



TOWN of THOMPSON

PLANNING AND ZONING COMMISSION

Minutes: Regular Meeting

Monday, January 27, 2014

Merrill Seney Room, Town Hall

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Vice-Chairman Randolph Blackmer called the meeting to order at 7:00 PM.

Roll call and seating of alternates

1. Present:

Randolph Blackmer, Jr.

Christopher Nelson

John Rice

Charlene Langlois

Charles Paquette

Daniel Touchette

John B. Lenky

Joseph Parodi

Robert Werge, Sr.

Alternate William A. Cacciapouti was present and was seated. There was a quorum.

Alternate Michael Krogul arrived during the meeting and did not vote.

2. Absent:

Greg Lee

Peter Nedzweckas

3. Staff Present:

Mary Ann Chinatti, Director of Planning and Development

Ida Ransom, Recording Secretary

4. Guest: Attorney Steven E. Byrne

Public Hearing: None

Discuss Public Hearing: None

Approve minutes

1. **Charles Paquette moved and John Rice seconded the motion to accept the minutes of the December 23, 2013 meeting as presented. The motion carried unanimously.**

Applications received: None

Applications received after agenda: None

Citizens Comments

1. Harold Hopkins, French River Materials and Thompson Rail, distributed a letter in which they requested permission to do a test blast and an additional handout explaining the test blast plan for the 307 Reardon Road property. The information from the pre-blast survey has being compiled and they are awaiting the water testing by the Northeast Department of Health.
- a. Charles Paquette asked if this test blast would be coordinated to allow Town representatives to participate.
- b. According to Harold Hopkins, the Town will have the opportunity for staff to be in attendance and further stated that future blasts will follow the same procedure.
- c. **John Rice moved and James Parodi seconded the motion to place Thompson Rail as an item under 11. Old Business.**

Randolph Blackmer, Jr. - Yes

John B. Lenky - Yes

Joseph Parodi - Yes

Robert Werge, Sr. - Yes

William A. Cacciapouti - Yes

Christopher Nelson - Yes

John Rice - Yes

Charlene Langlois - Yes

Charles Paquette - No

Daniel Touchette - Yes

The motion carried. Thompson Rail, AKA 307 Reardon Road, was added to Old Business.

MUNICIPAL BUILDING

815 RIVERSIDE DRIVE · NO. GROSVENORDALE, CONNECTICUT 06255

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

2. Charles DeVivo, 442 Riverside Drive, read a statement in which he asked numerous questions. He was asked to provide a copy to the Recording Secretary, but he failed to do so.
3. Denise Coffey, reporter for *The Reminder* and a resident of Quaddick Town Farm Road, stated first, that to date she has been unable to obtain a copy of the records of previous blasts and secondly, that given the information GeoSonics has on its web site which states they provide "Expert Testimony", GeoSonics may not be an independent contractor since their testimony is in cases involving blasting court suits and is against those with claims of damage from blasting.
4. Donat Charron, 446 Riverside Drive, stated that the photographs that were recently taken as part of the pre-blast survey were only of damage in the residence being surveyed; the rest of the house was not completely photographed so there will be no basis if new damage occurs.
5. Deborah Rindge, PO Box 71, Chester, CT distributed a flyer "Legislative Change for New Blasting Regulations" and asked people to contact Senator Art Linares.
6. Sally White, 308 East Thompson Road, stated that GeoSonics are experts at refuting claims and that the method of review is flawed. She also noted that as a point of order that John B. Lenky, a member of the Commission, should state that he is brother to Selectman Paul Lenky.
7. Charles DeVivo stated he thought the Town was to select the third party.
8. Harold Hopkins stated that Maine Blasting did not hire GeoSonics; GeoSonics was hired by Thompson Rail. He confirmed that the blasting permit comes from the Fire Marshall.
9. Paul Baer stated that Citizens Comments should go through the Chair and that if responding the Commission members should also go through the Chair.
10. Al Landry, 33 Randall Road, stated that in a previous meeting members were not allowed to speak.
11. George Axtell, 394 Riverside Drive, asked how much money the Town is receiving and also what kind of a load will be used for the test blast.

Reports of Officers and Staff

1. Monthly Budget Review
 - a. John Rice explained line by line the proposed budget for FY 2014-2015.
 - b. John Rice moved and John B. Lenky seconded the motion to authorize the proposed budget be forwarded as presented; the motion carried unanimously.**
2. ZEO Report
3. Director of Planning and Development Report

Correspondence – The starred (*) ones were sent only via email.

1. Agenda: Planning and Zoning Commission, January 27, 2014.
2. Minutes: Planning and Zoning Commission, December 23, 2013.
3. ZEO Report
4. Financial Report
5. *Agenda and Minutes: Zoning Board of Appeals, January 13, 2014.
6. *Agenda and Cancellation: Conservation Commission, January 21, 2014.
7. From Stephen E. Byrne, dated December 11, 2013, to the Town of Thompson Board of Selectmen, a proposal to provide services to the Thompson Planning and Zoning Commission.
8. From Attorney St. Onge, dated January 5, 2014, his review of the Stephen E. Byrne proposal.
9. Received, January 7, 2014 from Attorney Steven E. Byrne, Executive Director CT Federation of Planning and Zoning Agencies (CFPZA), a save the date for the Annual Conference, March 13, 2014.
10. CFPZA Newsletter, Winter 2014.
11. From DEEP, received January 21, 2014, "Notice of intent to modify General Permit for Water Resources Construction Activities for Compliance with 2013 Legislative Changes."
12. ZEO's report on the Site Plan Modification and Home Occupation (see New Business) was distributed to members at the meeting.

Signing of Mylars: None

Old Business

1. Thompson Rail, AKA, 307 Reardon Road

- a. **John Rice moved and Daniel Touchette seconded the motion to authorize a test blast according to the letter and plan from French River Materials and that a Certificate of Insurance be provided to the Town before the test blast occurs.**

b. Discussion follows:

- 1) Attorney Alter, representing Thompson Rail, raised the issue of the privacy of those who have participated in the pre-blast survey and questioned whether those who participated realize that if the survey information is released it may become public and show information about their residence that they would not want the public to know.
- 2) The Town will be notified of the blast so they can have someone in attendance.
- 3) The Fire Marshall is the one who will issue the permit to blast.
- 4) Once Northeast District of Health has completed the water testing that information will be submitted and no blasting will be done prior to that report.
- 5) The test blast will be typical of previous blasts.
- 6) It was stated that Maine Blasting, Inc., is the contractor who conducts the blast; they have insurance to cover damages to property.
- 7) GeoSonics has no stake in protecting Maine Blasting; they have no relationship and no connection.
- 8) Charles Paquette asked if there is Certificate of Insurance that the Town can get from Maine Blasting and confirmed that the water testing will be done before the test blast.
- 9) John Rice stated, in answer to George Axtell's question, that the Town receives two (2) cents a yard for material removed.
- 10) Harold Hopkins stated that he has a definite problem with sharing the information from the pre-blast surveys because of privacy issues.
- 11) Discussion about the pre-blast survey was held. Commission members need the data so that they have a base line and to be fully informed as they make their decisions.
- 12) Given the concern for the privacy of those who participated, Joseph Parodi asked if the report could be submitted in some kind of aggregate form.
- 13) Charles Paquette confirmed that each participant will receive his/her own report; he then stated that if a person chooses to share his/her own information then there is no privacy issue.

c. The vote was as follows:

Randolph Blackmer, Jr. - Yes	William A. Cacciapouti - Yes	Charlene Langlois - Yes
John B. Lenky - Yes	Christopher Nelson - Yes	Charles Paquette - No
Joseph Parodi - Yes	John Rice - Yes	Daniel Touchette - Yes

Robert Werge, Sr. - Abstain; it is not the Commission's purview to deal with blasting.

The motion carried.

New Business

1. **John Rice moved and Joseph Parodi seconded the motion to move items 12 C and 12 D ahead of the other two items. The motion carried unanimously.**
2. Zoning Review: Site Plan Modification – Webster Lake Realty, LLC 1394 Thompson Rd.
 - a. **John Rice moved and Robert Werge seconded the motion to approve the site modification based on the report from the ZEO with such modifications to be noted on the Mylar. The motion carried unanimously.**
3. Home Occupation Application: Christopher Lamothe, 669 Quaddick Town Farm Road – Wild Life Control Company
 - a. **John Rice moved and Robert Werge seconded the motion to approve the Home Occupation Application based on the report from the ZEO. The motion carried unanimously.**

4. Attorney Steven E. Byrne, Executive Director, Connecticut Federation of Planning and Zoning Agencies (CFPZA), presented a workshop on "Member Roles/Responsibilities and Proper Meeting Procedure." He distributed three CFPZA handouts "*Supplementary Workshop Materials on Good Governance*", "*Workshop for Planning Commissions*" and "*Workshop for Zoning Commissions*" as well a handout "*Subdivision Application Procedures*". Attorney Byrne reviewed highlights of each of the handouts with special emphasis on items that have changed; he answered questions during the workshop.

Charles Paquette left the meeting at 8:38 PM and Daniel Touchette at 9 PM.

5. Planning and Zoning Legal Representation
 - a. **John Rice moved and John B. Lenky seconded the motion to recommend to the Board of Selectmen that a land use attorney be employed. The motion carried unanimously.**

Commissioners' Comments: None

Next meeting

1. The next regular meeting will be held Monday, February 24, 2014, at 7 PM in the Merrill Seney Room at the Town Hall.

Adjournment

1. **Robert Werge moved and Paul B. Lenky seconded the motion to adjourn. The motion carried unanimously.**
2. Vice-Chairman Randolph Blackmer adjourned the meeting at 9:47 PM.

Ida Ransom
Recording Secretary