



# *TOWN of THOMPSON*

## ***PLANNING AND ZONING COMMISSION***

Minutes –Planning and Zoning Commission Regular Meeting

Monday, August 24, 2020 at 7:00 PM

Zoom Meeting

p. 1 of 10

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

Topic: P&Z Regular meeting

Time: Aug 24, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85395114000?pwd=UFNwU0drMEM3WlhUemxHMEhDdmp5dz09>

Meeting ID: 853 9511 4000

Passcode: 578921

One tap mobile

+13017158592,,85395114000#,,,,,0#,,578921# US (Germantown)

+13126266799,,85395114000#,,,,,0#,,578921# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 853 9511 4000

Passcode: 578921

Find your local number: <https://us02web.zoom.us/u/keqWwwY25Q>

**Your cloud recording is now available.**

Topic: P&Z Regular meeting

Date: Aug 24, 2020 06:50 PM Eastern Time (US and Canada)

Share recording with viewers:

<https://us02web.zoom.us/rec/share/75cqbK3Z9EVJYJXd-BvHZPR-WaL-aaa81SZLqfUMnU4g3WW1q7XIWFwsytog4KmQ> Passcode: 8%Ekt2?p

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

Joseph Parodi-Brown

Alvan Hill

Christine Chatelle

Charlene Langlois

Brian Santos

Missy Desrochers

John Rice

John Lenky

Randy Blackmer

Robert Werge Sr.

**Robert Werge Sr. left the meeting at 8:40 PM.**

Seating: Alvan Hill seated for Michael Krogul, Brian Santos seated for Christopher Nelson

Absent: Michael Krogul, Christopher Nelson

Staff Present: Planner Tyra Penn-Gesek; ZEO Cindy Dunne; First Selectman Amy St.

Ongé, Recording Secretary Gloria Harvey

MUNICIPAL BUILDING

**815 RIVERSIDE DRIVE · NO. GROSVENORDALE, CONNECTICUT 06255**

**TELEPHONE (860) 923-9475 · FAX (860) 923-9897**

2. Public Hearing: None

3. Discuss Public Hearing and Possible Action: None

4. Approve minutes:

July 22, 2020 PZC Special Meeting Public Hearing Minutes-available on the Web

Brian Santos moved and Alvan Hill seconded the motion to approve the Minutes of July 22, 2020 as written. A "Yes" vote to approve. A "No" vote to not approve.

Joseph Parodi-Brown -Yes    Alvan Hill-Yes    Christine Chatelle-Yes

Charlene Langlois-Yes    Brian Santos-Yes    Missy Desrochers-Yes

John Rice-Abstain    John Lenky-Yes    Robert Werge-Yes

Minutes approved.

Robert Werge amended his vote to approve the July 22, 2020 Minutes to Yes.

July 27, 2020 PZC Regular Meeting Minutes-available on the Web

John Lenky moved and Missy Desrochers seconded the motion to accept the Minutes of July 27, 2020. A "Yes" vote to approve. A "No" vote to not approve.

Joseph Parodi-Brown-Yes    Alvan Hill-Yes    Christine Chatelle-Yes

Charlene Langlois-Yes    Brian Santos-Yes    Missy Desrochers-Yes

John Rice-Abstain    John Lenky-Yes    Robert Werge-Abstain

Randy Blackmer-Yes

Minutes approved. Alvan Hill now seated for Michael Krogul.

August 4, 2020 Special Meeting Minutes-Cancelled due to widespread power outage

August 17, 2020 Special Meeting Minutes

John Lenky moved and Brian Santos seconded the motion to accept the Minutes of August 17, 2020 with amendment to include the motion made by John Lenky and seconded by Brian Santos to approve the Excavation Permit Cubic Yard Fee at 9 cents with an escalation to 15 cents. John Lenky moved and Brian Santos seconded to approve the motion as amended. A "Yes" vote to approve the motion as amended and a "No" vote to take other action.

**Joseph Parodi-Brown-Yes    Alvan Hill-Yes    Christine Chatelle-Abstain**

**Charlene Langlois-Yes    Brian Santos-Yes    Missy Desrochers-Abstain**

**John Rice-Abstain    John Lenky-Yes    Robert Werge-Abstain**

**Randy Blackmer-Yes**

**Minutes approved with amendment.**

5. Applications received:

**PZC 20-17** – Site Plan Review – Property Owner Charles Tewksbury, 0 Breaults Landing Rd., Map 141, Block 17, Lot 203,204 & 205, R40, New home construction on a Town unaccepted, approval permitted by the Planning and Zoning Commission according to Town of Thompson Ordinance Article IV Building on Unaccepted Streets and section b. (1) and (2) gives the Planning Commission the Option of issuing written permission for the building permit.

Property Owner Charles Tweksbury, Dayville, CT joined the meeting and addressed the Commission with comments on the Site Plan Review. The necessary approvals were received from NDDH and there are no wetlands on the property. John Rice asked the ZEO if lots have been combined under one ownership and the ZEO said they were. Mr. Tweksbury understands that he must improve the road to provide access for emergency and town vehicles to reach the residence. He also stated his intention is to improve the appearance of the property. ZEO stated the property dimension for R40 requires 50 foot setback from a public street and the Site Plan notes that the property has 17 ½ feet from the property line and 20 feet from the private road. John Rice commented if a Variance was required he would need to go to the ZBA.

**Robert Werge Sr. moved and John Rice seconded the motion to approve Application #20-17 with the condition that the applicant improve the road to allow emergency vehicles, etc. to have access.**

Discussion on the motion for Application 20-17 resulted in amending the motion to include the language “up to his property.” Alvan Hill asked Mr. Tweksbury if he had a legal action for this Application? Bruce Woods, KWP Engineers, representing Mr. Tweksbury commented that he does have a legal action/hardship because the lots that Mr. Tweksbury owns were mapped and created prior to the Zoning Regulations being enacted in the Town of Thompson.

**Robert Werge Sr. moved and John Rice seconded the motion to amend his original motion to approve Application #20-17 with the condition that the applicant improve the road up to his property to allow emergency vehicles, etc. to have access. A “Yes” vote will approve Application #20-17 with the condition that the applicant improve the road up to his property to allow access to emergency vehicles. A “No” vote will not approve.**

**Joseph Parodi-Brown-Yes   Alvan Hill-Yes   Christine Chatelle-Yes  
Charlene Langlois-Yes   Brian Santos-Yes   Missy Desrochers-Yes  
John Rice-Yes   John Lenky-Yes   Robert Werge-Yes  
Randy Blackmer-Yes  
Application #20-17 approved with conditions.**

**PZC #20-19 Application:** Applicant David Coman, owner for property at 0 Hagstrom Rd, Map 19, Block 85, Lot 6A, Zone R-80, Gravel Permit Operation Renewal. Applicant David Coman confirmed there was no activity on the site during the 2019-2020 renewal period.

John Rice moved and Brian Santos seconded the motion to approve Application #20-19, applicant David Coman, for a gravel permit renewal and a waiver of the renewal fee with conditions that were placed on 2019-2020 renewal. A “Yes” vote is to approve Application #20-19 with a waiver of the fee with conditions that were placed on 20-19-2020. A “No” vote will not approve.

**Joseph Parodi-Brown-Yes   Alvan Hill-Yes   Christine Chatelle-Yes  
Charlene Langlois-Yes   Brian Santos-Yes   Missy Desrochers-Yes  
John Rice-Yes   John Lenky-Yes   Robert Werge-Yes  
Randy Blackmer-Yes  
Application #20-19 approved with conditions.**

Town of Thompson Revised Regulation - Review and Possible Action on the final copy of the revised copy of the Planning and Zoning Regulations

**John Rice moved and Randy Blackmer seconded the motion to table the vote on the Zoning Regulations until we are able to meet in person and have more public participation.**

**Discussion on the motion to table the vote on the Zoning Regulations took place:**

Robert Werge Sr. – stated the Zoning Regulations are too big of an issue to move on quickly. He expressed concern that the changes proposed in the Regulations are going to affect the town from taxes, to lot sizes, to rules, and it was his belief that we should wait to vote until we can have more public input. He believes that changing the corridor will allow the town to grow, however not the whole town. The old Regulations have been proven, survived legal challenges, survived alterations and discussions, therefore we need town input. There is no rush for a vote.

Amy St. Onge - 1st Selectman – Questioned why there was no collaboration with the Assessor's Office and the Building Department. She agreed with John Rice that more of the public needed to be involved. She quoted an email from Joseph Parodi-Brown stating "The singular goal throughout this proposal period has been to create Zoning Regulations that will keep Thompson a vibrant community." She further stated that the new Zoning Regulations are redefining Thompson and changing the landscape of the Town. She agreed with John Rice that we need more public input as well as input from the Assessor's Office and the Building Department.

Charlene Langlois – Originally our emphasis was on the corridor, however the Regulations were so outdated that they would not allow anything to come into Thompson to allow the town to grow. NECOG did a full rewrite and looked at other towns around Thompson who had changed their Regulations and have grown. She wondered why interested parties waited to the last hour of this 10 month process to get involved. Her personal opinion was not to hold the Regulations back any longer. She admitted the new Regulations are a drastic change, however times have changed since 1972.

Tyra commented the Commission has gone above and beyond any statutory requirements in terms of publication, inviting the public to participate, inviting people who we knew to be adversarial toward the process. The series of discussions we had were publicized on our own Website, Facebook Page, Winy's Facebook page, the Town of Thompson Transparency Group thereby confirming that this process has been open to the public. In terms of changing Zoning minimum lot sizes that were debated and discussed at great length, it was a unanimous choice to remove the 2 acre minimum lot requirement, however it was a majority choice. The implications of moving into a community with the inability to have smaller lot sizes does not fund the infrastructure. At this point there are people holding applications to do things in the Town of Thompson because we have been publically discussing the option of new regulations, therefore there are ramifications at this point to not proceeding.

Brian Santos – Attended special meetings every other week, reading and rereading rewrites, and all of the proposed regulations were discussed, voted upon, and approved for the best interest of the town. Zoom, emails, PDF versions posted on the website were available for the public to read the documents. If we wait to be in person, it will be a long time from now. Let's set a deadline.

Missy Deschrochers – Questioned what time frame would make everyone more comfortable. Don't want to do this all over again. Tyra and team made a great job making it read well, more understandable, and easier to follow. What's specific areas do we have to pay attention to. If more time is needed, she was willing to go a little further, however, a deadline needs to be set and everyone will need to read it, show up and comment.

Joseph Parodi-Brown – The proposed new Zoning Regulations are the result of several years of collaborative work, meetings that lasted 3 to 4 hours weekly, we have come to a draft that is a consensus of the collective experiences, ideas, beliefs of the Commission. It is not a document that any of us would have individually written but it is the work of a Commission consensus. There are some minor issues like formatting, nothing substantive that has not been addressed. We have thoroughly discussed some items multiple times. In terms of allowing the public to share their opinion on this, we have offered many ways for them to do that that are not through Zoom. We held public hearing open so people could read the document and send an email or call Tyra, read the document and comment in any way they chose to. We have had citizens at the Public Hearing who have made some substantive contributions to this document and we have rejected some of those contributions. I am very proud of this document and the work we have done. We have argued, we have discussed, we have thoughtfully considered the contents of this document. It's laughable to hear the question "what's the rush?" This a priority for me and if it's not a priority for everyone, I don't want Thompson to be held up because it's not a priority for others. I'm not going to vote to table.

Randy Blackmer – Agreed that the Commission has put a lot of time in, however the final, final has only been out for less than a week. People need a little time to study it. He proposed that the vote on the new Regulations be postponed for a month to give the public a chance to digest and see the final, final, and see the new Zoning map.

**Alvan Hill moved to close discussion on John Rice's motion and Randy Blackmer's second to table the vote on the Zoning Regulations until we are able to meet in person and have more public participation.**

**A "Yes" vote tables the discussion. A "No" vote to not table.**

<b>Joseph Parodi-Brown-No</b>	<b>Alvan Hill-No</b>	<b>Robert Werge-Yes</b>
<b>Charlene Langlois-No</b>	<b>Brian Santos-No</b>	<b>Missy Desrochers-Yes</b>
<b>John Rice-Yes</b>	<b>John Lenky-No</b>	<b>Randy Blackmer-Yes</b>

**Motion to table defeated.**

Joseph Parodi-Brown pointed out several items in the Regulations that needed changing including typos, punctuation, renumbering, insertions, consistency, formatting, correction of references, and pagination errors.

Brian Santos suggested adding acronyms.

Alvan Hill suggested adding a line effective date as amended from the previous regulations. Tyra replied the effective date will appear on title page. Other comments made clarified description on several Articles to be more specific in addition to adding wordage to make easier to interpret.

Charlene Langlois asked where the money collected from 9 cents per cubic yard fee charge go. Alvan Rice replied money would go into the General Fund for administrative purposes such as the cost of increasing ZEO hours. Upcharge not considered for road repair, but can be considered for increasing ZEO hours.

ZEO if you're going to approve a document tonight, everything in that document has to be accurate in order to protect the Town from any legal recourse. Tonight there were changes made to the document including formatting, punctuation, etc. and she questioned if it was legal to vote on it because the document is not complete. It is her belief that what was approved tonight is going to go into the 15 day legal notice. Tyra suggested that the Commission can choose to approve with edits agreed on this evening.

Joseph Parodi-Brown called a point of order. Town Attorney Rich Roberts stated in his correspondence that the Commissioners can vote on amendments and approved tonight as long as they are clear on what the specific items they are voting on. The Commissioners voted on the following edits to the Regulations.

1. Page 5. Should we include beneath Article 1, §4 Effective Date: A box or a line

Effective Date – ?

As Amended – ? ...for final draft and printing?

**Effective date resolved. It will appear on the title page.**

2. Page 16. Article 3A, §4 Application Requirements, A. Zoning Permit, Simple – ZEO...  
#9. Computation of lot and building coverage. ???

...question: what are we attempting to say? See above #4. → Lot size - we have.  
...and building coverage? Why not: "Computation of building(s) and impermeable surfaces to lot size."

**No objection. Amendment is adopted.**

16. #12. Utility Pole (if present)

...I would suggest: #12 "Utility Pole(s) (if present) indicating both sides of the street or road."

**No objection. Amendment is adopted.**

16. Zoning Permit with Site Plan Review by Commission...

#6. Location of existing septic system and well....etc.

I would suggest: #6. "Location of existing septic system and well  
(if Public – no reason to include) and/or proposed...etc."

**No objection. Amendment is adopted.**

3. Page 17. Article 3A, §5 Exemptions

Article 3A, §5, Exemptions (to or for what???)

Article 3A, §5, Exemptions, A. The following structures shall not require the...

Suggestion: The following structures shall not require the issuance of ~~any~~...

...strike out any and add ↓

“The following structures shall not require the issuance of a zoning permit...”

And, again: A. The following structures shall not...

**No objection. Amendment is adopted.**

I would add: “1. Fences (see definition of Fence -) that are less-than-or-equal to...”

**No objection. Amendment is adopted.**

4. Page 104 Fence – A freestanding structure intended for division...

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

**No objection. Amendment is adopted.**

**Brian Santos moved and Alvan Hill seconded the motion to approve the new Planning and Zoning Commission Zoning Regulations as amended with an adoption date of September 15, 2020. A “Yes” vote to approve. A “No” vote to not approve.**

**Alvan Hill-Yes**

**John Lenky-Yes**

**Brian Santos-Yes**

**John Rice-No**

**Missy Desrochers-Yes**

**Charlene Langlois-Yes**

**Randy Blackmer-No**

**Joseph Parodi-Brown-Yes**

**Regulations are adopted.**

6. Applications received after agenda posted: None

7. Citizens Comments: None

8. Reports of Officers and Staff:

a. Director of Planning and Development Report POCD

b. ZEO memo

c. Town of Thompson Budget Reports July 2020- John Rice reported the Planning and Zoning Commission has spent 7.9% of their budget.

9. Correspondence:

a. Minutes: Zoning Board of Appeals – August 10, 2020-Meeting Cancelled

b. Town of Webster Zoning Board of Appeals Public Hearing Notice

c. Town of Douglas Notice of Public Hearing

10. Signing of Mylar: Proposed P. V. Solar Array, Saywatt Hydroelectric, LLC

ZEO has no concerns with the mylar.

John Lenky moved and John Rice seconded the motion to authorize the chair to sign the mylar for P. V. Solar Array, Saywatt Hydroelectric, LLC. A “Yes” vote will authorize the signature. A “No” vote will not.

**Alvan Hill-Yes**

**John Lenky-Yes**

**Brian Santos-Yes**

**John Rice-Yes**

**Missy Desrochers-Yes**

**Charlene Langlois-Yes**

**Randy Blackmer-Yes**

**Joseph Parodi-Brown-Yes**

11. Old Business:

a. Brickyard Road Bonding and reclamation

Will visit site on Thursday, August 27, 2020

b. Bates Auto-Linehouse Road

Attorney Ernest Cotnoir represented Carlos Bastos. The ZEO reported Bates Auto Parts has been a licensed Salvage Operation from the State of Connecticut. Presently, in April 2020, their license was terminated from the State of Connecticut License Division due to lack of insurance on the operation. Historically Bates Auto Parts was allowed to operate, with a CT Salvage Operation License, in the Town of Thompson under the non-conforming Town of Thompson Zoning Regulations since 1938. A brief history was read and presently there are two parties interested in continuing the operation. There are several issues associated with this property and violations including ownership/inheritors, amount of land that could be used, junk vehicles on the property, caretaker trailer, violation report from DEEP, boundary fence and back taxes.

Attorney Ernest Cotnoir representing Carlos Bastos. Several years ago Mr. Bastos formed a joint interest agreement with Mr. Bates. He contributed \$100,000 which was put into the business and due to a disagreement Mr. Bastos had to sue Mr. Bates. Previously Mr. Bates agreed to pay the judgement lean and all of this was put into the estate. Now he's in probate court to see if probate will allow the sale of the business to Mr. Basto as satisfaction of his lean. The goal is to purchase this property, address ongoing issues including a fence, site issues, materials, debris cleaned up and back taxes. He's a judgement creditor. He has a claim on the estate. Money was all invested in the business. One LLC owns the business and the other LLC owns the Real Estate and both were owned by Mr. Bates when he passed away.

John Carpenter, a cousin of the Bates is the other party wanting to purchase the property and have the ownership transferred to him. The legal issue is he needs to apply to the Planning and Zoning Commission for a new license and if transfer of ownership requires a new license then existing non-conforming argument is non-existent. Attorney Cotnoir and Mr. Bastos said if Mr. Bastos wants to purchase the business and pay Mr. Bastos his original investment, they are in agreement with that. John Rice said this would be a new application and a junk yard is not permitted in R80 Zone in old and new regulations. He further stated that the Planning and Zoning



Commission's hands are tied and according to the DMV and our current and past regulations this is not allowed.

Alvan Hill stated that the town doesn't allow relicensing of junk yards, therefore we have no authority to issue a license.

Joseph Parodi-Brown said either way it's out of the Planning and Zoning Commission's hands because it doesn't need our approval or we cannot approve. Don't feel PZ has jurisdiction in this matter. The ZEO will follow up and put this issue on next month's agenda.

C. Mason House Chase Street Proposed use discussion Report

ZEO had a discussion with Johanne Bates who stated the owners are looking to offer spa services, massage, pedicure, manicure and facials for guests and an open membership to the public for a day of luxury services. The Owners were looking for a confirmation that the service they want to provide is permitted in the new regulations. Consensus of the commission was yes, the regulations will cover the service being offered to the guests and public.

d. Plan of Conservation and Development Update Report

Tyra reported two weeks ago the working group held their first meeting. The POCD must be completed by end of the year. Statutes states the Planning and Zoning Commission approves the document. She will bring to Planning and Zoning Commission in the next couple of months as a draft on how it's progressing.

12. New Business:

- a. Discussion of updates to website landing page for P&Z  
Table to next month.

13. Commissioners Comments:

Charlene Langlois commented on the new Zoning Regulations. She said nothing was done off the cuff. The Commissioners listened to people who knew more than us on issues that were discussed. The Regulations were done with the best of intentions for the Town of Thompson to grow.

Joseph Parodi-Brown said he was so proud of work done as Commissioners on the Regulations discussed, and he thanked Tyra and gave her well-deserved credit for her hard work she put into this document. Alvan Hill also thanked Tyra.

Tyra stated it was a pleasure to work on document and the disagreements and discussions made the document sharper.

14. Next Meeting:

- a. PZC Regular Meeting September 28, 2020 via Zoom  
b.

15. Adjournment:  
John Lenky moved and Alvan Hill seconded the motion to adjourn. Meeting adjourned at 10:23 PM.

Respectfully Submitted,  
Gloria Harvey  
Recording Secretary