card
3. Map GEO outline of property
4. FIRM FLOOD INSURANCE RATE MAP PANEL 4 OF 20. Area is not in the flood zone
5. Email from property owner, Northeast Sand and Gravel, John Mercier, consenting to proposed change.
6. 200 ft abutters letter of notification
7. List of abutters
8. Notification Sign posted on Monday, August 9, 2021 – picture placed in packet
9. One Citizen Comment, Bernie Davis.

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Certified delivery receipts are entered into record

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### **Joseph Parodi-Brown read the following email from Bernie Davis into the record:**

Bernie Davis email read into the record by Joseph Parodi-Brown.

"There is a sign in front of the gravel pit operation by the old Grosvenordale Post Office that says they want a zoning change from RRAD to DMRD. Basically, it seems they want to be able to do commercial development there as vs residential. Am I understanding this correctly?

This doesn't seem appropriate to me as this land is clearly not part of the mill area in town. The closest thing of that nature is the original mill on Rt 12 near the Dollar Store. Also, the gravel pit parcel abuts the town's school properties and would be better suited for residential use. Opening it to commercial development would be a mistake in my opinion.

If I am correct in my understanding of the zoning change request perhaps you could forward my comments to the zoning Board."

Discussion followed on PZC Application #21-22. Correct map was distributed by ZEO. John Rice commented that the rezone would change lots that now have 150 ft frontage to 50' frontage. John Lenky questioned the impact on the sewer and water system. Joseph Parodi-Brown commented the purpose of PZC Application #21-22 was to correct an error in drawing the map as this property was originally intended to have 50' frontage lots. Tyra stated that this amendment allows for smaller frontage because of access to municipal water and sewer. The ZEO stated that the developer is planning on developing 25 lots.

Alan Tatterau, Buckley Hill Road, asked what is the smallest lot a house can be built on and the ZEO replied 4500 square feet. Edmond Bono questioned the impact on school system with 50' lots, and on the tax rate. Tyra what smaller lot sizes do for the schools becomes relevant when you exceed capacity of existing school. Thompson school system is well under capacity for current building. It accommodates 1000 students and currently there are 400 students in the high school. Alvan Hill addressed Mr. Bono's concern about how close houses can be and said that the Connecticut Building Code will not allow houses to be built too close. John Rice asked if adding more students would mean hiring more teachers, which would not impact the capacity of the school but would impact the tax rate on the town. Michael Krogul stated that the sewer plant is now running at 33% capacity therefore would have minimal impact on the town. Ray Haclous, 194 Pompeo Road commented on issues with the fire department as well as the school system. Dave Poplawski stated that the infrastructure would have to support smaller lots.

### **Joseph Parodi-Brown moved and John Rice seconded the motion to close the Public Hearing.**

**A Yes vote will close the Public Hearing and a No vote will keep the Public Hearing open.**

**Alvan Hill-Yes**

**Brian Santos-Yes**

**John Rice-Yes**

**Dave Poplawski-Yes**

**Michael Krogul-Yes**

**John Lenky-Yes**

**Randy Blackmer-Yes**

**Joseph Parodi-Brown-Yes**

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**PZC Application #21-24** Applicant Strategic Commercial Realty, Inc. DBA Rawson Materials, 0 West Thompson Road, Map 65, Block 101, Lots 9 and 9A, owners Christine, Eric and Warren Waldron requesting a zone change from RRAD to BDD.

ZEO reported that under the Amended Regulations, 9/15/20 the area was Zoned RRAD (Rural Residential Agricultural District) and the zone change request, BDD (Business Development District), abuts the newly created Business Development District on Reardon Road.

1. Letter from applicant of justification of Zone Change
2. Letter of correction on application from Applicant stating the correct present Zone is RRAD.
3. Property Card
4. GEO Map delineating area for Zone change and present BDD Zone abutting 0 West Thompson Rd
5. Colored Map reviewed at meeting
6. Sign was posted in a timely manner. Picture placed in record.
7. Certified abutter's letter receipts are in placed in the record

David Held, Provost & Rovero and Madilyn Smith, Attorney represented the applicant. David Held stated that all abutters were notified, and certified receipts were filed with the ZEO. He further stated that the applicant is proposing a zoning change of 2 parcels of land, Lots 9 and 9A along the French River, which contain approximately 40-50 acres between 2 parcels. He also said that the property to the north takes advantage of railroad frontage and is desirable for commercial industrial development in the future. Long term plan to develop this property into a commercial business park.

Dave Poplawski and Michael Krogul asked where the frontage is on West Thompson Road and sewer access. Brian Santos and John Rice would like to see a plan for proposed change. Brian Santos commented that he sees growth opportunities with PZC Application #21-23 and would like to see it developed.

**Joseph Parodi-Brown read a letter from Jeffrey and Shelley Briggs into the record:**

"We are writing in reference to the zone change application for Map 65, Block 101, Lots 9 and 9A from RRAD to BDD zone which is in front of you at tonight's meeting.

Our property, 30 West Thompson Road in Thompson CT, directly abuts lot 9 and 9A. My husband and I were recently granted a special permit by the Planning and Zoning Commission for the use of "Wedding Venue" located at the address listed above.

We are unable to attend the meeting tonight due to business travel, however we have a few concerns with the respect to the proximity of activity/operations to our upcoming Wedding Venue business and how the potential impact of these activities/operations to our upcoming Wedding Venue business and how the potential impact of these activities/operations will have on the future of our business and home moving forward.

Since our business as a "Wedding Venue", it relies on the aesthetic landscape of our property and surrounding scenery/view, as well as noise control.

We understand that tonight's meeting is about a zone change of use, and ultimately a permit will be required to start to mine gravel. We recently went through the same process with the Planning & Zoning

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Commission and incorporated our neighbors concerns along with the Planning & Zoning Boards to achieve a consensus that was reflected in the terms of our special permit.

We would like the same opportunity to acknowledge our concerns and address them through the process. With that being said, we would like to go on record as to our initial concerns at this point as follows:

- Noise generated from potential mining activities
- Processing of gravel (which can be very loud) on a Saturday during a wedding
- The potential of an access road out to West Thompson Road, with if used commercial with heavy truck traffic, will generate excessive dust, noise, smells as well as the damage to the natural aesthetic of the area

Our goal is to preserve the natural beauty of our property for generations to come, and to work in conjunction with our neighbors and neighbor businesses to have a mutually agreeable understanding that works for all parties concerned.

We thank the commission for your continued support as well as noting our concerns tonight, but helping to advocate for the success of Thompson in the future."

Robin Paquette, 36 Terrace Drive, expressed concern regarding the continuous truck travel over West Thompson Road. Randy Blackmer addressed the issue of trucks traveling on West Thompson Road and stated that they could be coming from another area other than this particular area addressed tonight. She also asked about the development plan for Lots 9 and 9A and potential for new jobs in the town.

Stan Berube, 21 Rachel Drive, commented on truck travel and the revenue generated from gravel mining.

David Held stated that PZC Application #21-24 is taking an undevelopable property and turning it into a developable property.

**John Rice moved and Randy Blackmer to close the Public Hearing for Application #21-24. A Yes vote will close the Public Hearing and a No vote will keep the Public Hearing open.**

**Randy Blackmer-Yes**

**Dave Poplawski-Yes**

**Brian Santos-Yes**

**The Public Hearing is closed.**

**John Lenky-Yes**

**John Rice-Yes**

**Joseph Parodi-Brown-Yes**

**Michael Krogul-No**

**Alvan Hill-Yes**

3. Discuss Public Hearing and Possible Action -

**PZC Application #21-22** Applicant Town of Thompson Planning and Zoning Commission, 815 Riverside Drive, requesting a zone change from the Town of Thompson Amended Zoning Regulations, effective September 15, 2020, Zoning District from Rural Residential Agricultural to Downtown Mill Rehabilitation District. Purpose of change to create development potential consistency with intent of Downtown Mill Rehabilitation District.

Certified delivery receipts are entered into record

**Randy Blackmer moved and Alvan Hill seconded the motion to approve PZC Application #21-22 Zone change. A Yes vote will approve PZC Application #21-22 and a No vote will deny.**

<b>Randy Blackmer-Yes</b>	<b>John Lenky-Abstain</b>	<b>Michael Krogul-No</b>
<b>Dave Poplawski-Yes</b>	<b>John Rice-No</b>	<b>Brian Santos-Yes</b>
<b>Alvan Hill-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

**PZC Application #21-22 is accepted.**

**PZC Application #21-24** Applicant Strategic Commercial Realty, Inc. DBA Rawson Materials, 0 West Thompson Road, Map 65, Block 101, Lots 9 and 9A, owners Christine, Eric and Warren Waldron requesting a zone change from RRAD to BDD.

**John Rice moved and David Poplawski seconded the motion to approve PZC Application #21-24.**

**Discussion on PZC Application #21-24:** Randy Blackmer commented that it is to the town's advantage to have one industrial park in one location, and it is a prime location with railroad access.

**Seeing no further discussion, a Yes vote will approve PZC Application #21-24 and a No vote will deny the zoning change.**

<b>Alvan Hill-Yes</b>	<b>Brian Santos-No</b>	<b>John Rice-Yes</b>
<b>Dave Poplawski-Yes</b>	<b>Michael Krogul-Yes</b>	<b>John Lenky-Yes</b>
<b>Randy Blackmer-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

**The Zone change is approved.**

**PZC Application #21-23** Applicant Town of Thompson Planning and Zoning Commission, 815 Riverside Drive, Amendments to the Town of Thompson Amended (effective date June 21, 2021) Zoning Regulations.

The following are the amendments with Attorney Roberts comments:

**Proposed Amendments to Thompson Zoning Regulations**

The suggested amendments below are presented in the order they would occur in the current edition of the Zoning Regulations. **Article, Section Number and Title are shown in red.** Amendments to the existing text are highlighted. Suggested deletions are shown ~~struck through~~. **Brand new material is indicated in boldface.**

**Article 2, Section 10 Non-Conforming Buildings, Uses and Lots**

4. A non-conforming use may be continued, changed to a conforming use or changed to another non-conforming use that is more conforming. A non-conforming use may be extended and/or expanded, provided that such extension or expansion shall not exceed 25% of the total existing ~~square footage~~ **footprint** of the non-conforming use and shall not exceed 25% of the remaining lot.

**Article 3A, Section 4 Application Requirements**

**For Applications** for permits described in **Article 3A, Section 2, B** the applicant shall provide evidence of approval by all appropriate agencies, **then file the application with** ~~will be completed by~~ the Building Office. Applications for permits for any other activity described in the table of uses **for the respective zoning district**, including simple zoning permits, zoning permits requiring a review by the Commission, or special permits, shall be filed with the ZEO by the applicant or the applicant's agent on a form provided by the ZEO.

**Article 3C, Section 7 Public Hearing Requirements for Special Permits**

- D. If the applicant demonstrates to the satisfaction of the Commission that the application conforms to the requirements of these Regulations, then the Commission shall approve it. The purpose of the public hearing is to determine what additional conditions may be appropriate for inclusion, based on the concerns of the public and/or the Commission.**

**Article 4, Section 4 General Provisions for All Districts**

- 1. Accessory Dwelling Units (ADUs)**
  - A. No more than two Accessory Dwelling Units shall be permitted on any single lot or parcel.**
  - B. The ADU shall be subordinate in size to the primary dwelling**
  - C. The ADU shall incorporate space for sleeping, cooking/eating and sanitation and shall have a private entrance.**
  - D. An ADU may share a septic system and electrical service with the primary dwelling or it may have separate septic and electrical service.**
  - E. An ADU is subject to all applicable NDDH standards for private wells and septic, where public water and sewage facilities are not available.**
  - F. An ADU is subject to all setback requirements for the district in which it is situated.**
- 2. Interior Lots**
  - A. In the interest of preserving wildlife corridors, no more than one interior lot (flag lot) may be stacked behind any single front lot.**
  - B. An interior lot shall have an unobstructed right of access to a public road that is at least 50 feet in width.**
  - C. The lot line from which the right of access leads shall be considered the frontage line of the interior lot.**

**Commented [RPR1]:** I'm not sure what this new provision adds, other than possibly explaining why a public hearing would be held. It essentially restates the legal requirement that the Commission has to approve an application if it finds that it satisfies the regulations. It may give applicants a false basis on which to appeal a denial.

Response: It does restate the legal requirement, but the thinking is that the public doesn't know that. The expectations of the public for the hearing process are therefore messed up. People think if they object strenuously enough, it will derail an otherwise legal application.

**Commented [RPR2R1]:** OK got it

**Commented [RPR3]:** Is this meant to address the new legal requirements from PA 21-29?

Response: yes and no. We had already included provisions for ADUs in the Sept 2020 rewrite, but items B-F actually appeared in the definitions, rather than in the body of the regulations. This is the more appropriate way to include the info, especially now that people may actually be looking for it, based on the legislation

**Commented [RPR4R3]:** OK thanks. Since the new legislation is rather broad, the PZC may want to step back and confirm that it is comfortable with the provisions contained in the legislation so that it can either amend the regulations and/or opt out, or have the new legislation supersede the regulations.

**Commented [RPR5]:** Does the access have to be 50' wide or the public road has to be 50' wide?

Response: for clarity, I will suggest amending to "The right of access from an interior lot to a vehicular right-of-way shall be at least 50 feet in width, and shall be unobstructed."

**Commented [RPR6R5]:** OK

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- D. An interior lot shall otherwise conform to all dimensional requirements for the district in which it is located.
- E. For the purposes of these regulations, where five or fewer lots are arranged along a shared driveway, they shall not be considered interior lots.

#### 4. Fences

- A. A fence or structure over seven feet in height shall meet building setbacks for the sides, rear and front boundaries.
- B. Fence setback from a Town road shall be determined by the Director of Public Works. Placement of the fence shall not obstruct sight-lines for any driveway, road or other right of way.

#### 5. Household Domestic Fowl

The keeping of household domestic fowl is permitted in all districts, with the following limitations:

- A. Setbacks shall be as for an accessory structure to the primary building greater than 200 sq. feet, regardless of the dimensions of any coop or other structure to house the domestic fowl. B. No more than 10 domestic fowl of any combination of species or breeds shall be permitted.
- C. Roosters are not permitted in the CRD, DMRD, or any section of the TCDD where the minimum lot size is 4,500 sq. ft
- D. Where the keeping of more than 10 birds is proposed, the applicant shall be subject to the provisions described in Article 4A, Section 4, D, Livestock. ZEO reduced the lot size in the Lake District.

### SUGGESTED AMENDMENT TO DIMENSIONAL REQUIREMENTS – ALL DISTRICTS

#### A. Frontage and Setback Requirements:

Use	Frontage	Front
Accessory Structures to the Primary Building (greater than 200 sq. ft. footprint)	n/a	<sup>2</sup>
Sheds and other structures less than or equal to 200 sq. ft. footprint		
As written-No vote	n/a	<sup>2</sup>

<sup>2</sup> When the application is for new construction of the primary structure, the setback for an accessory structure shall equal or exceed that of the primary structure. Where there is an existing primary structure that predates the adoption of these Regulations, the Commission may waive the front setback requirement based on the physical characteristics of the site.

Amend Middle- Joseph Parodi-Brown, Randy Blackmer, John Rice and Dave Poplawski voted Yes

### SUGGESTED AMENDMENT TO DIMENSIONAL REQUIREMENTS – CRD, DMRD, LD

#### A. Existing Non-Conforming Lots (as defined in Article 2, Section 10, B)

##### Most restrictive-No Vote

RRAD, TCVD, BDD, TCDD, DMRD

Amend "Agriculture" by breaking into 2 categories:

Agriculture, non-livestock – simple permit in all the above named districts

Agriculture, livestock – permit with commission site plan review in all the above named districts

In TCVD, BDD, TCDD, DMRD, refer to Article 4A, Section A for rules regarding livestock

TCVD, BDD, TCDD, DMRD

**Commented [RPR7]:** This may be problematic as a waiver that has no objective standards.

Response: This was our best compromise at this time, to an item that has been a little bit pesky since the Sept 2020 rewrite.

**Commented [RPR8R7]:** OK. Given that as the context, you may want to add a couple of "such as" examples of the physical characteristics that may be considered just so that it doesn't appear to be an entirely arbitrary provision.

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Amend the cell for Food and Beverage service Establishments so that the language is the same for all, as follows: **Food and Beverage Service Establishments, Including Outdoor Seating**

### **BDD, TCDD**

**Add “Storage Rental Facilities” to the same cell as “Wholesale and Distribution Facilities” (level of review is zoning permit with Site Plan Review by Commission)**

**Remove Footnote: Brian Santos, Alvan Hill and Michael Krogul voted to leave as proposed**

### **Article 4 A, Section 4 Agriculture**

- ~~D. Definitions of livestock shall not include animals kept as household pets. A household pet is a companion animal that resides with the owner in the dwelling unit.~~
- ~~E. **Fertilizer and Manure Management**—Livestock owners must comply with generally accepted agricultural practices through the Right to Farm Law (CGS Chapter 368m, Sections 19a-341 & 341a); prevailing CT Department of Energy and Environmental Protection water pollution control statutes (CGS Chapter 446k, Sections 22a-430); and the State of Connecticut Public Health Codes.~~
- ~~F. Slaughtering and/or butchering of animals is prohibited except for animals raised on the property for personal consumption and poultry (e.g., chickens, turkeys, ducks, etc.) raised on the property, slaughtered and processed according to the **USDA Producer/Grower 1000 Limit Exemption**. Ref: [https://www.fsis.usda.gov/wps/wcm/connect/0c410cbe-9f0c-4981-86a3-a0e3e3229959/Poultry\\_Slaughter\\_Exemption\\_0406.pdf?MOD=AJPERES](https://www.fsis.usda.gov/wps/wcm/connect/0c410cbe-9f0c-4981-86a3-a0e3e3229959/Poultry_Slaughter_Exemption_0406.pdf?MOD=AJPERES)~~

**Replace with:**

#### **D. Livestock**

1. Definitions of livestock shall not include animals kept as household pets. A household pet is a companion animal that resides with the owner in the dwelling unit.
2. Fertilizer and Manure Management—Livestock owners must comply with generally accepted agricultural practices through the Right to Farm Law (CGS Chapter 368m, Sections 19a-341 & 341a); prevailing CT Department of Energy and Environmental Protection water pollution control statutes (CGS Chapter 446k, Sections 22a-430); and the State of Connecticut Public Health Codes.
3. Slaughtering and/or butchering of animals is prohibited except for animals raised on the property for personal consumption and poultry (e.g., chickens, turkeys, ducks, etc.) raised on the property, slaughtered and processed according to the USDA Producer/Grower 1000 Limit Exemption. (Ref: [https://www.fsis.usda.gov/wps/wcm/connect/0c410cbe-9f0c-4981-86a3-a0e3e3229959/Poultry\\_Slaughter\\_Exemption\\_0406.pdf?MOD=AJPERES](https://www.fsis.usda.gov/wps/wcm/connect/0c410cbe-9f0c-4981-86a3-a0e3e3229959/Poultry_Slaughter_Exemption_0406.pdf?MOD=AJPERES))
4. **Site Plan Review Standards for Livestock Agriculture - Site Suitability and Impact**  
**In order to minimize potential adverse impacts, in addition to the requirements of Article 3A, Section 4 B, the site plan of an application for livestock agriculture shall include the following:**
  - a. **Location of all proposed animal shelters, paddocks, pastures and pens, including fences.**
  - b. **Type of animals to be kept**
  - c. **A narrative describing the total acreage of the site where animals are to be kept, the general nature and scope of the proposed use, and the provisions for storage of feed, grain, hay, animal excrement and any associated wastewaters.**
  - d. **Sites with slopes dominantly greater than 15% shall be avoided or improved utilizing generally accepted agricultural practices to avoid excessive surface water runoff, soil erosion or hazardous conditions for keeping animals.**



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- e. Animal confinement areas shall not be located directly over land containing an on-site subsurface sewage disposal system.
- f. Proper drainage shall be provided to avoid ponding of water. Clean water shall be diverted from animal confinement areas. Contaminated stormwater runoff shall be collected or treated to minimize impact on surface or subsurface water supplies, and runoff shall not be directed to neighboring properties.
- g. All livestock shall be kept in such a manner that shall not cause vermin or insects.
- h. Livestock shall always be suitably and adequately confined or controlled.
- i. Requirements of public health codes shall be followed.
- j. Fencing for livestock shall be installed so that no part of the animal can reach over the property boundary line and of a nature to ensure the livestock safely stay within the fenced area.

ZEO Questioned if an applicant has only one animal, do they need a Site Plan Review? Joseph Parodi-Brown replied that there are levels of review and depending on which level the ZEO is authorized to issue a Permit.

### Article 5A, Section 2 Trailers, Storage Pods and Mobile Homes

#### B. General Guidelines

8. Rental temporary storage units (e.g. storage “pods”) are permitted in all districts, with the following limitations:

- a. Only one temporary storage unit is permitted on any single lot. **Added “up to the volume of 2690 cubic feet”**
- b. Where there is an active building permit open on a property, the temporary storage unit may remain in place for the duration of the construction.

Where there is not an active building permit open on a property, the temporary storage unit may remain in place for up to 90 days. **Added: Longer than 90 days a Zoning Permit will be needed for accessory structure.**

- d. Where a temporary storage unit exceeds the allowable time limits on a property, the ZEO shall refer the property to the Assessor for possible taxation as personal property.

### NEW SUGGESTED ADDITIONS TO THE ZONING REGULATIONS, BASED ON RECENT LEGISLATIVE CHANGES:

#### Article 5A, Section 7 ~~Alcoholic Beverages~~ **Retail Alcohol and Adult-Use Cannabis**

##### A. Intent

The purpose of these regulations is to provide appropriate guidelines for the development and operation of businesses selling retail liquor products **and/or adult-use (non-medical) cannabis products** while minimizing any harmful secondary effects of such businesses.

##### ~~B. General Guidelines~~ **Retail Alcohol**

1. Alcoholic Liquor, Alcoholic Beverages, Restaurant and Restaurant Permit shall be defined according to Chapter 545 of the Connecticut Liquor Control Act.
2. Except as provided in **Article 5A, Section 7, B, 7-10** (below), no building or premises shall hereafter be used and no building shall be erected or altered that is arranged, intended or designed to be used for the retail sale ~~or consumption~~ of alcohol, spirits, wines, beer or alcoholic liquor or any other beverage requiring a permit under the State Liquor Control Act of the State of Connecticut, CGS 545 if the entrance of said building or premises is within 1,500 feet from

**Commented [RPR9]:** Do you want to establish a size limit so that you don't end up with overseas shipping containers or 53' trailers in the yard?

Response: The PZC may consider adding a size limit.

**Commented [RPR10R9]:** OK good

**Commented [RPR11]:** That may only be relevant on October 1 of any given year?

Response: That is how I understand it as well, but it still creates a mechanism for enforcement without being too draconian. Open to other suggestions, though.

**Commented [RPR12R11]:** An additional option would be to say that the ZEO may require the property owner to apply for whatever permit would be required to keep the unit there longer than 90 days, be it a zoning permit for an accessory structure, etc.?

**Commented [RPR13]:** Check this cross-reference – some of the subsections were deleted?

Response: Good catch. Looks like the citation should be Article 5A, Section 7, B, 6; but, I'll double check before the final draft is adopted.

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3. the entrance of another building or premises in which alcoholic liquor is sold or dispensed under a permit previously issued under the Liquor Control Act of the State of Connecticut.
4. When such proposed outlet and other outlets are located along the same street, such distance shall be measured along the center line of such street from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.
5. When such proposed outlet and other outlets are on intersecting streets, such distance shall be measured along a line running from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.
6. When such proposed outlet and other outlets are located other than as described in **Article 5A, Section 7, B, 2** above, such distance shall be measured along a line running from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.
7. ~~In addition, no new liquor outlet shall be permitted, from the nearest point of the building selling or serving liquor on any lot that is within 1,000 feet from any lot on that is located public or private schools, recognized public places of worship, public hospitals or libraries. In determining compliance with this provision, the controlling distance shall be the shortest distance between the door of the proposed outlet and those lot lines of the affected facility.~~
8. ~~The restrictions of Article 5A, Section 7, B, 6 (above) shall not apply to retail sales authorized by said Liquor Control Act under grocery store beer permits; special club permit for picnics; and temporary permits for outings, picnics, social gatherings or restaurants as defined in Chapter 545 of the Connecticut Liquor Control Act.~~
6. Any such use presently existing contrary to the provisions of this section may be continued; however, if any such use contrary to the provisions of this section has been or shall be abandoned as defined elsewhere in these regulations, it shall not thereafter be reestablished.
7. ~~The 1,500 foot distance requirement between liquor outlets as set forth in Article 5A, Section 7, B, 2 (above) shall not apply to a package store liquor outlet located in a shopping center, provided that such shopping center shall contain not less than 75,000 square feet of floor space, and further provided that each such shopping center shall be limited to not more than one package store liquor outlet. A package store liquor outlet shall be defined as set forth in Section 30-20 of the State Liquor Control Act and shall be limited to the retail sale of alcoholic liquor for off premises consumption. The 1,000 foot distance requirements from public or private schools, recognized places of worship, public hospital, or libraries as set forth in Article 5A, Section 7, B, 2 (above) shall be fully applicable to such package store liquor outlets in shopping centers.~~
7. The Commission may require the screening of the uses permitted herein from adjacent residential, institutional, religious or public uses and may prohibit access to a public thoroughfare containing such protected uses where a safer means of access is available.

### C. Adult-Use Cannabis

1. Cannabis, Cannabis Products, Cannabis Paraphernalia and Cannabis Establishment shall be defined according to Public Act 21-1 (June Special Session), §§ 1 & 141-142 —DEFINITIONS .
2. The number of cannabis establishments permitted in the Town shall be as determined based on population by the Connecticut Department of Consumer Protection (DCP).
3. No non-medical cannabis facility or micro-cultivator shall be permitted within 1,000 feet from any public or private school or libraries. In determining compliance with this provision, the controlling distance shall be the shortest distance between the door of the proposed outlet and those lot lines of the affected facility. Michael Krogul added daycare centers.
4. Adult-use cannabis establishments or micro-cultivators shall be allowed by Special Permit in the BDD, TCDD and DMRD. Micro-Cultivators that do not engage in direct retail sales or home deliveries shall be allowed by Special Permit in the RRAD.

**Commented [RPR14]:** I.I saw the comment/question in the side notes. Here is one suggestion for an alternative to strict distance standards: In acting upon an application for a special permit under this Article, the Commission shall consider the following in addition to the standards of Article VIII of these Regulations:

- a. The proximity of the establishment to schools, churches/synagogues, residential neighborhoods and charitable institutions supported by public or private funds such that, in the judgment of the Commission, the trade associated with the establishment does not disrupt the quiet pursuit of education and religion.
- b. The proximity of the establishment to another alcoholic beverage establishment such that, in the judgment of the Commission, there not be created a cluster or undue concentration of establishments where the sale or consumption of alcoholic beverages may be perceived as a dominant characteristic of the neighborhood or area.

Response: All of your comments will be presented to the PZC at the public hearing. Having said that, the suggested language above seems awfully subjective. In discussion, the Commissioners seemed pretty comfortable with eliminating the separation distances for alcohol, only keeping separations from schools and libraries for retail.

**Commented [RPR15R14]:** OK. In practice (that language is from Wethersfield where I am on the PZC) we have never used that provision to deny an application but it does spur a discussion about how much is too much of that type of use in a particular area.

**Commented [RPR16]:** Micro-cultivators is already included in the definition of "cannabis establishment". Do you mean to regulate retainers? Manufacturers? It's confusing....

Response: will strike "micro-cultivators" as redundant, since the term is included in the broader definition.

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5. As a condition of a special permit for an adult-use cannabis establishment or micro-cultivator, the Commission may require the screening of the uses permitted herein from adjacent residential, institutional, religious or public uses and may prohibit access to a public thoroughfare containing such protected uses where a safer means of access is available. The Commission may also set conditions regarding parking or traffic control methods.
6. Public smoking or vaping of cannabis products is prohibited at food and beverage establishments, including outdoor seating areas.

Add Adult-Use Cannabis & Micro-Cultivators to the District tables of uses described above

John Rice questioned the distance from the school. Dave Poplawski commented on the Mill District being close to the Library.

### Article 5A, Section 8 Food and Beverage Service Establishments – Outdoor Dining

In Districts where outdoor seating for food and beverage service establishments is an allowable use (TCVD, BDD, TCDD, DMRD), the following standards apply:

- A. Any outdoor seating area shall be clearly defined by some physical partition, including, but not limited to: permanent enclosure such as fencing or knee walls; or temporary/seasonal enclosure by means of planters or other movable barriers.
- B. The outdoor dining seating area shall be no greater than fifty (50%) percent of the interior seating, inclusive of thirty (30%) percent of any bar seating.
- C. Any signage or advertising shall be table-top only.
- D. Any lighting of outdoor seating areas shall be configured so that all fixtures are downcast and illumination is contained entirely within the seating area. The height of any fixtures shall be not greater than seven feet. Lighting shall not be permitted that creates glare for adjoining residential properties or vehicular travel rights-of-way. Michael Krogul questioned 7' ceilings.
- E. Where outdoor amplified sound is proposed for an outdoor seating area (e.g. live or recorded music performance), such amplified sound shall only take place between the hours of 11 am – 10 pm. In areas where residential properties directly abut the food and service establishment, hours shall be limited to between 11 a.m. – 9:30 p.m. All amplification devices (speakers, etc.) shall be directed to contain the sound within the outdoor seating area, to the greatest extent possible.
- F. Where outdoor seating is proposed in an area normally reserved for parking spaces, the following additional standards apply:
  1. For a parking area under the same ownership as the food and beverage service establishment, any amount of the parking area may be used, with the exception of required handicapped parking spaces, bicycle parking, EV charging stations or spaces otherwise reserved for specific uses (e.g. deeded parking spaces for rental units or offices in a multi-use development).
  2. For a parking area not under the same ownership as the food and beverage establishment, a signed, notarized letter from the owner of the parking area expressly giving permission for the use of the area for outdoor seating shall accompany the application. A private owner may impose stricter conditions upon the use of the parking area than those stipulated in these Regulations.
  3. For a municipally owned parking area, the applicant shall seek permission from the Town of Thompson Board of Selectmen, at a regular meeting of that Board. A record of the granting of such permission, in the form of a copy of the relevant meeting minutes, shall accompany the application.

**Commented [RPR17]:** Is this defined somewhere in the regulations?

Response: It will be after these amendments are adopted!

**Commented [RPR18]:** Is this intended to provide regulations for the currently allowed outdoor dining under SA 21-3? Or under the future outdoor dining statute that will take effect April 1, 2022?

Response: It is intended to allow for outdoor seating in general in response to legislative changes, but not particularly responsive to the interim legislation vs. the 2022 statute. It's just a set of regulations that seemed to satisfy our needs.

Does that mean there is a foreseeable problem with this language, after April 2022?

**Commented [RPR19R18]:** That is worth looking at – outdoor dining under the new statute (post April 2022) provides that it's an as of right accessory use to "food establishments"

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4. Where an outdoor seating area is proposed in direct proximity to a public sidewalk or other pedestrian right-of-way, the outdoor seating area shall not obstruct the use of such right-of-way; nor shall the outdoor seating area compromise the physical accessibility standards of the Americans with Disabilities Act.
- G. For a Food and Beverage Service Establishment which only operates seasonally (e.g. ice cream shop), the limitations described in Article 5A, Section 8, B shall be waived.

### New suggested Special Provision in response to public inquiry:

#### Article 5A, Section 9 Shooting Ranges- Tabled to September 27, 2021 PZC Regular Meeting

##### A. Intent

The regulations for the location and operation of shooting ranges are intended to create clear standards by which these uses may be pursued by landowners in Thompson, while also establishing standards to prevent physical harm that might inadvertently result from such use.

##### B. General Provisions

1. In Districts where shooting ranges are an allowable use, a special permit shall be required as outlined in Article 3A, Section 4, C and Article 3C.
2. In addition to the requirements described in Article 3A, Section 4, C and Article 3C, a special permit application for a shooting range shall show:
  - a. The location of the backdrop and any additional bullet containment device.
  - b. The configuration of any bullet containment device.
  - c. A narrative describing the planned measures for the management of lead on the site.
3. The minimum lot size for any property upon which an outdoor shooting range is proposed shall be 10 acres
4. A shooting range shall follow guidance as outlined in CGS Chapter 92 Section 7-32k, as amended; and CGS Chapter 442 Section 22a-74a, as amended.
5. Any owner of real property upon which a shooting range is approved shall enter the location of such property on a list maintained by the Town Clerk, which shall include the name of the owner, the address of the subject property, the corresponding map, block and lot number, and the owner's signature and date of entry.
6. In addition to the general provisions for entry with the Town Clerk, the owner of the private shooting range shall provide their respective gun licensing, a list of firearms registered, shall be responsible for visitors, and shall have copies of the licenses of visitors available upon request.
7. The owner of a shooting range shall not allow the accumulation of lead (e.g. spent ammunition rounds) in the soils and water of Thompson. To avoid such accumulation, the operator of any shooting range shall follow the guidelines described in the [EPA publication Best Management Practices for Lead at Outdoor Shooting Ranges](#). The owner of any shooting range shall agree to permit the Town or other appropriate entities to conduct inspections of the site, in order to ascertain that spent ammunition is regularly cleared from the site.
8. There shall be no use of exploding targets or tannerite on any shooting range in the Town of Thompson.
9. A special permit for a shooting range shall not be granted to any person convicted of any felony offense.

##### C. Private Shooting Ranges

1. For the purposes of these Regulations, a private shooting range shall be one that is located outdoors on a privately owned parcel, and which is operated solely for the personal use of the property owner. A private shooting range shall not operate as a business. Provisions for shooting ranges operating as businesses are described below in Article 5A, Section 9, D.
2. Private shooting ranges are only allowed in the Rural Residential Agricultural District.
3. A private shooting range shall not be located closer than 1,250 feet from the boundary line of any adjacent property or public right-of-way.

**Commented [RPR20]:** Entry?

Response: follows the language construction of item #5, above; but, if there is better wording, I'll take it!

**Commented [RPR21R20]:** Nope, it's just odd

**Commented [RPR22]:** This may be overreaching.

Response: I find that surprising. Regardless, I'll go out on a limb and say that the PZC may be willing to take their chances on this one. It certainly seems like a reasonable stipulation to me.

**Commented [RPR23R22]:** I was just reacting based on recent legislative enactments as well as concerns about (1) permanent debarment of convicted felons even after any probationary periods may have expired and (2) rational connection to non-violent felonies such as insider trading or tax evasion

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4. A private shooting range shall not be located closer than 500 feet from any building occupied by people or animals, or containing flammable or combustible materials.
  5. No private shooting range shall be permitted on a property that shares a boundary with any designated public recreation area.
  6. The owner of the property on which a private shooting range is located shall post notice along all boundary lines of the property, at intervals of 150 feet or at least once on any adjacent boundary line, whichever is the lesser interval. Such notice shall include the name and address of the property owner, and the emergency phone numbers for the Thompson Emergency Medical Services and the Connecticut State Police.
  7. A private shooting range shall only be in use during daylight hours, or between the hours of 8 a.m. to 8 p.m. Monday - Saturday, whichever period of daylight hours is shorter. On Sunday the hours of operation are limited to between the hours of noon to 6 p.m. or sunset, whichever period of daylight hours is shorter.
- D. Commercial Shooting Ranges
1. For the purposes of these Regulations, a commercial shooting range shall include any shooting range operated as a for-profit business; and shall also include privately operated clubs offering membership for dues, whether non-profit or for-profit.
  2. As part of the special permit requirement described in Article 5A, Section 9, B 2.c the narrative shall use the Template for an Environmental Stewardship Plan for Management of Lead Shot/Bullets found in the [EPA publication Best Management Practices for Lead at Outdoor Shooting Ranges](#)
  3. A commercial shooting range shall only be allowed in the Business Development District.
  4. A commercial shooting range may be outdoors or indoors. For an indoor shooting range, the 10 acre minimum is waived.
  5. The hours of operation for a commercial shooting range shall be limited to 7 a.m. to 10 p.m. Monday through Saturday, and noon to 6 p.m. on Sunday.
  6. A commercial shooting range shall have an implemented safety plan that substantially includes, but is not limited to, the following items:
    - a. A description of the range that stipulates how, when, why, and by whom the facility will be used.
    - b. The safety plan should divide rules and regulations into the categories of gun handling rules, general range rules, specific range rules, and administrative rules and regulations.

**Commented [RPR24]:** Or at sunset to mirror language below re commercial ranges?

Response: Good catch. PZC can decide which construction they prefer.

**Commented [RPR25R24]:** OK

### Shooting Range Discussion:

Ray Williams, Thompson Rod and Gun, stated that the shooting range at the Thompson Rod and Gun Club has been there for 30 years. Tyra replied that existing uses are grandfathered. The new Regulations are for new shooting ranges.

Vincent Benoit, 62 Plum Road, commented that he runs the Valley Springs trap. He said on Sundays they have started at 10 am for the last 40 years and close at 2 pm. The Commission replied that existing permit is grandfathered for Valley Springs and nothing changes for them.

George O'Neil, asked for definitions on what is a fire range, what is shooting, what is a shooting range, difference between a private shooting versus a public shooting range, difference between private versus commercial, profit versus non-profit. He further questioned Item 6 and asked how the owner of a private shooting range shall be responsible and how would that be administered. He said he would like to advocate to dismantle the whole range issue. Tyra said she will add to the definitions and further stated that if it is not explicitly stated it is not permitted. She also stated that the purpose of Regulations is not to prevent but to allow, to

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protect the user and the non-user. Tyra said that Thompson has residents that want to pursue these uses so regulations will allow future applicants to do this.

John Rice asked if Valley Springs would like to expand would they require a new permit and Tyra replied to amend an existing use if more than 25%, would require a new regulation and the new use would not be grandfathered.

Stan Berube commented that with 500 feet you should be able to have a range behind your house.

Dave Poplawski commented that people in town have asked what the regulations are for personal shooting. That is why we have put in guidelines.

Joseph Parodi-Brown said that these are "not done" regulations. This is the Public Hearing process.

Ed Daniels, Thompson Road, said the State of Connecticut laws govern shooting ranges. Tyra replied that land use regulations are local to municipality.

John Rice suggested keeping the Public Hearing open so we can get more information. Randy Blackmer agreed with John Rice's suggestion to keep the Public Hearing open for fire arms section and invite some representatives from the clubs and state police to attend the next meeting.

### Additions and Edits to Article 7 Definitions: Not discussed, Public Hearing continued to September 27, 2021

**Accessory Dwelling Unit (ADU)**—An independent, detached and self-contained housing building on a residential lot that is subordinate in size to the primary dwelling. ~~The ADU shall incorporate space for sleeping, cooking/eating and sanitation and shall have a private entrance. An ADU may share a septic system and electrical service with the primary dwelling or it may have separate septic and electrical service. An ADU is subject to all applicable NDDH standards for private wells and septic, where public water and sewage facilities are not available. An ADU is subject to all setback requirements for the district in which it is situated. The provisions for ADUs in the Town are found in Article 4, Section 4, 1 of these Regulations.~~

**Agriculture-Ancillary Entertainment-Based Activities**—Non-agricultural offerings, commonly used as incidental components of on-farm direct marketing activities, that are accessory to and serve to increase the direct-market sales of the agricultural output of a farm. Such activities are designed to attract

customers to a farm by enhancing the experience of purchasing agricultural products. Examples of such activities include, but are not limited to, **horseback riding (lessons or rentals)**, live music performances, weddings and business meetings.

**Fence**—A freestanding structure intended for division no more than seven feet tall, while maintaining maintenance space to owner's property line, on either side. ~~A fence or structure over seven (7) feet in height shall meet building setbacks.~~

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**Food and Beverage Service Establishment** - Any facility where food and/or beverages are sold and served to the public as a principal or accessory use. Examples of food and beverage service establishments include, but are not limited to: restaurants, banquet halls, event facilities, diners, cafes, coffeehouses, bars, taverns. Breweries, Micro-breweries and Craft Distilleries are not included in this definition, as they are subject to separate provisions under these Regulations. Food trucks are not included in this definition, but are considered a temporary use under the jurisdiction of the Fire Marshal.

**Outdoor Dining (also Outdoor Seating Area)** – A term used in these Regulations in reference to an accessory use to a food and beverage service establishment. The provisions for outdoor dining are found in Article 5A, Section 8 of these Regulations.

**Paddocks (includes Pastures and Pens)** - A contiguous owned or leased area, used for confining of livestock which excludes areas occupied by dwelling units, non-agricultural buildings, onsite sewage disposal systems, and meets general criteria as described in the provisions of Article 4 A, Section 4, D. Animal shelters are permitted within the confined area.

**Shooting range (also "firing range" or "range")** - An area designed and operated primarily for persons aged 16 or older using or discharging rifles, shotguns, pistols, revolvers, black powder weapons, archery, air rifles, paintball guns, or any other air-powered projectiles; or making use of silhouette targets, skeet ranges trap ranges, or any other similar sport shooting elements.

**Storage, Commercial – Passive** - A structure or facility used for the purpose of storing goods or equipment for a business. Passive storage does not include storage rental facilities or any other business aspect which is available to the general public.

### Attorney Roberts Comment:

Conceptually, that makes good sense. It just gets complicated procedurally. Looking at your agenda, what might work would be amend the agenda as follows:

- hold the hearings for applications 21-22 and 21-24 first, and move the public hearing on 21-23 down the agenda until after you move through the "discuss public hearing and possible action" on those two.
- then go back and open the hearing on the regulation amendments in application 21-23. During that hearing, you can suggest that the Commission identify the non-controversial items and those which they would like to discuss in greater detail.
- If you are able to assemble a number of them that are clearly acceptable to everyone, take any public testimony on those items only, and make a motion to RECESS the public hearing on application 21-23
- then go into "discuss public hearing and possible action" on the acceptable bundle of items, discuss and vote on those, remembering to state the reasons for approval and to set an effective date that cannot be before the date on which the legal notice of the action will be published
- after that, move to REOPEN the public hearing on the remaining items in application 21-23, identify clearly the items that remain open for discussion, take public testimony and either close or continue the hearing at that point
- if the hearing is continued, then you can discuss those items that remain open at a future meeting
- if the commission has ideas for revisions to any of the proposed regulations that will require further drafting or comment, keep the public hearing open for those items
- if the hearing closes, you can move on to "discuss public hearing and possible action" on the items that still remained

**Commented [RPR26]:** For regulation of outdoor dining as permitted under current and future statutory provisions, you may want to confirm that this definition matches their definition of "food establishment".

Response: If you can point me to the State definition of food and beverage establishments, I'll happily swap that out.

**Commented [RPR27R26]:** CGS 19a-36g(13): "Food establishment" means an operation that (A) stores, prepares, packages, serves, vends directly to the consumer or otherwise provides food for human consumption, including, but not limited to, a restaurant, catering food service establishment, food service establishment, temporary food service establishment, itinerant food vending establishment, market, conveyance used to transport people, institution or food bank, or (B) relinquishes possession of food to a consumer directly, or indirectly through a delivery service, including, but not limited to, home delivery of grocery orders or restaurant takeout orders or a delivery service that is provided by common carriers. "Food establishment" does not include a vending machine, as defined in section 21a-34, a private residential dwelling in which food is prepared under section 21a-62a or a food manufacturing establishment, as defined in section 21a-151;



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- if there are some items that need to be revised and others that are either acceptable or are entirely unacceptable, I'd suggest continuing the hearing on all of them and taking action on them individually at a future meeting, rather than trying to piecemeal act on those as the night drags on and other people are waiting for their matters to come up.

**Joseph Parodi-Brown moved and Brian Santos seconded the motion to accept the amendments as discussed on PZC Application #21-23.**

Discussion followed on accepting the amendments discussed and added an effective date of September 30, 2021.

**Joseph Parodi-Brown moved and Brian Santos seconded the motion to amend PZC Application #21-23 to accept the amendments as discussed with an effective date of September 30, 2021. A Yes vote will accept the amendments discussed and a No vote will deny.**

<b>Alvan Hill-Yes</b>	<b>Brian Santos-Yes</b>	<b>John Rice-Yes</b>
<b>Michael Krogul-Yes</b>	<b>John Lenky-Yes</b>	<b>Dave Poplawski-Yes</b>
<b>Randy Blackmer-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

**John Rice moved and Randy Blackmer seconded the motion to recess and keep the Public Hearing open for Article 5A, Section 9, Shooting Ranges and Article 7, Definitions.**

Discussion followed: The Commissioners suggested contacting Attorney Roberts for language regarding shooting ranges.

**John Rice moved and Randy Blackmer seconded the motion to recess and keep the Public Hearing open for Article 5A, Section 9, Shooting Ranges, and Article 7 Definitions. A Yes vote will recess the Public Hearing and a No vote will not.**

<b>Alvan Hill-Yes</b>	<b>Brian Santos-Yes</b>	<b>John Rice-Yes</b>
<b>Dave Poplawski-Yes</b>	<b>Michael Krogul-Yes</b>	<b>John Lenky-Yes</b>
<b>Randy Blackmer-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

**Joseph Parodi-Brown moved and Randy Blackmer seconded the motion to table Article 5A, Shooting Ranges and Article 7 Definitions (which was not discussed) and keep the Public Hearing open to the next regular meeting of the Planning and Zoning Commission on September 27, 2021. Seeing no objection, the motion carried and the Public Hearing is kept open to September 27, 2021.**

4. Approve Minutes:  
a. July 26, 2021 Regular Meeting Minutes

**John Lenky moved and David Poplawski seconded the motion to approve the Minutes of July 26, 2021. A Yes vote will approve and a No vote will deny.**



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<b>Alvan Hill-Yes</b>	<b>Randy Blackmer-Abstain</b>	<b>John Lenky-Yes</b>
<b>Michael Krogul-Yes</b>	<b>Dave Poplawski-Yes</b>	<b>John Rice-Abstain</b>
<b>Brian Santos-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

b. August 16, 2021 Subcommittee Meeting Minutes

**John Lenky moved and David Poplawski seconded the motion to approve the Minutes of August 16, 2021. A Yes vote will approve and a No vote will deny.**

<b>Randy Blackmer-Abstain</b>	<b>John Lenky-Yes</b>	<b>Michael Krogul-Abstain</b>
<b>Dave Poplawski-Yes</b>	<b>John Rice-Abstain</b>	<b>Brian Santos-Abstain</b>
<b>Alvan Hill-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

5. Applications:

**PZC #21-25 Application**, Applicant and owner Ken Loiselle owner of 24 Quaddick Rd, Map 105, Block 32, Lot 36, Zone TVCD request a zoning permit with site plan review for a Country Inn, Article 4D, Section 7, for the purpose of renting the house as an "Airbnb".

Applicant representative, J&D Engineering stated that Ken Loiselle, under the name of, Thompson Hill, LLC, purchased the property on July 30, 2021. The property contains a 5-bedroom, 3-bathroom house build in 1856 and is 1.47 acres in size. His intention is to rent the house as an Airbnb (whole house) short term rental to compliment lodging at the nearby Mason House. Target guests and most common renters will be families staying together for wedding weekends during late spring through early fall. The ZEO determined that this use requires a "country inn" permit. Mr. Loiselle does not intend to rent out rooms individually or serve any meals. No significant changes will be made to the inside or outside of the house, only routine maintenance. The structure will remain a single-family house. The property has a loop driveway with plenty of parking. The GIS Site Development Plan indicates there is room for at least 20 cars to park and the driveway has sufficient radius to permit turning of SU-30 vehicles on site. The site has a well and septic and J&D Engineering has submitted a "Change of Use" application to NDDH. As per the state health code design flow chart, the proposed rental use will actually use less water than full time residential because there will be no laundry and very little cooking done on the premise.

J&D Engineering letter dated August 5, 2021 listed the waivers from Article 3A, Section 4 the PZC commission allowed at the July 26, 2021 meeting which were:

A.9, A.12, A.13, A.14  
B.11, B.12, B.13, B.15, B.16, B.17

ZEO commented the Application is complete and meets the regulation criteria that is required.

**John Rice moved and Brian Santos seconded the motion to approve PZC Application #21-25 and waive the following requirements: A.9, A.12, A.13, A.14, B.11, B.12, B.13, B.15, B.16, B.17. A Yes vote will approve Application #21-25 and a No vote will deny.**

<b>Randy Blackmer-Yes</b>	<b>John Lenky-Yes</b>	<b>Michael Krogul-Yes</b>
<b>Dave Poplawski-Yes</b>	<b>John Rice-Yes</b>	<b>Brian Santos-Yes</b>
<b>Alvan Hill-Yes</b>	<b>Joseph Parodi-Brown-Yes</b>	

**PZC #21-26 Application**, Applicant and property owner Pat Rudzinski, 0 Labby Rd, Map 95, Block 27, Lot 17 Zone R40 Gravel Mining Operation Renewal Permit

ZEO stated the Gravel Operation is not active and recommended the same conditions as the previous renewal application

The permit was approved with the following condition:

- \$500.00 permit fee was waived with the criteria that if gravel operation resumes activity at the site the applicant would pay the application and yardage removal fees.  
The Inland/Wetlands Commission extended their permit according to the recent timeline change in the General Assembly this past legislative session. Below is an excerpt from minutes of the I/W monthly meeting on August 23<sup>rd</sup>.

F) Permit Extensions / Changes a) IWA14019, Patricia Rudzinski, 0 Labby Rd. (Assessor's map 95, block 27, lot 17), permit issued 10/14/14, request for additional 3-year extension of gravel removal permit to expire 10/14/24, received by Wetlands Office 3/3/2021 – see Attorney Roberts advice regarding Public Acts 21- 163 and 21-34, Extensions of Municipal Land Use Approvals. The March request for a 3-year extension was reviewed. Because the 2021 legislature enacted an automatic renewal, which was confirmed by Attorney Roberts to apply to this application, the permit is automatically extended until October 14, 2028 for a total of 14 years, with the provision that an extension can be requested for up to a total of 19 years. C. Obert asked about the question of public safety regarding the bridge on the access Inland Wetland Commission 08-10-2021 Page 2 of 3 road and possible town liability. The DPW Director has stated it to be unsafe and should be closed. First Selectman Amy St Onge clarified the inspection process, noting that the responsibility lies with the Planning and Zoning Commission and their consideration of a Special Permit. Since that portion of the road is not town-maintained the owners may bear the responsibility should safety measures be required. It was noted that if modifications to the bridge are required, that matter would come back to the IWC. The applicant inquired about access from the Wilsonville Road end. M. Butts noted that the road may not be able to handle traffic due to beaver activity overtopping the road. Chair McNeil noted that the applicant may need to pursue these questions with other Boards/Commissions. No IWC action taken on this application.

Included in the record are two communications concerning the conditions of the crossing over Owen Adam Road

1. WMC Consulting Engineers, dated July 14, 2021
2. Town of Thompson Inland Wetlands Commission dated July 20, 2021

ZEO recommended conditions be placed on the permit concerning the use of the crossing over Owen Adam Road in the event the applicant secures a contract for the active operation of the Gravel Pit.

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The ZEO recommended renewal of the gravel permit to be the same terms as last year. Inland Wetlands report received by ZEO.

John Lenky questioned the culvert, observed that it is on the verge of collapsing, and in order to be a safe road it should be repaired. If you open road to Wilsonville Road, Pat Rudzinski commented that would eliminate passing over the culvert. She said it is the Town's responsibility to fix the culvert.

**John Lenky moved and John Rice seconded the motion to approve PZC Application #21-26 with the conditions that the fee be waived and the culvert on Owen Adams road be sufficient to support heavy traffic and maximum weight to hold equipment.**

Discussion followed: Michael Krogul questioned waiving the fee and he moved to remove waiving the fee. Seeing no further discussion, A Yes vote will approve PZC Application #21-26 with conditions and a No vote will deny.

**Alvan Hill-Yes  
Dave Poplawski-Yes  
Randy Blackmer-Yes**

**Brian Santos-Yes  
Michael Krogul-No  
Joseph Parodi-Brown-Yes**

**John Rice-Yes  
John Lenky-Yes**

**PZC #21-27 Application**, Applicant David Coman, owner for property at 0 Hagstrom Rd, Map 19, Block 85, Lot 6A, Zone R-80, Gravel Permit Operation Renewal.

ZEO recommended the same waivers as Permit Application #20-17, Coman Gravel Operation Renewal:

1. Waive application fee due to lack of mining from August 2020 to August 2021.
2. In the event removal activity occurs for the duration of this permit, fees based on the amount removed will apply to 2021-2022 Renewal permit and or fees paid before land reclamation is signed off by ZEO.

**Randy Blackmer moved and Dave Poplawski seconded the motion to approve PZC Application #21-27 with the condition to waive the application fee.**

Discussion followed on Application #21-27: John Rice asked the applicant if there has been any Gravel removal activity and he replied that there has been no activity. The ZEO stated that the Bond is still in place and she will look into reclamation.

**Randy Blackmer moved and Dave Poplawski seconded the motion to approve PZC Application #21-27 With the condition to waive the application fee. A Yes vote will approve PZC Application #21-27 and a No vote will not approve.**

**Alvan Hill-Yes  
Dave Poplawski-Yes  
Randy Blackmer-Yes**

**Brian Santos-Yes  
Michael Krogul-No  
Joseph Parodi-Brown-Yes**

**John Rice-Yes  
John Lenky-Yes**

6. Applications received after agenda posted-None

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7. Citizens Comments:  
Mr. Paquette, Thompson Hill Fire Department questioned 50' lots on the town map and shared driveways. He also asked if the Town Bylaws are online. Tyra will look into this and if they are available she will post them.  
  
Ken Beausoleil commented on the continuance of the Public Hearing on the shooting range, and noted that he believes more people will attended.
8. Reports of Officers and Staff:
  - a. Planners Report  
Tyra thanked all those who attended the public engagement event and said it was a good showing. She also said she is almost done with summation. She promoted the Cloud Fund Campaign and said there are 7 days left in that campaign. Swimming with the Fish is the name of campaign. She also said there is a PZC Subcommittee meeting Wednesday, August 24, 2021 at 7:00 pm via Zoom.
  - b. ZEO Memo
  - c. Town of Thompson Budget Reports July 2021- None
9. Correspondence:
  - a. Minutes: Zoning Board of Appeals August 9, 2021
  - b. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter
  - c. Transend Wireless
10. Signing of Mylar: 30 West Thompson Rd  
**John Lenky moved and Randy Blackmer seconded the motion to authorize the chair of the PZC to sign the Mylar for 30 West Thompson Road. There was no objection so the motion carried.**
11. Old Business:
  - a. Brickyard Road Bonding -ZEO will visit the site before the next meeting.
  - b. 1267 Thompson Road  
**ZEO'S RESPONSE In Italic, TO CITIZENS COMMENTS AT THE 7/26/2021 MEETING**  
*John Giza, 1261 Thompson Road, Thompson, CT filed complaint on illegal apartment at 1261 Thompson Road. He gave a brief update on the illegal apartment stating the following:*
    - *Cease and Desist issued after Fire Marshall inspection*  
*There is no record in ZEO office or the Building Office of a cease and desist on the apartments the Fire Marshall inspected on September 23, 2021.*
    - *Bernardi family said they would vacate the illegal apartment and turn it into storage*  
*Bernardi family followed the request of the zoning office to eliminate an illegal rental unit on the property. They now understand the lot only permits 3 family rental units.*
    - *Bernardi family said if they sold the property, they would sell it as a 3 family*  
*Listed as a 3 family with the potential of developing a fourth legal unit. My written statement, dated August 4, 2021, sent to the Realtor, The Property Owners and Attorney Slater address the possibility of 4 rental units according to past non-conforming and current amended regulations*
    - *Bell Park Realty listed the property as a 3 family with the potential for a 4<sup>th</sup> apartment that needs to be approved by the town*

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*Accurate*

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- Mr. Giza asked if something was going on behind the scenes to turn this illegal apartment into a legal apartment without going through the proper steps.  
*Refer to my written statement dated August 4, 2021.*
- Mr. Giza commented that when the new owner buys the property, they can choose any of the 3 apartments even the illegal apartment which has a Cease and Desist order on it.
- *Accurate about choosing any of the units for 3 apartments, there is not a Cease and Desist order on the use of any unit.*  
Mr. Giza questioned if the capacity of the septic system can handle even 3 families
- *That is NDDH jurisdiction. Building Permits are issued based on approval of NDDH's requirements.*
- Town Assessor listed the property as a 3 family  
*Listed as Multi-family, 3 units.*  
Bernardi family vacated the top apartment and the illegal apartment remained as the third apartment.  
*One of the three apartments at the top is vacated. There is no illegal apartment on the property.*
- Cease and Desist has been cancelled  
*There was never a Cease and Desist on any apartment on the property*
- Adding another apartment requires a site plan, and notification letters to abutters  
*See my written statement dated August 4, 2021*
- Residents of the neighborhood would like the illegal apartment disabled per the Cease and Desist order  
*There is no illegal apartment on the property. In the past there were four units rented which was in violation of the Building Permits issued to the property. Presently there are only 3 units on the property being rented.*
- Mr. Giza handed out a petition signed by all the neighbors including pictures of what is going on in the neighborhood.
- *Petition is entered into the Compliance file of 1267 Thompson Road*

### c. Update ZBA Action on Bates Auto, 64 Linehouse Road

Below is an excerpt from the Zoning Board of Appeals Minutes of 8/9/2021 in reference to their action on application:

**Kevin Beno moved and Ken Weiss seconded the motion to accept ZBA Application #21-02 for approval to use the premises for the operation and maintenance of a motor vehicle recycler's yard adhering to the ZEO's and ZBA members-conditions, outlined below, plus the payment of back taxes and the conditions of abutters 100-foot setbacks and a live fence be added to the ZEO's plan be met, contingent on issuing the permit.**

**Kirby Cunha-Yes  
Geoff Bolte-Yes**

**Jason St. Onge-Yes  
Kevin Beno-Yes**

**Ken Weiss-Yes**

***Entered into the record of ZBA Application 21-02 are the following conditions:  
Certificate of approval to operate a Motor Vehicle Recycling will be issued to applicant with the following conditions:***

- 1. Any amount of Back Taxes must be paid and proof of payment submitted to the ZBA application #21-02 Record***

2. *Certificate is allowing applicant to sell salvageable material on site in order to clear property of debris. Clean up will be guided by DEEP guidelines.*
3. *Before the Town of Thompson Zoning Enforcement Office signs off on the State Motor Vehicle Recycling Application the following conditions must be completed:*

*Conditions:*

- 1) **Supporting documents for the record, ZBA Application 21-02, confirming that the estate of Bates Auto Parts, Inc and the real estate Linehouse Rd, LLC will be in the ownership of Carlos Bastos.**
- 2) **Footprint of the property, to be used as Bates Auto LLC, will be according to past permit granted of 3.18 acres.**
- 3) **8 Foot solid fencing will be installed around the permitted work area of 3.18 acres, Bates Auto LLC entrance will have a solid 8' fence locked gate, which will be locked after business operation hours.**
- 4) **Clean up will consist of the following:**
  - a. **Abandoned, discarded, or irreparably damaged furniture including, but not limited to, sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs, and chests of drawers.**
  - b. **Any household appliance, including but not limited to, a stove, washing machine, dryer, dishwasher, freezer refrigerator, air conditioner, water heater, or television.**
  - c. **Any abandoned or discarded structure that is it is no longer habitable for occupancy or is in on premise in violation of the Town of Thompson Zoning Regulations.**
  - d. **Dead Landscaping debris**
  - e. **Any structures on property will need a Zoning Permit and Building Permit. Trailers used as office are not permitted.**
- 5) **ZEO will periodically inspect property for compliance with Zoning Regulations and permit conditions. If cleanup is extended beyond the stated year, August 31, 2022, property owner will be required to attend a ZBA meeting for future schedule of completion of requirements. For this action ZEO requires property owner's permission to enter property.**
- 6) **Before clean up begins Property and Business Owner will test, abutter's Patty Jezierski of 88 Linehouse Rd and Sharon Mayotte of 56 Linehouse Road, wells. Continued Testing will be done by Property and Business Owner every three months.**
- 7) **An 8 feet solid fence will be placed 100 feet from abutter's, Patty Jezierski of 88 Linehouse Rd and Sharon Mayotte of 56 Linehouse Road property line.**
- 8) **Native vegetation will be placed along the fence abutting the property line of Sharon Mayotte of 56 Linehouse Rd.**
- 9) **Large healthy trees along the property line of abutter Patty Jezierski of 88 Linehouse Rd will be preserved.**
- 10) **Opening Operation of Bates Auto LLC for the purpose of Motor Vehicle Recycling will be permitted when the following paper work is entered into the record, ZBA Application 21-02 Certification of Occupation Permit (required for new structures), and final Motor Vehicle Recycling Certificate will be signed off and issued when DEEP and the State of Connecticut Motor Vehicle Recycling Permit documentation of compliance is received and placed in the Record of ZBA Application 21-02.**

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The ZEO reported that she and Mr. Bastos are waiting for Attorney comments on the conditions and she will send the document to our Town Attorney. She also said the neighbors worked with Mr. Bastos to come to an agreeable plan for their boundary protection.

12. New Business:
  - a. Communication from Connecticut Siting Council-720 Quinebaug Road  
Notice of Exempt Modification - no discussion, duplicate of 9. Correspondence c. Transend Wireless
  - b. Article 3 Waivers to Day Care for Site Plan Review  
Applicant for Day Care requested waivers for the Site Plan for the proposed Day Care Facility at 24 Border Trail, Map 164, Block 26E, Zone RRD. ZEO reported that a Day Care is permitted in RRD Zone, Care Services, new, Permit with Commission. Site Plan Review.

**ZEO listed the requested waivers from Article 3 Section A and Section B which are as follows:**

- A. Article 3A, Section 4, Application Requirements:  
5, 6, 7, 8, 9, 10, 12, 13, 14
- B. Zoning Permit with Site Plan Review by Commission:  
1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20

**John Lenky moved and Mike Krogul seconded the motion to approve PZC Application #21-28 and grant the following waivers: Article 3A, Section 4, Application Requirements: 5, 6, 7, 8, 9, 10, 12, 13, 14 and Zoning Permit with Site Plan Review by Commission: 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20. A Yes vote will approve PZC Application #21-28 and grant waivers indicated and a No vote will deny.**

**Randy Blackmer-Yes  
Dave Poplawski-Yes  
Alvan Hill-Yes**

**John Lenky-Yes  
John Rice-Yes  
Joseph Parodi-Brown-Yes**

**Michael Krogul-Yes  
Brian Santos-Yes**

13. Commissioners Comments:  
John Lenky apologized to members and public for his actions.
14. Next Meeting:
  - a. PZC Regular Meeting September 27, 2021, 7:00 PM, Merrill Seney Community Room, Thompson Town Hall, 815 Riverside Drive, North Grosvenordale, CT 06255
15. Adjournment  
  
John Lenky moved and Randy Blackmer seconded the motion to adjourn. By unanimous consent the meeting adjourned at 10:45 pm.

Respectfully Submitted,  
Gloria Harvey, *Recording Secretary*