



TOWN of THOMPSON

PLANNING AND ZONING COMMISSION

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Linda Paradise
Asst TOWN CLERK

Minutes - Regular Meeting

Monday, July 22, 2019 7:00 PM

Thompson Library/Community Center, Rooms 1 & 2

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

The meeting was called to order by Vice-Chair Randy Blackmer at 7:00 PM

Roll Call: Vice-Chair Randy Blackmer

John Rice	Brian Santos	Alvan Hill	Missy Desrochers
Mike Krogul	David Poplawski	Charlene Langlois	John B. Lenky

Absent: Robert Werge, Sr., Joseph Parodi-Brown & Bill Cacciapouti

Alternates Seated: A. Hill for J. Parodi-Brown; B. Santos for B. Cacciapouti and D. Poplawski for R. Werge, Sr.

Staff Present: C. Dunne, Zoning Enforcement Officer; T. Penn-Gesek, Town Planner; D. Minarik, Recording Secretary

2. Public Hearing: **CLOSED**

- a. **PZC #19-07:** Applicant: Strategic Commercial Realty, Inc. d/b/a Rawson Materials, Owner: River Junction Estates, LLC, for property at 363 Quaddick Town Farm Rd, Map 156, Block 8, Lot 7, Zone RA80, gravel mining operation, to excavate sand and gravel.

Attorney Richard Roberts explained what a Conflict of Interest for Members of Planning and Zoning Commissions is and how to determine if they have one.

Vice-Chair Randy Blackmer:

- Mentioned an email received asking for the recusal, for financial interests, of Missy Desrochers, John B. Lenky & himself in regards to PZC Application #19-07. All 3 Commissioners did not state they had a financial interest in PZC Application #19-07.
- Asked all Commissioners if they were either present for all 3 public hearing meetings or have listened to the recording(s) of the missed meeting(s):

Randy Blackmer – Yes
John Rice – Yes Charlene Langlois – Yes Missy Desrochers – Yes Mike Krogul – Yes
Alvan Hill – Yes David Poplawski – Yes John B. Lenky – Yes Brian Santos – Yes

3. Discuss CLOSED Public Hearing and Possible Action:

M-1) John Rice moved and Brian Santos second the motion to accept Application PZC #19-07 for discussion purposes.

Atty. Roberts advised an amendment to this motion.

M-1a) John Rice amended his motion and Brian Santos seconded the amendment to accept approve Application PZC #19-07 for discussion purposes.

There was no discussion:

- M-2)** John Rice moved to approve Application PZC #19-07 Strategic Commercial Realty, Inc., based on the plans entitled "Proposed Gravel Excavation, 363 Quaddick Town Farm Rd, Thompson, CT" for the applicant Strategic Commercial Realty, Inc., and the Owner, River Junction Estates, LLC., prepared by Provost & Rovero, Inc. as revised June 24, 2019, as it is in conformance with all appropriate requirements listed in Article VIII and elsewhere in the Zoning Regulations of the Town of Thompson.
-

With advice from Atty. Roberts – Motion **M-1a** was **Withdrawn**

Discussion ensued:

- B. Santos - spent time over the past few weeks driving his car in this area and past the State Park; has a hard time visualizing tractor trailer trucks driving on the winding roads; with his calculations of 1 truck per hour for 2 years, this will affect the health and safety of the residents and therefore it doesn't meet their requirements; New Road project is just down the road with heavy truck traffic on same roads.
- J. Rice - the safety concerns Brian mentioned regarding the road widths and traffic already exists, this application is not creating the hazard; should only be discussing this project, no other projects.
- R. Blackmer – trucks have traveled from New Road project on these roads for years; this project will be replacing the New Rd trucks, not adding additional trucks to these roads; trucks from this project will be driving a shorter distance; that's all that should be discussed regarding the New Road project.
- B. Santos – asked if all Commissioners are clear/agree on where excavation should stop regarding the water line/table.
- J. Rice – stated that is one of the conditions he wanted stated in the approval.
- B. Santos – in his opinion, this project of hauling out 110 cubic yards of material will unavoidably change the character of the neighborhood, therefore it doesn't meet the requirements in Article 1. F.
- R. Blackmer – disagrees, they are required to reclaim/level and seed the land at 8 feet above the water table when done; this disruption will only be temporary not permanent.
- Mike Krogul – asked why the trucks are not going up Spicer Rd vs Quaddick Town Farm Rd; Spicer is
- J. Rice – The application states the trucks will not use Spicer Rd, they will travel on Quaddick Town Farm Rd because it is a more direct route to their plant.
- Mike Krogul – feels Spicer Rd to East Thompson Rd is a better, safer, wider, less winding roads; asked what the course of action would be if the dust became a health hazard.
- R. Blackmer – Dust control is addressed in the application, if a problem arises they should contact the ZEO.
- John B. Lenky – this is an Open Mining Project; they will use calcium chloride or water to help control dust; questioned if 2% for roads is enough; questioned if mining the land differently would help to control dust; just looking for alternatives to help everybody meet in the middle.

- R. Blackmer – responses: the 2% is in our regulations and a time to look at it is when they are working on the regulations; Phase 1 starts at the road and Phase 2 is in the back of the property. Trucks pay thousands of dollars in multiple taxes to use roads, can we tell them they can't use our roads?
- Atty. Roberts – possibly only if there is a condition of approval from a finding that the proposed use will be unreasonably dangerous because the Board of Selectmen decide who can use what roads in town and DOT for state roads; otherwise they are presumed to be public roads.
- Mike Krogul – mentioned the condition of road use the put on a different project.
- Charlene Langlois – asked if the ZEO will be able to enforce possible conditions of approval if there are any.
- R. Blackmer – responses: ZEO won't be camping out at the site but will follow-up on any complaints and will have more work hours once the budget is passed.
- R. Blackmer – regarding excavation depths to the water table, he would like a condition there will be no excavating below 8 feet above the water table; it would disturb the virgin soil causing issues like installing a foundation, etc.

M-3) Brian Santos moved and Alvan Hill seconded the motion to close the discussion.

With advice from Atty. Roberts: Motions **M-2** and **M-3** were **Withdrawn**

- M-4) John Rice moved and Alvan Hill seconded the motion to approve Application PZC #19-07 Strategic Commercial Realty, Inc., based on the plans entitled "Proposed Gravel Excavation, 363 Quaddick Town Farm Rd, Thompson, CT" for the applicant Strategic Commercial Realty, Inc., and the Owner, River Junction Estates, LLC., prepared by Provost & Rovero, Inc. as revised June 24, 2019, as it is in conformance with all appropriate requirements listed in Article VIII and elsewhere in the Zoning Regulations of the Town of Thompson with the following conditions:**
- 1) The bottom of the excavation shall be 8-feet-above the groundwater table at all times.**
 - 2) Hours of operations will be between 7am – 5pm. Exclusive of Saturdays, Sundays and Holidays.**
 - 3) Installation of "Trucks entering & exiting" signs on Quaddick Town Farm Rd & Spicer Rd at the discretion of the Thompson DPW Director.**
 - 4) Only water, not Calcium Chloride, shall be used to control dust at the excavation site.**

Discussion ensued:

- Should they include monitoring of the test wells during the wet season to determine where the water level is? – No, that is the responsibility of the ZEO or her representative.
- On #1 – correct wordage to use
- On #3 – how many and where to put the signs will be determined by the DPW Director.

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- On #4 – applicant agreed to use only Calcium Chloride for dust control but John is suggesting they use only water.
- Try starting on Phase 2 first for dust control

M-5) Mike Krogul moved and John B. Lenky seconded the motion to amend M-4 Motion by adding the condition: The project shall start with Phase 2 for dust control.

Discussion ensued:

- J.B. Lenky - Might help with dust control if it can be done; it will be harder to work from the back of property to the front of the property.
- R. Blackmer – Who determines if it can be done? The application is drawn up a certain way by professionals for a reason; personally makes sense to work front to back than back to front and have to come up over the hump, etc.

A roll call vote was taken. Randy Blackmer – **No**

John Rice – **No** Charlene Langlois - **No** Missy Desrochers – **No** Alvan Hill – **No**

Mike Krogul – **Yes** David Poplawski - **No** John B. Lenky – **Yes** Brian Santos – **No**

Motion Failed 2-7

M-6) Mike Krogul made a motion to amend M-4 Motion by adding condition 5) The truck traffic shall use Spicer Rd & East Thompson Rd instead of Quaddick Town Farm Rd.

Discussion ensued:

- C. Langlois – either way we decide the trucks to go will irritate the property owners on that road and they can't voice their opinions on it; research was done to submit this application with the trucks using Quaddick Town Farm Rd .
- Can they ask for a study to be done? – Not now, should have been asked when the public hearing was open.

No one second the motion - **Motion Failed**

Discussion ended:

A roll call vote was taken on Motion M-4: Randy Blackmer - **Yes**

John Rice – **Yes** Charlene Langlois – **Yes** Missy Desrochers – **Yes** Alvan Hill - **Yes**

Mike Krogul – **No** David Poplawski - **Yes** John B. Lenky – **Yes** Brian Santos – **No**

Motion Passed 7-2

4. Approve June 24, 2019 minutes:

John Rice moved and Charlene Langlois seconded the motion to accept the 6/24/19 minutes as written. A roll call vote was taken.

Missy Desrochers – abstained

John B. Lenky – abstained, he was on vacation.

The motion carried.

5. Applications received:

- a. **PZC Application #19-16: Continued** - Applicant and Owner: David Coman for property at 0 Hagstrom Rd, Map 19, Block 85, Lot 6A, Zone R-80, requesting Gravel Permit Operation Renewal and waiver on permit fee since there has been no activity on site in the past year. Bond still in RAMPCO's name – if he wants it back he has permission to enter onto property to reclaim the land.

John Rice moved and Alvan Hill seconded the motion to renew PZC Application #19-16 for 1 (one) year. A roll call vote was taken.

The motion carried unanimously.

John Rice moved and Missy Desrochers seconded the motion to waive the current (2019) application fee based on payment of fee last year (2018) and no activity done on site in the past year. A roll call vote was taken

The motion carried unanimously.

6. Applications received after agenda posted:

- a. **PZC Application #19-19:** Bernard Jalbert, Applicant and Owner of 420 Pompeo Rd; Map 77, Block 62, Lot 54, R-40, Subdivision Name: Jalbert 8-Lot Resubdivision; requesting a 1-Lot resubdivision.

John Rice moved and John B. Lenky seconded the motion to accept PZC Application 19-19 for a public hearing at the next regular PZC meeting on August 26, 2019 at 7:00pm in the Merrill Seney Community Room, Town Hall.

The motion carried unanimously.

7. Citizens Comments:

- Jim Sauro, 150 Spicer Rd, J. Rice said water will be trucked in – J. Rice did not say how they will get the water for dust control. Water trucks are 18-wheelers and will be on the roads with school buses.
- Robert Mann, 15 Meadow Dr, 1) water has to be trucked in because IWC has not given permission to use pond on site. 2) there are 6-7 open gravel operations in town and several have not been reclaimed per aerial photograph of Thompson.
- Mrs. Edwards, grandkids live within 100 feet of this gravel operations and is concerned with their water. Thompson has 7 active gravel operations and is well known in several originations throughout the state
- Kathleen Godzik, 157 Spicer Rd, they asked for a traffic study in all 3 meetings.
- Signs should be addressed to truck drivers "Slow children playing" School Buses" the fly up and down the roads already. ZEO only works 18 hours a week, is that enough? Who do they contact with issues or concerns, someone at Rawson? Her son is now 18 weeks healthy, who dose she contact if/when he becomes ill? ZEO or Rawson? – contact ZEO.
- Gail Arsenault, 157 Spicer Rd, watched dynamic of Commission during discussion on permit, found it deplorable when finding correct wording for motion, will work her god damnedest to make sure everybody on this commission is changed next time around.

- Debbie Chandler, 485 Quaddick Town Farm Rd – all of them pay taxes, go to school and visit Library here, they are the Commissions neighbors but the Commission went with them(applicant); they will see the Commissioners around town, in stores, etc. and will hold the Commission responsible if there are any accidents.
- Nancy Reading 496 Quaddick Town Farm Rd , praised B. Santos on his comments and research on his time, which is what they ask their delegates to do for them as well as use the by-laws; the roads are in despair and is very dangerous; requesting the Commission reconsider his input on using Spicer Rd.
- Robert Lemieux, 480 Quaddick Town Farm Rd, asked who came up with 1 truck an hour; - B. Santos based it on a calculation of amount being removed. – not talking 10-wheelers, there 18-wheelers, tri-axels do it all the time, he has to drive his lifted truck 5-mph around that corner because it is a bad corner. – semi-trailer/gravel-trailer is more maneuverable than a school bus; tri-axel & dump trailers are same regulation widths and dump trailers are shorter and turn in the middle.
- Denise Coffey, Quaddick Town Farm Rd , read into record her notes on citizens comments and concerns raised by residents opposing this application from the 6/24/19 PZC Meeting. - Several were omitted because they had been mentioned previously or do not fall under the Commissions jurisdiction, these few were new:
 - According to Held, plans are to excavate within the 8-foot buffer above the water table.
 - A petition with 296 names was submitted opposing the operation.
 - It was the opinion of several residents that PZC could deny special permit based on six criteria.
 - One resident provided measurements of road and truck widths.

8. Reports of Officers and Staff:

- a. Budget Report: 7/1/18 – 5/30/19 – none
- b. Director of Planning and Development – on agenda under items 11. & 12.
- c. ZEO Report - on agenda under items 11. & 12.

9. Correspondence:

- a. Madison Ave. Surety Bond
- b. Town of Douglas – 3 notices of Public Hearings
- c. Town of Webster – ZBA P.H. notice; Planning Board P.H. notice & decision
- d. CT Sitting Council Letter re: EM-T-Mobile-141-190701, 720 Quinebaug Rd

10. Signing of Mylar: None

11. Old Business:

- a. Inactive Gravel Operation @ 240 Brickyard Rd. – nothing new - no action taken
- b. PZC Sub-Committee Zoning Rewrite Meeting – tomorrow morning, 7/23/19, C. Dunne and T. Penn-Gesek with meet with Mr. Filchak to go over latest draft, CME, J&P and their comments, and hopefully setting up dates to meet.
- c. Detailed review summary of EDC Branding Committee Event on 6/5/19 – would like everyone's feedback, has the results and using them to help in writing grants.
- d. Discussion of drainage problem from 440 Riverside Dr. onto 442 Riverside Dr., Mr. & Mrs. Devivo's property – Ms. Dunne sent a registered letter, regarding the on-going issues she

found while researching complaint, to owners of 440 Riverside Dr. and hand-delivered letter to the gas station. No response to date.

12. New Business:

- a. Zoning: Complaint on 484-486 Quaddick Town Farm Rd, Owner Richard P., Richard & Melissa Desrochers, Map 158, Block 20 Lots 8 J & I, closed permitted gravel operation -

Commissioner M. Desrochers recused herself and went to the back of the room.

ZEO explained the owner has removed 1,236 cubic yards of the stockpiled gravel (which is about ½) from this site (previously excavated/mined under approved permits during 1999-2005), in preparation to apply for a building permit for a dwelling in an approved subdivision. The ZEO, with limited time, reviewed the Gravel Operation Regulations, which mentions proposed excavation, and the Exempt Operations which allows the removal of up to 3,000 cubic yards; the ZEO doesn't feel the owner is in any violation but suggests he installs an apron and takes measures for dust control. Owner plans to have the driveway in and breaking ground by the end of 2019.

Atty. Roberts stated ZEO has reviewed the regulations and concluded this is not covered by the regulations and if anyone is unhappy with her decision they can appeal it by go to the Zoning Board of Appeals.

Commissioner M. Desrochers rejoined the Commission.

- b. Planning: T. Penn-Gesek attended a seminar in the end of June, she will email Commissioners the questionnaire regarding certification for Best Practices for Economic Development and Land Use Planning; questionnaire return deadline is 8/24/19; deadline for submittal is 9/15/19.

13. Commissioners' Comments: None

14. Next PZC Regular Meeting:

- a. Monday, August 26, 2019 @ 7:00 pm, Merrill Seney Room, Town Hall.

15. Adjournment:

Charlene Langlois moved and David Poplawski seconded the motion to adjourn.

W/O objection the motion carried unanimously.

Vice Chair Blackmer adjourned the meeting at 8:56 pm.

Respectfully Submitted,

Diane Minarik

Diane Minarik
Recording Secretary