

WINDHAM PLANNING & ZONING COMMISSION  
*NOTICE of ACTION*

DATE: May 26, 2016  
TIME: 7:00 PM  
PLACE: 2nd Floor Conference Room - Windham Town Hall, 979 Main St., Willimantic

A G E N D A

- I. **Call to Order** - seating of alternates - Chair Paula Stahl called the meeting to order at 7:03 P.M. . Commission members present: Paula Stahl - Chair, Jean Chaine - Vice Chair, Claire Lary, and Michael Graf.
- II. **Approval of Minutes** for April 28, 2016 - Commissioner Michael Graf MOTION to approve the minutes. Commissioner Claire Lary SECONDED the motion, and all voted in favor. Action on the minutes of May 12, 2016 was postponed.
- III. Public Hearing: **Steven Edelman - Gilead Enterprises - 96 Back Road & 40-44 Old Brooklyn Turnpike** - Special Permit application for Earth Excavation in accordance with Sec. 75 Commission member Jean Chaine recused himself from participating and left the table.
- IV. **New Business: (DISCUSSION & POSSIBLE ACTION)**
  1. **Steven Edelman - Gilead Enterprises - 96 Back Road & 40-44 Old Brooklyn Turnpike** - APPROVED with conditions
- V. **Report from Zoning Enforcement Officer** - NO REPORT
- VI. **Routine Business**
  - a. Correspondence- NONE
  - b. Miscellaneous - NONE
- VIII. **Adjourned** at approximately 9:06 PM

For more information, please contact James Finger, Town Planner at 860-465-3045.

RECEIVED FOR RECORD

2016 MAY 27 P 12:04

*Patricia P. Sprague*  
WINDHAM TOWN CLERK

P. Stahl **MOVED** to approve the application of Gilead Enterprises, LLC for a gravel operation at 96 Back Road and 40-44 Old Brooklyn Turnpike to permit the operation for one year, renewable by the Commission, with the following conditions:

1. All operations shall comply with section 75 of the Windham Zoning Regulations.
2. Prior to the commencement of operations, the permittee shall notify the ZEO of the date operations will commence.
3. Operations are permitted, excluding on holidays observed by Windham Town Hall, as follows:
  - 96 Back Road property (with access from Route 14): Site work, screening and hauling between 7 AM and 5 PM on weekdays, the ZEO may grant up to five variations to this schedule to allow additional hours for site work, screening and hauling, and on Saturday between 8 AM and noon,
  - 40 Old Brooklyn Turnpike property (with access from Back Road): Site work, screening and hauling between 7 AM and 5 PM on weekdays, hauling is limited to 50 truck loads per week, the ZEO may grant variations to this schedule to allow additional hours for site work, screening or hauling; hauling is permitted between 8AM and noon on a Saturday with a maximum of 3 truck loads.

At both properties, crushing shall occur with limited times and hours; all large material shall be set aside for future crushing; crushing operation dates and hours shall be approved by the ZEO to occur at a time with the least disturbance to neighbors; permittee shall notify, by mail, properties within 400 feet of the site of the crusher; reasonable excavation to bury large stones in lieu of crushing is permitted with ZEO approval.
4. Operations are limited to the removal of the existing stockpiled material and grading the surface to a level condition.
5. The site shall be restored as follows:
  - Within 30 days of the commencement of operations, a written restoration plan shall be submitted to the ZEO for his approval describing the restoration of areas at each location as stockpiles are removed to finished grade, with a goal of restoring individual areas of the sites over the course of operations as soon as reasonably possible.
  - Restoration shall be by spreading subsoil and topsoil at a minimum depth of four (4) inches and seeded with a suitable perennial ground cover and maintained until the area is stabilized, the area is to be limed and fertilized as appropriate; seeding to be done between April 15 and June 15 or between August 15 and October 15.
6. The permittee shall maintain the vegetative buffer along the perimeter of the property for a depth of 100 feet from the property line on Back Road.
7. Proper measures shall be taken to minimize nuisance from dust, noise, vibration and flying debris.
8. There shall be no blasting.
9. The permittee shall post a cash bond in the amount of \$2,500 per unrestored acre to insure the faithful performance of the work, said bond shall be retained by the Town for a further period of one (1) year to assure the correction of any damage which may result from wash outs, landslides and or/unsuccesfully stabilized vegetation. After one year, if the Town is satisfied that the work has been completed as required, the bond shall be returned, otherwise the bond shall remain in full force and effect.
10. The Permittee shall provide monthly reports to the ZEO on the yards hauled and truck trips per property.
11. The property owner shall be held accountable for all contractors and haulers using the site.

C. Lary **SECONDED**. There was no further discussion. The motion **PASSED** 3-0-0.