



# TOWN of THOMPSON

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*Linda Paradise*  
TOWN CLERK, ASST

## PLANNING AND ZONING COMMISSION

### Minutes - Regular Meeting

Monday, September 24, 2018 7:00 PM

Merrill Seney Room, Town Hall

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

**The meeting was called to order by Chair Joseph Parodi-Brown at 7:04 PM**

**Roll Call:** Chair Joseph Parodi-Brown, Vice-Chair Randy Blackmer Jr.

Secretary John Rice

Charlene Langlois

Alvan Hill

Bill Cacciapouti

Robert Werge, Sr.

Mike Krogul

Tyra Penn-Gesek

Christopher Nelson

**Absent:** Missy Desrochers and John B. Lenky

**Alternates Seated:** Alvan Hill for John B. Lenky, Tyra Penn-Gesek for Missy Desrochers

**Staff Present:** Cynthia Dunne, Zoning Enforcement Officer and Diane Minarik, Recording Secretary

#### 2. Public Hearing:

- a. **Application #18-17** Mountford Construction, LLC. Applicant & Owner, 0 Indian Inn Rd, Map 114, Block 26, Lot 50J & 50K, Zone R-20, Mountford Construction LLC, proposed 3-Lot Re-Subdivision. David J. Held of Provost & Rovero Inc. and applicant Greg Mountford were present. Mr. Held gave a summary the project which is taking 2 existing approved lots from original 9-lot sub-division in 2006 and making a 3rd lot; all 3 lots meet minimal frontage and buildable area requirements for R-20 Zone, NDDH approval for septic and well and Wetlands Agent Approval with no wetlands or watercourses; Lot 2 also has frontage on Kenneth Ave and a Mantis Leaching Septic System and Lot 3 has proposed gravel driveway; Open Space Requirements were met in original subdivision; Town Planner's issues have been addressed.

Applicant is requesting waivers for:

- 1) Stormwater drainage calculations - no public streets proposed and lots have well-draining sandy-gravel soils with no impact,
  - 2) Submission of Sanitary Report - lots tested and approved by NDDH
  - 3) Submission of water supply report - lots tested and approved by NDDH
  - 4) Scale of plans from 1" = 40' to 1" = 30' - small project, shows more detail
- TJ Mitchell, 30 Indian Inn Rd, next door to purposed sub-division, asked several questions. 1) Was a Groundwater Table Study done? Since trees have been cut down for other sub-division his 2 sub-pump's haven't stopped running and had issue with well. ZEO referred to the groundwater maps from Conservation and their hopes of future zoning regulations protecting Thompson's groundwater areas. Mr. Held stated they dug 13'+ test pits in May 2018 and found no water; Jerry Swamp controls groundwater elevation in this area and these lots are 24' -25' higher than the actual Regional Groundwater Table. 2)

How will lots be accessed? *Lots 1 & 3 off of Indian Inn Rd and Lot 2 from Kenneth Ave.* 3) What's the timeline for construction? *Completely market dependent but hopefully soon.* 4) Lot 3's driveway elevation drop? *about 18'.*

- Keith Poplawski, 3 Elaine St, stated this area used to be wetlands.
- Al Pizzetti, 0 Kenneth Ave, concerns with Lot 2's driveway on Kenneth Ave, who will maintain, plow and deal with drainage on the road? Kenneth Ave is on the original sub-division but not on 2014 list of roads Thompson maintains. Someone will check into it.
- Sheila Goodrau, 0 June Ave, how many houses going in on June Ave? *None from these 2 re-sub-divisions.*

Chair Parodi-Brown read an email from Marie Miller, 49 Bonnette Ave, who has concerns with 1) only one exit out of the neighborhood – *highway department's decision*, 2) the water table in the vicinity, 3) the electric power grid – *Mr. Held said if the power grid is inadequate the applicant will pay to upgrade per electric company*, and 4) asked for the conservation land to be untouched.

- Mr. Held stated, regarding Sub/Re-subdivision applications, this Commission is required by law to act in an administrative capacity which is to approve applications if they meet all regulations.

**John Rice moved and Tyra Penn-Gesek seconded the motion to close Application #18-17 Public Hearing.** A roll-call vote was taken.  
**The motion carried unanimously.**

- b. **Application #18-18** Mountford Construction, LLC. Applicant & Owner, 0 Lillian Ave, Map 114, Block 26, Lot 50F, Zone R-20, Mountford Construction, proposed 2-Lot Re-Subdivision. David J. Held of Provost & Rovero Inc. and applicant Greg Mountford were present. Mr. Held gave a summary the project which is taking 1 approved lot from original 9-lot sub-division in 2006 and making into 2 lots; both lots meet minimal frontage and buildable area requirements for R-20 Zone, NDDH approval for septic and well and Wetlands Agent Approval with no wetlands or watercourses; Open Space Requirements were met in original subdivision.

Applicant is requesting waivers for:

- 1) Stormwater drainage calculations - no public streets proposed and lots have well-draining sandy-gravel soils with no impact,
  - 2) Submission of Sanitary Report - lots tested and approved by NDDH
  - 3) Submission of water supply report - lots tested and approved by NDDH
  - 4) Scale of plans from 1" = 40' to 1" = 30' – small project, shows more detail
- Commissioner Blackmer asked about lot elevations, *Mr. Held stated Lot 2 is level but Lot 1's elevation slopes west to east, graded for walk-out basement if desired, 12' slope across both lots draining into Town's Open Space parcel which is like a bowl so no concerns with runoff onto other's property.*
  - Commissioner Rice asked how the Open Space can become a recreation area if all the ground water is to run into it. *There will be no run-off, the lots have well-draining soils.*
  - Keith Poplawski, 3 Elaine St, stated Open Space parcel's water table is at 3'. *Original sub-division raised ground elevation in the Open Space approx. 4'*
  - TJ Mitchell, 30 Indian Inn Rd, stated trees are growing on it now.
  - Pat Cheever, 13 South Shore Rd, stated certain times of year the Open Space parcel is spongy.

Chair Parodi-Brown read an email from Marie Miller, 49 Bonnette Ave, who has concerns with 1) only one exit out of the neighborhood – *highway department's decision*, 2) the water table in the vicinity, 3) the electric power grid – *Mr. Held said if the power grid is inadequate the applicant will pay to upgrade per electric company*, and 4) asked for the conservation land to be untouched.

**John Rice moved and Charlene Langlois seconded the motion to close Application #18-18 Public Hearing.** A roll-call vote was taken.  
**The motion carried unanimously.**

3. Discuss Public Hearing and Possible Action:

a. Application #18-17:

**Bill Cacciapouti moved and Mike Krogul seconded the motion to deny requested waiver #1) submission of Stormwater Drainage Calculations on Application #18-17**

A discussion ensued between the Commissioners on the lot's proposed good drainage and since most of the public's comments pertain to drainage this motion is a good decision not only for the abutter's peace of mind but also for the Commissions and Towns protection; this is a onetime submission of stormwater calculations; since public hearing is closed Commission can't accept report but staff can accept, review and approve calculations; upon approval the re-subdivision will be approved.

**Bill Cacciapouti amended his motion to include staff can accept, review and approve required Stormwater Drainage Calculations. Mike Krogul seconded the amendment.**

A short discussion on a time frame, the Commission has 60 days to act on an application and they won't sign the Mylars until the stormwater drainage calculations are approved.

Amended Motion: **Deny request waiver #1) submission of Stormwater Drainage Calculations for Application #18-17 and approval for staff to accept, review and approve required Stormwater Drainage Calculations.** A roll-call vote was taken.  
**The motion carried unanimously.**

**John Rice moved and Mike Krogul seconded the motion to accept Application #18-17 request waiver #2) submission of Sanitary Report.** A roll-call vote was taken.

**The motion carried unanimously.**

**John Rice moved and Mike Krogul seconded the motion to accept Application #18-17 request waiver #3) submission of Water Supply Report.** A roll-call vote was taken.

**The motion carried unanimously.**

**Randy Blackmer Jr. moved and Mike Krogul seconded the motion to accept Application #18-17 request waiver #4) plans be in scale of 1" = 30' instead of 1" – 40'.** A roll-call vote was taken.

**The motion carried unanimously.**

**John Rice moved and Tyra Penn-Gesek seconded the motion to accept Application #18-17 upon ZEO's review and approval of Stormwater Drainage Calculations and with the requested waivers 2, 3 & 4 granted.** A roll-call vote was taken.

**The motion carried unanimously.**

b. Application #18-18:

**Bill Cacciapouti moved and Mike Krogul seconded the motion to deny request waiver #1) submission of Stormwater Drainage Calculations for Application #18-18 and approve staff to accept, review and approve required Stormwater Drainage Calculations.**

Discussion on whether drainage will be a problem with these lots because they are on the other side of the area and the Open Space soil situation.

A roll-call vote was taken.

Voted Yes to approve above Motion

**Mike Krogul  
Tyra Penn-Gesek  
Bill Cacciapouti  
Robert Werge, Sr.  
Charlene Langlois  
Joseph Parodi-Brown**

Voted No to approve above Motion

**Randy Blackmer Jr.  
Christopher Nelson  
Alvan Hill  
John Rice**

**The motion carried.**

**Joseph Parodi-Brown moved and Mike Krogul seconded the motion to accept Application #18-18 request waivers #2) submission of Sanitary Report, #3) submission of Water Supply Report and #4) plans be in scale of 1" = 30' instead of 1" = 40'. A roll-call vote was taken.**

**The motion carried unanimously.**

**John Rice moved and Robert Werge, Sr. the motion to accept Application #18-18.**

Discussion on waivers and conditions of motions.

**John Rice amended his motion and Tyra Penn-Gesek seconded the amended motion to accept Application #18-18 upon ZEO's review and approval of Stormwater Drainage Calculations and with the requested waivers 2, 3 & 4 granted. A roll-call vote was taken.**

**The motion carried unanimously.**

4. Approve minutes:

- a. August 27, 2018 PZC Regular Meeting - After a discussion regarding the legality, **Randy Blackmer Jr. moved and Christopher Nelson seconded the motion to approve the 8/27/18 minutes as written.** A roll-call vote was taken.

Tyra Penn-Gesek abstained, she was absent.

**The motion carried.**

5. Applications received:

- a. **Application #18-19** Ashley Tucker, Applicant, Ashley & Shaun Tucker, Owners of property at 124 Pompeo Rd, Map 61, Block 59, Lot 33, Zone R40, requesting home occupation permit for an internet based business selling organic skincare, bath & body, clothing, products, etc. ZEO explained the business, all shipments by US Mail, no foot or vehicle traffic and all regulations have been met.

**Bill Cacciapouti moved and Charlene Langlois seconded the motion to approve Application #18-19 as read.** A roll-call vote was taken.

**The motion carried unanimously.**

- b. **Application #18-20:** Paul Radzik Applicant & Owner of property at 13 Westside Dr, Unit 91, Map 85, Block 51, Lot 10C, Zone R20, requesting home occupation permit for JJ's Consulting, construction/business consulting. ZEO explained the business which is in a condo unit but HOA decision supersedes PZC decision, no foot or vehicle traffic, fee was paid and all regulations have been met.

**Robert Werge, Sr. moved and Christopher Nelson seconded the motion to approve Application #18-20 as read.** A roll-call vote was taken.

**The motion carried unanimously.**

6. Applications received after agenda posted: None
7. Citizens Comments: None
8. Reports of Officers and Staff:
  - a. Budget Report 07/1/18 – 09/13/18: Next month will get full report of expenses.
  - b. Director of Planning and Development Report - None
  - c. ZEO Report w/attachments
9. Correspondence:
  - a. Minutes: Zoning Board of Appeals 9/10/18
  - b. Received 9/18/18 – Invitation from Halloran & Sage to the Town of Plainfield PZC's Workshop "Roles & Responsibilities of Land Use Boards & Commissions" on Tuesday 10/9/18 at 7:00pm at the Town of Plainfield, 8 Community Ave. – Good workshop for the new Commissioners to attend.
10. Signing of Mylars:
  - a. Shields-Brotbak 622 Fabyan Rd 4-lot Sub-division. *Applicant Richard Shields Brotbak, property owner Nancy Shield, 622 Fabyan Road, Map 17, Block 81, Lot 42 I, Zone R-40, Subdivision of 4 lots on 16 acres. – It is recommended that the PZC vote to: Place on the record that "access to the conservation property be given to the Conservation Commission and Town when needed."*  
ZEO to check if authorization of Town Officials to access the property is applied in the Conservation Easement Agreement. If not then add it to the Mylar.  
Revisit it next month.
11. Old Business:
  - a. Inactive Gravel Operation @ 240 Brickyard Rd. - ZEO explained photos attached to her Memo; Bryan Hryzan, contact person, wants to continue gravel operations. ZEO suggested he meet with the PZC in October for a preliminary hearing and contact a lawyer concerning the Bond in Dudley Concrete's name. Commissioner Blackmer raised concerns there isn't enough material left to continue operations because he can't dig much lower, already close to the water table, the land away from Brickyard Rd is owned by the Army Corp and can't go closer to the road because he has to be 50' from property line.
  - b. **Application #18-15:** Applicant Daniel Bennett, owner James Whittemore, 115 Labby Road, Map 95, Block 44, Lot 2G, Zone R40, requesting home occupation permit for D.B.C. Solutions, office, tool and equipment storage; awaiting signed letter from homeowner giving approval to conduct a Home Occupation at this address. ZEO received letter from homeowner dated 8/15/18 giving approval to conduct Home Occupation on his property.

**Randy Blackmer Jr. moved and Mike Krogul seconded the motion to approve Application #18-15 as read. A roll-call vote was taken.  
The motion carried unanimously.**

- c. PZC Sub-committee Meeting, continued Zoning Regulation Re-write with John Filchak, immediately following this meeting, duration 1 hour. – Meeting Cancelled, John was unable to attend. The Commission discussed process for moving forward; Alvan Hill corrected the definitions in the regulations with State Statues and handed them out; all would like next draft color coded like the first one; when Mr. Filchak finishes last 2 sections they will meet on a different day from the regular meeting date.
12. New Business:
- a. Discussion of Name Transfer of new ownership of Gravel Operation Permit of 650 Associates, LLC to Northeast Sand and Gravel, Incorporated. According to Article 5, Sec. 5, F, 2  
**John Rice moved and Randy Blackmer Jr. seconded the motion to authorize 650 Associates, LLC to transfer their Gravel Operation Permit to Northeast Sand and Gravel, Inc.**
  - b. Discussion of requirement to apply for a permit for Haunted House at 664 East Thompson Road. – Not PZC jurisdiction.
  - c. Tri-State Baptist Church planning on a Christmas Nativity Lighting Display. ZEO stated it is a trial run and only up for 2 days. – No permit required per Commission.
13. Commissioners' Comments: None
14. Next Meeting: Monday October 22, 2018 @ 7:00 PM in the Merrill Seney Room, Town Hall.
15. Adjournment:
- Charlene Langlois moved and Tyra Penn-Gesek seconded the motion to adjourn. The motion carried unanimously.**
- Chair Parodi-Brown adjourned the meeting at 9:10 PM.

Respectfully Submitted,

*Diane Minarik*

Diane Minarik  
Recording Secretary