

Planning & Zoning Commission

Windham, CT

Minutes

February 25, 2016

The Windham Planning & Zoning Commission held its meeting on February 25, 2016 in Town Hall, 979 Main St. Willimantic CT. 06226.

I) Call to Order

Chair Paula Stahl called the meeting to order at 7:01 P.M. Members present were Paula Stahl, Jean Chaine, Ed Pelletier, Michael Graff, Claire Lary, and alternate Scott Lambeck. Also present were Town Planner James Finger, and ZEO Matthew Vertefeuille.

II) Approval of Minutes

Jean Chaine made a motion to amend the agenda to include approval of the November 19, 2015 minutes and Ed Pelletier seconded the motion. The motion carried unanimously.

- a. The minutes of November 19, 2015 were approved on a motion made by Jean Chaine and seconded by Alternate Scott Lambeck. Voting in favor of the motion were Jean Chaine, Alternate Scott Lambeck, Ed Pelletier, and Claire Lary. Michael Graff and Paula Stahl **abstained**. The motion carried.
- b. The minutes of January 28, 2016 were amended on page 3, line 3 to state...**non-changeable** LED light pump topper. Also on page 3 item C ... and the installation of a culvert. Jean Chaine made a motion to approve the minutes of January 28, 2016 as amended and Michael Graf seconded the motion. The motion carried unanimously.
- c. The minutes of February 11, 2016 were approved on a motion made by Jean Chaine and seconded by Ed Pelletier. The motion carried unanimously.

III) Public Hearing – Northeast Recyclers, 34 Boston Post Road – Special Permit application for expansion of Recycler’s yard onto abutting property.

Joseph Boucher, M.S. L.S. with Towne Engineering, representing the applicant, gave an overview of the site plan details along with the owner, Mr. Bruce Hussey Jr. Mr. Boucher explained that the applicant is seeking to expand the auto recycling yard use (which is permitted in the C-2 Zone) and to include the installation of a culvert. He said the Zoning Commission approved a site plan for the property in the year 2000, but it was never built. The property was then purchased and used by a church group.

Mr. Boucher explained that the plan is to surround the site with an 8 ½ foot fence that will be backfilled with approximately two feet of loam to prevent stormwater from escaping under the fence. In addition, the open ditch would be piped to prevent storm water leaving the site that could contaminate the Natchaug River. Mr. Boucher said the applicant also would like to eliminate the sidewalk on Lafayette Street,(as it serves no purpose) as well as the landscaping.

Mr. Boucher said the town has a code of ordinances which require that upon construction of any building, or change in land use of any property abutting any street in the City of Willimantic that there shall be construed curbs and sidewalks in accordance with the current regulations. Mr. Boucher said that sidewalks would not be appropriate in this location, and asked for a waiver from this requirement. Chair Stahl agreed that sidewalks really have no purpose there, but the Commission has no control over the sidewalk ordinance.

Mr. Boucher identified the property on the map and also pointed out the abutting properties. He said the proposal is to expand the recycling yard which already exists to the northeast section of the property. The only residential district that abuts this property is the Firemen's Training School Road. He said the proposal is to surround the site with an 8 ½ foot tall fence which is required for the DMV Permit. He said the site is fully contained, as all the storm water drains onto the property. There are three entrances to the site; one from Lafayette Street, and two from Boston Post Road. We will also utilize the existing curb cuts.

At the last meeting, it was suggested to add some landscaping along Boston Post Road and the applicant has agreed to re-grass the area, add some mulch, and also add plantings.

Jean Chaine referred to the fence line that runs along the culvert. He said that fence line is clearing separating the two properties from this single operation. Mr. Chaine asked if the intent of this parcel is to expand the availability of materials from this parcel to the public.

Mr. Hussey, owner of the property, said this area will be used for storage only, and the general public will not be going into this area.

Ed Pelletier asked about the drainage. Mr. Boucher responded to Mr. Pelletier's question.

Chair Stahl opened the meeting up for public comment, but there was no one in the audience to comment on the application.

A brief discussion ensued.

Mr. Hussey explained that the open ditch would be piped to prevent storm water on the site from contaminating the Natchaug River. After the ditch is piped, and the new site is fenced, the internal fence will be removed, and then vegetation along Fire Training School Rd. will be removed to enhance security.

The Chair asked about the effect on neighbors - such as dismantling, banging metal, and lights shining onto neighboring properties. She also asked if they were planning any new buildings.

Mr. Hussey explained that there will not be any on-site lighting, and there are no plans to erect any buildings or provide any power to the new site. Further, there is no plan to work on vehicles in the new area, as this additional yard is for salvage storage only. The hours of operation of the Recycling Yard will be Monday through Friday, 8 AM-5Pm, and 8 AM to 2 PM on Saturday.

Commissioner Chaine asked if customers are going to be allowed to go in, and pull parts off of vehicles.

Mr. Hussey explained that customers will only go into the site with an escort to identify parts they want, but they are not allowed to pick and pull parts. All parts that are to be removed will be done behind the main building at 48 Boston Post Rd., where the scale is located.

Chair Stahl said she was surprised that there were two egresses out onto Route 6. She said although there would not be much activity in that area, traffic could be problematic. She asked if they could eliminate one of the gates.

Mr. Hussey agreed they could eliminate one of the gates that was shown on the plans for Route 66. The gates on Lafayette St. are primarily provided for emergency access - not for general access to the salvage yard.

Chair Stahl read a letter from Timothy DeVivo, Willimantic Waste Co. who expressed his support for the proposed expansion. He said the application fits within the commission's discretion, will be an overall improvement to the area and will not adversely impact adjoining properties. He said the requirement for sidewalks might be an issue and maybe a fee waiver in lieu of installation would be appropriate to this situation. As there were no further comments on this application the public hearing was closed at 7:37 P.M.

Jean Chaine made a motion to approve the application for special permit submitted by Northeast Recyclers, for expansion of Recyclers Yard onto abutting property at 34 Boston Post Road per the site plan dated 2/2/16 as presented and discussed at the meeting. Ed Pelletier seconded the motion and the motion carried unanimously.

IV) David Torres, 204 Summit Street, Willimantic, CT. Special Permit application for adding an apartment in owner occupied dwelling in a Neighborhood Preservation Residence District in accordance with Section 27.3.1. The applicant is seeking the Special Permit in order to convert an existing 1-family dwelling to a 2-family dwelling for use by the owner and one tenant.

The Commission took receipt of the application and scheduled it for a public hearing on March 24, 2016.

V) Steven Edelman, Gilead Enterprises, 96 Back Road & 40-44 Old Brooklyn Turnpike – application for earth excavation.

Jean Chaine recused himself from participating on the application.

Mr. Edelman explained that Nutmeg Gravel had a contractual agreement with Gilead Enterprises to excavate gravel from the 40 Old Brooklyn Turnpike and 96 Back Road Excavation. Nutmeg Gravel went out of business before finishing the job. They did restore the old part of the 40 Old Brooklyn Turnpike excavation, but left several thousand cubic yards of stock-piled material on the southern two-acre portion which remains unrestored. Mr. Edelman's plan is to complete the earth excavation, mostly marketing the stockpiled material and restoring the site.

A discussion ensued.

ZEO Matt Vertefeuille said this will be a brand new permit. Planner Finger referred to a map and identified the property. Chair Stahl said the Commission would require an updated site plan showing the activity and what remains open.

The Commission took receipt of the application and will schedule it for a public hearing.

The Commission will conduct a site walk of the property, and will meet at 40-44 Old Brooklyn Turnpike on Saturday March 5, 2016 at 4:30 P.M.

VI) Windham Center Fire Department –preliminary review of proposed building expansion onto adjacent property and determination of applicable regulations.

Attorney John McGrath, representing the Windham Center Fire Department said we are here before you this evening to introduce the concept of our plan, and to ask for a determination of the applicable zoning regulations for the expansion as it is not clear in the regulations.

Attorney McGrath referred to the drawings and went on to give a preliminary overview of the proposed building expansion. He said we have met with the Windham Center Historical District Commission seeking approval to demolish a neighboring building because we will need to secure additional land. That meeting will be continued on March 30, 2016. Attorney McGrath then went on to review the boundaries of the property adding that there are wetlands (small pond) on the property

Josh Niles, a member of the Fire Department said we would like to build a 4-bay station and connect it to the existing station. The original fire station was built in 1955. He reviewed the proposed drawings. Attorney McGrath said this project is at a conceptual stage at this point in time.

An informal discussion ensued.

Chair Paula Stahl asked what they would do with that part of the building. She said this is a tight spot and asked if they had looked at other sites. Mr. Niles said they felt this was the best location. Chair Stahl said demolition could be very costly.

Attorney McGrath said there are wetlands on the property (a small pond).

Planner James Finger said this plan is not part of the application before the Historic District Commission but is part of a demolition process. The plan for expansion would be a totally different application, he added.

The commission took no action on the proposal.

VII) Report from Zoning Enforcement Officer.

ZEO Matt Vertefeuille reported on the following:

- 1) Update on 74 Elm Street - building demolished and site cleaned up.
- 2) Updating the Plan of Conservation & Development. Chair Stahl suggested meeting with a consultant to review the present plan and see what changes are appropriate. The Commission could then review their advice and recommendations with regards to developing the update.

VII) Adjourn There being no further business, the meeting was adjourned at 8:25 P.M.

Respectfully submitted, Lillian Murray, Clerk; revised - James Finger Planner