

**WINDHAM PLANNING & ZONING COMMISSION**  
**WINDHAM, CT**  
**June 25, 2015 MINUTES**

The Windham Planning & Zoning Commission held its meeting on June 25, 2015 in the 2<sup>nd</sup> Floor Auditorium in Town Hall. Chair Paula Stahl called the meeting to order at 7:00 P.M. Members present were Ed Pelletier, Jean Chaine, Claire Lary and Paula Stahl. Scott Lambeck and Michael Graff were excused. Also present was Code Enforcement Officer Matthew Vertefeuille.

**I) Approval of Minutes**

- a) The minutes of March 26, 2015 were approved on motion made by Jean Chaine and seconded by Claire Lary. Voting in favor of the motion were Jean Chaine, Claire Lary, and Paula Stahl. Ed Pelletier abstained. The motion carried.
- b) The minutes of April 9, 2015 were approved. Motion made by Jean Chaine and seconded by Ed Pelletier. The motion carried unanimously.
- c) The minutes May 14, 2015 and June 11, 2015 were approved. Motion made by Jean Chaine and seconded by Ed Pelletier. The motion carried unanimously.

**II) Old Business**

- a) **HRES Willimantic, LLC, 161 Main Street, Willimantic – Status of Site Plan.** Code Enforcement Officer Matt Vertefeuille reported that he is still working with the applicants on the sight lines and awaiting DOT approval. He said the applicants should be at the next meeting on July 23, 2015 as they will be nearing the end of the extension period.

**III) New Business**

- a) **T&G Realty, Inc., 137 Boston Post Road, Route 66 – Application for 44’ X 75’ Service Bay** addition to existing auto dealership.

Chair Paula Stahl said the applicant is not able to attend this evening’s meeting. She said the Commission will accept the application and schedule a public hearing on July 23, 2015.

- b) **Manning, 75 South Windham Road – Progress plan on continuation of existing earth excavation.**

Matthew Maynard, with Towne Engineering, said he is representing the applicant, Peter Manning. He referred to an aerial photo of the site. He said the owner is utilizing two areas at the present time. Currently, there are two excavations; one comes in off South Windham Road and the other gains access from the applicant’s driveway. There is only one person utilizing the site. He said the area is well contained, and all runoff is contained on site.

Mr. Maynard said the material is what we call dead sand and is not in demand right now. Until that changes we will see very little changes on site, he said.

Chair Stahl said if that is the case perhaps they could start reclaiming the site. Mr. Maynard said a lot of the areas are starting to take on a green color and the property closest to the residential properties in the back show green grass growing. Chair Stahl said the reclamation is supposed to be done by the property

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owner (not by Mother Nature) including top soil being added. She said if they are down to dead sand I think it is time to think about reclaiming some of the areas that are not going to be excavated further.

Code Enforcement Officer Matt Vertefeuille said he went out to the site last week with Joe Boucher (Towne Engineering) and it appears that the operator (Merritt Knight) has been doing some reclamation; putting down top soil and grass seed. He said the bottom of the pit is almost at grade level. It is starting to fill in and it would be difficult to drive a truck in there. He said actually only two areas have been changed over the last five years since he has been here. He said there is no crushing being done on the site. He is just screening sand.

Chair Stahl asked how many acres is the site and how much is open versus closed. Mr. Maynard said it is approximately 22 acres and probably 1/3 of that is being used. Chair Stahl said it looks like more than 1/3 is open. Commission Ed Pelletier said the regulations state that only a certain amount of area can be opened up and left before you move on to another area. Chair Stahl said this is what is proposed in the revised draft regulations.

Commissioner Jean Chaine referred to the material that is being harvested from this site. He asked if there were large stones being set aside there to be used for something different. He said this operation has been ongoing for many years, and it is highly unlikely that there would be any complaints to its continuance. He asked Code Enforcement Officer Matt Vertefeuille if there have been any outstanding problems or concerns with this operation.

Mr. Vertefeuille said he has not had a single complaint on this site in the last 8 years. He said he spoke to one of the neighbors on South Windham Road and he had only positive comments regarding the operation.

Jean Chaine said this appears to be a situation where the property is owned by one person, and the material being harvested is by someone else. He asked if there is more than one person harvesting the material. Mr. Vertefeuille said he thought that Merritt is the only one working on the site in the last 5 years. He said the site is super clean and there has never been a problem.

Ed Pelletier said he would like to see more reclamation happening. Perhaps the operator could submit a closing plan for the site. Chair Stahl asked if there was a target percentage of what the commission would like to see in the next five years. Ed Pelletier said when they come back in 5 years, I'm sure we will see a lot more reclamation. He suggested that the applicant submit a closing plan for the areas that have been tapped out to be submitted to the ZEO in 60 days.

Jean Chaine asked who is responsible for the reclamation. Is it the property owner or does the property owner have to make some provision with the excavation operator for reclamation. Mr. Vertefeuille said reclamation is the responsibility of the landowner. The permit is in the landowner's name and they would have to communicate that to the operator.

Ed Pelletier asked if there is any bond money available that could be used for reclamation. Mr. Vertefeuille said there is a \$15,000 bond in place and if the area of that site is going to shrink we could use some of that money for reclamation. He said he will be meeting with Town Engineer Joseph Gardner to determine if some of that money can be used. Ed Pelletier said they have submitted a plan and the commission will have the opportunity to review that plan in five years.

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After further discussion, Paula Stahl made a motion to approve the continuation of the earth excavation on 75 South Windham Road (the Manning property) with a condition that a closing plan be submitted to the ZEO within 60 days for all areas that no longer contain marketable sand and that the close out plan of those areas will gradually be accomplished within the next 5 years. Ed Pelletier seconded the motion. The motion carried unanimously.

### III) Other Business

Chair Stahl asked the commission to: 1) modify the agenda to include a request by the Access Agency to consider a 90-day extension for them to file their mylars and, 2) to review a report from the Windham Region No Freeze Hospitality Center Community Report 2014-15.

Ed Pelletier made a motion to modify the agenda to include these two items. Claire Lary seconded the motion and the motion carried unanimously.

a) The Access Agency is seeking a 90-day extension to file their subdivision mylars with the Town Clerk, as the subdivision plan will become null and void otherwise.

Chair Paula Stahl made a motion to grant the Access Agency a 90-day extension to file their mylars on their approved subdivision. Jean Chaine seconded the motion. The motion carried unanimously.

b) The Windham Region No freeze Hospitality Center Community Report 2014-15

Chair Paula Stahl said part of the former approval for the No Freeze Shelter's move to Bridge Street was that they provide us with an annual report on their operation.

Executive Director Leah Duffy said it was a pretty uneventful year. It was pretty quiet and the problems were minimal. She said their program report states that the number of police calls was average with less than two per month. There was an increase in ambulance calls due to one guest with unregulated diabetes. The Fire Dept. was called four times due to a faulty heater leaking carbon monoxide. The heater was replaced.

Ms. Duffy said guests have access to program information for local and statewide resources, as well as health information materials. In addition to onsite resources, there is a strong working relationship with local outreach and case management programs.

During the summer months services continue to be offered through volunteers who staff the office and shower program. The program provides guests with fresh drinking water, toilet facilities and showers five days a week over the summer months when the Hospitality Center is closed. Also, laundry vouchers were distributed to guests with no income to wash and dry clothing. This was provided through collaboration with the Clothes Pin Laundry and The Altrusa Club.

Ms. Duffy said Windham County took part in the 100 day challenge to change homelessness into housing. Windham County participated in the challenge and was able to place 53 individuals.

Commissioner Jean Chaine asked how many people are taking advantage of the services that are available to them. Ms. Duffy said these services were well attended.

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Chair Paula Stahl referred to the housing units located behind Price Rite (Cedarwood). She asked if these units are full. Ms. Duffy said they are presently full and there is a waiting list to get in.

Ms Duffy said we now have a housing team whose goal is to address the housing issue. The key is working together with other services in town to address the housing issue. Our goal is to discuss and advocate both a short, and long-term solution for ending homelessness in Windham.

Commissioner Jean Chaine said he is less negative about the program than he had been in the past. It seems that things have been working out well.

**IV) Report from Zoning Enforcement Officer**

a) ZEO Matt Vertefeulle said he is working on the list that was given to him at the last meeting.

b) ZEO Matt Vertefeulle said there is an Automotive Dismantler Co. in town who has purchased adjoining property and he wishes to store 45 trailers on the site for approximately 3 months. The regulations would allow this as a special exception for a temporary use said Vertefeulle. Commissioner Jean Chaine referred to town owned property in South Windham next to the pole barn. Perhaps he could rent this property, said Chaine. Matt Vertefeulle said he will meet with the individual to get more information.

**c) The Hurley Building.**

ZEO Matt Vertefeulle said repairs to the Hurley Building are coming along. He said the First Phase of the project included structural work on the roof and they have stabilized the building. Phase 2 will include work on the roof, replacing the windows and doors and removing the old signage. He said Phase 3 work will be done to the inside of the building, including gutting the building and fixing the heating system. Mr. Vertefeulle added that he is happy with the work they have accomplished thus far.

**d) Chapman Block**

ZEO Matt Vertefeulle said only one bid was received to develop the former Tin Tsin building lot. It was submitted by George Hernandez who plans to build some micro apartments utilizing shipping containers on the upper level and to add a market and another retail unit downstairs. ZEO Matt Vertefeulle said he is waiting for Mr. Hernandez to provide more information.

**V) Correspondence from SCCOG.**

A letter was received from the SCCOG regarding the need to designate a Planning representative to serve on the Regional Planning Commission. Members agreed to consider serving on the Regional Planning Commission.

As there was no other business, the meeting was adjourned on a motion made by Ed Pelletier and seconded by Jean Chaine. Unanimous vote to adjourn.

Respectfully submitted,

Lillian Murray, Clerk