

Planning and Zoning Commission
March 16, 2021 – 7:30 PM
Meeting Minutes
Please Note: This meeting was held online.

Members Present:

Walter Parsell
Bob Shabot (present at 8:05 pm)
Laurie Semprebon
Joe Hall
John Tehans (new member)

Other Members Present:

Michael D'Amato – Zoning Agent
Ashley Stephens- Assistant Zoning Agent

A. Call to Order

B. Roll Call/ Seating of Alternates

W. Parsell called meeting to order at 7:33 pm.

C. Applications to be Received

a. PZ-21-11: Three Lot Re-subdivision Application: 59 Latham Rd, Applicant: Edward Pelletier, Owner: Michael Nogas

M. D'Amato stated we have to hold a public hearing for a re-subdivision. It already went through wetlands and was approved. This will be scheduled for the first meeting in April.

We will also receive Phelps plaza at 11 Phelps Way, PZ 21-13, new permit to amend their recently approved special permit and we will schedule the public hearing for the first meeting in April as well.

D. Public Hearing

a. PZ-21-3: Section 7.07.02: Livestock and Poultry of the Willington Zoning Regulations. Application: Willington Planning and Zoning Commission (continued from March 2)

R. Jansing from 260 Willington hill Rd, stated that that they were wondering if it could be considered if chickens could be just in a coop from something like tractor supply to have a few hens to lay eggs. Not looking to have free range chickens, just want to be able to have a few chickens on less than a half than acre (.45 acres).

C. Donaldson from 142 Tolland Turnpike stated that after looking at the proposed regulations, she would like to extend the regulations to all homeowners in town to anyone under an acre, to keep 3 hens, kept in a chicken coop like something from tractor supply that is covered, with the same guidance from the proposed regulations placing the coop from the same setbacks. She thinks that it is beneficial for the town and for a family to be able to have self-sufficiency.

S. Worthen from 183 River Rd agrees with previous two members of the public and would like to be allowed to have small flocks of chickens that are well contained. She has .85 acres and would appreciate having a smaller lot size.

J. Hunter from 13 Hall Hill stated that he agrees with the changes and no roosters being allowed.

M. D'Amato stated we have gotten feedback from the website. All three submissions were supportive of the change and were against roosters. The town planner in Ellington said they've had the regulation for about 4.5 years, and the registration form is not well utilized because it's not like a permit and not something they enforce, it's just been an administrative thing no one has adopted. They went to 20,000 square feet and have had no issues with the regulations beyond the occasional rooster.

W. Parsell made a motion to close public hearing for

PZ-21-3: Section 7.07.02: Livestock and Poultry of the Willington Zoning Regulations.

Application: Willington Planning and Zoning Commission

L. Semprebon seconded the motion. All in favor.

E. New Business

a. PZ-21-6 Special Permit Renewal Section 15 Excavation, Sand & Gravel at 180

Tolland Turnpike Applicant: Diane Becker Owner: Holt Mountain LLC

b. PZ-21-7 Special Permit Renewal Section 15 Excavation, Sand & Gravel at 171

Tolland Turnpike Applicant: Diane Becker Owner: Lawrance Becker

c. PZ-21-8 Special Permit Renewal Section 15 Excavation, Sand & Gravel at 9 George

Dr. Applicant: Diane Becker Owner: Becker Lawrance

d. PZ-21-9 Special Permit Renewal Section 15 Excavation, Sand & Gravel at 328 Ruby

Rd Applicant: Diane Becker Owner: Ruby Associates General Partnership

L. Semprebon asked if this should be accepted as it was not received 45-90 days prior like the regulations state.

M. D'Amato stated we do not get more time to review it based on the submission date, we still have to schedule it within the timelines. Statue says as soon as an application is submitted, it needs to be received and moved forward. We can move it to the next meeting if you need more time, but you do not have to be pressured to decide tonight.

P. Alter is a lawyer from Alter & Pearson who represent the owner of all properties. He stated the Ruby Rd excavation site was granted by commission in accordance with zoning regulations. Route 32 171 and 180 Tolland Turnpike pre date zoning and come before the commission based on the regulations. All operations are legally existing and pre dates zoning regulations.

P. Alter continued that Ruby road has had little excavation in the last year, and is not foreseen that activity will significantly increase. Route 32 is utilized as it has for years and will continue as it has in the past year. We are not aware of any complaints or issues.

171 Tolland Turnpike continues to operate as it did last year. They continue to require testing of materials that come onto site so there is not hazardous waste or containments. 180 Tolland Turnpike continues as it has in the past with mining and manufacturing of stone products. Activity is the same as it has been in the past.

J. Buchanan stated she is the engineer for the applicant, and half of the water samples have been approved from early June of last year which is when they collected their bi annual samples and followed up with the second sample of December of last year. They have completed 2 out of the 4 samples as well as the site inspection to visually observe the water outfall to look for odor, cloudiness, etc, and the water has been clear and appeared to be normal rain water. The data shows it is below the criteria in the permit and no action is required at this time. After the next 2 samples, it will be inspected again.

P.Alter asked J. Buchanan what the samples of the outfall of water and rain water were.

J. Buchanan stated they collect samples of rain water while on site, and collection should be during rain event to collect while walking around site. Both visually look the same and the Ph is about the same.

P. Alter stated DEEP requires particular items to comply with standards for water testing that J. Buchanan has outlined and that they are in complete compliance. This quarry has somewhere between 80-100 years of mined material left. It will be an operation for generations to come and one of the request we would make, would be to extend permits for this type of operation so we don't come in each year for a renewal. We will if the commission deems appropriate, but there is so little movement with the quarry that we hope this can be a consideration for next year.

L. Semprebon asked are the water tests being done at all three sites.

J. Buchanan stated that the only active site is 180 Tolland Turnpike, the other 3 are inactive according to DEEP and do not require a permit to monitor storm water at the site.

P. Alter stated that the requirements for this kind of a discharge for a quarry is identified for that one site that requires this type of permit. We follow DEEP requirements. The towns requirements do not require water tests.

M. D'Amato asked if they can speak on the driveway. We spoke on it last year, but we would like to have the issue of tracking mud and dirt in the road resolved.

P. Alter stated preparations to resurface the driveway was started last year, but it is expected it will be completed this spring.

J. Patton stated we replaced the entire driveway base about 20 inches down and installed drainage according to the engineer's drawings, and they expect to pave it by June 2021 after getting an extension from DOT.

M. D'Amato asked what's the total length of the driveway construction?

J. Patton stated up to scale to the house is about 800 feet.

The commission decided they would like to put it on the upcoming agenda and if there is anything they would like to know, M. D'Amato can forward questions to P. Alter and or the applicant, J. Patton.

F. Unfinished Business

N/A

G. Executive session-Pending Litigation

An executive session for the PZC Members and M.D'Amato and A.Stephens was held.

W. Parsell made a motion to open the executive session. L. Semprebon seconded the motion.

Return to Regular Meeting at 8:24pm

Approval of Minutes

a. March 2, 2021

B.Shabot made a motion to approve minutes. L. Semprebon seconded the motion. All in favor.

H. Correspondence

N/A

I. Public Comment:

The Commission will hear brief comments at this time from anyone wishing to speak. No business can be conducted here nor can any comments be made about any items on the agenda.

J. Staff Report/Discussion

a. Affordable Housing Plan

M. D'Amato stated we are required to adopt an affordable housing plan. Originally, the deadline was June, and everything we have been working on with livestock regulations and LOTCIP and COVID has put us behind. We have asked for an extension to December because I did not feel that we would get it done in time so we will be getting that started once we see what the executive orders do.

W. Parsell asked what type of guidance for the plan looks like.

M. D'Amato stated that there are only rough guidelines, not specific as what has to be in it other than how a town will increase affordable housing.

K. Adjournment

W. Parsell adjourned the meeting at 8:34pm.

Respectfully Submitted,

Ashley Stephens