



TOWN of **THOMPSON**

PLANNING AND ZONING COMMISSION

RECEIVED
TOWN OF THOMPSON, CT.

2018 FEB -1 A 9:17

Cheryl Wadell
TOWN CLERK

Minutes: Regular Meeting

Monday, January 22, 2018, 7:00pm

Merrill Seney Room, Town Hall

Page 1 of 6

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

The meeting was called to order by Chair Joseph Parodi at 7:00 PM

Roll Call: Randolph Blackmer, Jr., Bill Cacciapouti, Missy Desrochers, Alvin Hill, , John B. Lenky, Christopher Nelson, Charles Paquette, Joseph Parodi, Trya Penn-Gesik, John Rice and Robert Werge, Sr.

Absent: Charlene Langlois and Mike Krogul

Alternates Seated: Alvin Hill for Charlene Langlois and Bill Cacciapouti for Mike Krogul

Staff Present: Mary Ann Chinatti, Director of Planning and Development, Cynthia Dunne, Zoning Enforcement Officer and Diane Minarik, Recording Secretary

2. Public Hearing:

a. **Application 17-22:** 650 Associates, LLC, owners, for property located at 0 Riverside Drive/north side of Riverside Drive. Proposed gravel operation.

Applicant's representative Attorney Cotnoir spoke with Mary Ann Chinatti on the phone earlier that day and stated he will be submitting a withdrawal of this application because this project needs Inland/Wetlands approval first and that application hasn't been submitted yet. He also requested the fees paid on this application be applied to the new application. No email received yet.

Randy Blackmer, Jr. moved and John Rice seconded the motion to accept the withdrawal of Application 17-22 and to apply the fees paid on this application to the new application.

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi - Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

b. **Application 18-01:** PA 17-155 – ACC Temporary Healthcare Structures

To consider opting out of the provision of subsection (a) of CGS §8-2 concerning Temporary Health Care Structures. There were no questions or comments.

John Rice moved and Charles Paquette seconded the motion to close the public hearings.

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi - Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

MUNICIPAL BUILDING

815 RIVERSIDE DRIVE · NO. GROSVENORDALE, CONNECTICUT 06255

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

3. Discuss Public Hearing and Possible Action:

John Rice moved and John B. Lenky seconded the motion to opt out of

PA 17-155 – ACC Temporary Healthcare Structures for the following reasons:

1. Other permits could be neglected to accommodate the state-imposed 15-day expedited permit process;
2. Requirement to provide medical need to the Town may be beyond the traditional jurisdiction of the Zoning Enforcement Officer – potential HIPPA conflict;
3. Requiring applicants to notify neighbors by certified mail of their Town application for "temporary" second home provides no constructive avenue for neighbors input (see Sec. 1.(3)(c))
4. Conflicts with FOI and HIPPA disclosure laws related to public/neighbor requests for written notices licensed physicians are required to provide applicants describing who is "mentally or physically impaired" (see Sec. 1.(2));
5. Only allows for "unpaid care" and only a "caregiver" may provide care (it is noted that the definition of "Caregiver" in the ACT does not require that the person be a trained medical professional). Also, the caregiver must own and reside on the same lot as the accessory temporary health care structure. This is difficult, if not impossible to enforce. The Town cannot verify that the care is "unpaid," nor can the Town reasonably determine residency based on a doctor's note. This could result in FOI and HIPPA controversies/complaints and possible legal action(s);
6. The housing must be removed at the expense of the owner when no longer "medically necessary", yet the Act does not provide municipalities with realistic tools to require removal;
7. A bond, NTE \$50,000 can be required to ensure removal, but when paired with the cost for such units, this provision places it out of financial reach for most potential applicants;
8. The Zoning Regulations already permit accessory apartments, as well as more than one residence per lot, provided certain requirements are met; therefore, permitting structures as specified in PA 17-155 is not necessary as the issue is already addressed in the regulation;
9. Limiting housing to 500 sq. ft. for "mentally or physically impaired persons" appears prejudicial;
10. Use of the term "Temporary [health care] Structures" assumes these housing units will be short-lived, when according to the act, mobile or transportable homes can remain on property indefinitely as long as they contain occupants meeting the definition found in Sec. 1.(2).

and to forward to the Board of Selectmen and formally request that they vote to opt out of PA 17-155 as the Town has already taken action in its Zoning Regulations to address this housing need in a manner that best suits the Town.

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi – Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

John Rice stated for the record that this needs to be published in the newspaper within 15 days.

4. Approve minutes:

a. December 18, 2017 PZC Regular Meeting

John Rice moved and Randy Blackmer, Jr. seconded the motion to approve the December 18, 2017 minutes as written.

Randy Blackmer, Jr. - Yes	Bill Cacciapouti-Yes	Missy Desrochers-Yes
Alvin Hill-Yes	John B. Lenky-Yes	Joseph Parodi – Yes
John Rice- Yes	Robert Werge Sr. - Yes	Tyra Penn-Gesek-Yes
Christopher Nelson- Abstained	Charles Paquette- Abstained	

Motion carried.

5. Applications received:

a. **Application 17-24:** D. Coman, Applicant and Owner of Record, for property at 0 Hagstrom Rd. Gravel Permit Renewal – former RAMCO operation. Owner was present to answer questions, a discussion ensued regarding the bond which RAMCO submitted and only partially completed the project.

John Rice moved and Robert Werge Sr. seconded the motion to move application 17-24 to the February 26, 2018 meeting for ZEO and Mr. Coman to work on application issues.

Randolph Blackmer, Jr. - Yes	Bill Cacciapouti-Yes	Missy Desrochers-Yes
Alvin Hill-Yes	Mike Krogul - Yes	John B. Lenky-Yes
Joseph Parodi – Yes	John Rice- Yes	Robert Werge Sr. - Yes

Motion carried unanimously.

b. **Application 18-02:** David R. Kopas, Applicant and Owner of Record, for property at 18 Liberty Lane, requesting Home Occupation, will buy Funko Pop Toys wholesale and re-sell on internet. Expects 1-2 USPS deliveries a week and no business sign. Mr. Kopas was present and explained his proposed business.

Charles Paquette moved and John Rice seconded the motion to approve Application 18-02 as read.

Randy Blackmer, Jr. - Yes	Bill Cacciapouti-Yes	Missy Desrochers-Yes
Alvin Hill-Yes	John B. Lenky-Yes	Christopher Nelson-Yes
Joseph Parodi – Yes	John Rice- Yes	Robert Werge Sr. - Yes
Charles Paquette-Yes	Tyra Penn-Gesek-Yes	

Motion carried unanimously.

c. **Application 18-03:** (fka: Sub 2007-04) Green Valley View Estates Subdivision, Lavallee Construction, LLC, Applicant. Requesting subdivision modifications – increase # of Phases (currently 2 phases) and change name of cul-de-sac. Janet Blanchette of J&D Civil Engineers and contractor Jason Lavallee were present, J. Blanchette stated Mr. Lavallee has a purchase and sales agreement and they have received Inland/Wetlands approval; a color coded map of the proposed phases was handed out, on the old application phase 1 was Donovan Drive and phase 2 was the cul-de-sac, the proposed phases breaks up phase 1 into 3 separate phases and phase 2 stays the cul-de-sac. The plan is to start with Phase 1A (yellow) which is 1270', a full drainage system, 7 lots, the road will be done and binder will be in, the Town will have a bond for the rest of Donovan Dr. which is 2200' (phases 1B & 1C) before any C.O. is issued and the open space parcels A & B will be conveyed to Town and all to be completed in 2018 with an est. construction cost of \$496,497.00.

Phase 1B (purple) is 1200', also has a full drainage system, 5 lots, convey open space parcel C to Town, will install conservation markers, do an archaeological survey and to be completed in 2019. Phase 1C (orange) is 1000', separate drainage system, 10 lots, install walking trail and to be completed in 2020. Phase 2 - Lavallee Lane (fka Patriots Dr) is 1000' with 9 lots to be completed in 2021. All electrical will be underground, **Charles Paquette moved and Christopher Nelson seconded the motion to approve Application 18-03.** J. Blanchette explained the reason for the proposed name change. M. Chinatti added, the applicant also requested the "building permits issued" requirement be removed from the original approval motion on 12/17/07. J. Blanchette summarized the 3 requested modifications: 1) phasing 2) name change to Lavallee Ln. 3) allow the building permits to be issued before the whole road is done, which is consistent with P&Z Regulations and which will allow the foundations to be poured concurrently with putting in road drainage, sidewalks, etc.

Charles Paquette moved and Christopher Nelson seconded the motion to amend the motion "Approve Application 18-03" to include "with these 3 modifications:

- 1) remove the phrase "building permits issued" from original subdivision
- 2) modify number of phases from 2 to 3
- 3) change the name of Patriot Dr. to Lavallee Ln"

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi - Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

6. Applications received after agenda posted:

- a. **Application 18-04** home occupation, ZEO has not reviewed application yet.

John B. Lenky moved and Randy Blackmer, Jr. seconded the motion to move

Application 18-04 to next month's agenda so ZEO can review it.

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi - Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

7. Citizens' Comments:

- J. Blanchette questioned the number of phases in the earlier motion on 5c Application 18-03, the motion was to modify the number of phases from 2 to 3 but there is actually 4 phases proposed.

Randy Blackmer, Jr. moved and John Rice seconded the motion to revisit Application 18-03, item 5c on the agenda. Motion carried unanimously.

Charles Paquette moved and Christopher Nelson seconded the motion to approve Application 18-03 with 4 phases and the other modifications as discussed.

Randy Blackmer, Jr. - Yes

Bill Cacciapouti-Yes

Missy Desrochers-Yes

Alvin Hill-Yes

John B. Lenky-Yes

Christopher Nelson-Yes

Joseph Parodi - Yes

John Rice- Yes

Robert Werge Sr. - Yes

Charles Paquette-Yes

Tyra Penn-Gesek-Yes

Motion carried unanimously.

MUNICIPAL BUILDING

815 RIVERSIDE DRIVE · NO. GROSVENORDALE, CONNECTICUT 06255

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

8. Reports of Officers and Staff:
 - a. Budget Report – Secretary Rice stated the budgets still showing a deficit of \$7,800.
 - b. Director of Planning and Development Report - M. Chinatti
 - c. ZEO Report – C. Dunne
9. Correspondence:
 - a. Received 12/27/17: Putnam ZEO, Public Hearing Notice for Zoning Regulation amendment.
 - b. Received 12/27/17: Webster Planning Board, Public Hearing Notice for development of a solar electric generating facility.
 - c. Received 1/11/18: CT Federation of Planning and Zoning Agencies Newsletter, Winter 2018.
 - d. Minutes: Zoning Board of Appeals, January 8, 2018
10. Signing of Mylars: None
11. Old Business: None
12. New Business:
 - a. **Application 05-05:** 650 Associates, LLC, (fka: 200 Associates), 0 Mason Terrace, Commission to expire Quail Ridge 15 Lot Subdivision, Map 63, Block 58, Lot 15, Zoned R-40. Subdivision expired according to Connecticut General Statute Sec 8-26c.
Randy Blackmer, Jr. moved and Charles Paquette seconded the motion to expire Application 05-05 Quail Ridge 15 Lot Subdivision as read.

Randolph Blackmer, Jr. - Yes	Bill Cacciapouti-Yes	Missy Desrochers-Yes
Alvin Hill-Yes	Mike Krogul - Yes	Charlene Langlois - Yes
John B. Lenky-Yes	Joseph Parodi – Yes	John Rice- Yes
Robert Werge Sr. – Yes		

Motion carried unanimously.
13. Commissioners' Comments:
 - John Rice questioned the date on the By-laws handed out. The date needs to be changed from 5/23/11 to 12/18/17.
 - Robert Werge Sr. questioned giving the ZEO authority to handle home occupations and they only need to come in front of this Commission if the ZEO has questions or concerns. That authority is in the updated P&Z Regulations that haven't been adopted yet.
 - Regarding the P&Z budget:
Bill Cacciapouti moved and John B. Lenky seconded the motion to give the secretary authorization to developed and present their P&Z Budget to the Selectmen.

Randy Blackmer, Jr. - Yes	Bill Cacciapouti-Yes	Missy Desrochers-Yes
Alvin Hill-Yes	John B. Lenky-Yes	Christopher Nelson-Yes
Joseph Parodi – Yes	John Rice- Yes	Robert Werge Sr. - Yes
Charles Paquette-Yes	Tyra Penn-Gesek-Yes	

Motion carried unanimously.
 - Chair Parodi mentioned the CT Federation of Planning and Zoning Agencies will be holding its annual conference on 3/22/18 at Aqua Turf Country Club, P&Z has a budget item for meeting so let him know if you are interested in attending.

- Chair Parodi stated Attorney Byrne will be here doing a workshop on "Roles and Responsibilities" on 2/22/18, since this is a regular meeting night they have 2 options: start at 6 pm or keep it at 7 pm. Consensus was to keep meeting at 7pm and add Attorney Byrne to the end of the agenda.
- 14. Next meeting: Monday February 26, 2018 at 7:00 PM, Merrill Seney Room, Town Hall.
- 15. Adjournment:
Charles Paquette moved and Alvin Hill seconded the motion to adjourn.
Motion carried unanimously.
Chair Joseph Parodi adjourned the meeting at 8:05PM.

Respectfully Submitted,

Diane Minarik

Diane Minarik
Recording Secretary