



TOWN of
THOMPSON

PLANNING AND ZONING COMMISSION

Minutes: Regular Meeting
Monday, April 24, 2017
Merrill Seney Room, Town Hall

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Chairman Greg Lee called the meeting to order at 7:02 PM.

1. Roll call and seating of alternates

a. Present:

Randolph Blackmer, Jr.	Bill Cacciapouti	Missy Desrochers
Mike Krogul	Charlene Langlois	Greg Lee
John B. Lenky	Joseph Parodi	Charles Paquette
John Rice	Robert Werge, Sr.	

Alternate Bill Cacciapouti was seated for Peter Nedzweckas, and alternate Charlene Langlois was seated for Christopher Nelson. Alternate Mike Krogul was not seated.

b. Absent: Peter Nedzweckas and Christopher Nelson.

c. Staff Present:

Tina Fox, Recording Secretary
Alvan Hill, ZEO

2. Public Hearing: None

3. Discuss Public Hearing and Possible Action: None

4. Approve minutes

a. **John B. Lenky moved and Randolph Blackmer, Jr. seconded the motion to approve the minutes of the March 27, 2017 meeting.**

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Abstain	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.-Abstain		

The motion carried.

5. Applications received

a. **Application 17-06:** Carlton D. Greene, Applicant and Owner of Record. For property at 36 Indian Run Dr. Map 141/Block 17/Lot 142/Zone R40. Requesting Home Occupation for a stump grinding business.

1. A. Hill stated that Mr. Greene has a portable stump grinding business. The machine is parked underneath his garage. He has a small office space where he does his paperwork. He is well under the 33% requirement.

2. Charles Paquette moved and Randolph Blackmer, Jr. seconded the motion to approve application 17-06.

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Yes	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.- Yes		

The motion carried unanimously.

b. **Application 17-07:** Vinod Patel, Applicant. Chimanbhai, LLC, Owner of Record. For property at 861 Riverside Dr. Map 61/Block 58/Lot 33/Zone C. Requesting Special Permit for used car dealership.

1. Charles Paquette moved and Randolph Blackmer, Jr. seconded the motion to accept application 17-07 and schedule the public hearing for May 22, 2017.

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Yes	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.- Yes		

The motion carried unanimously.

c. **Application 17-08:** Norman Rudzinski, Applicant and Owner of Record. For property at 0 Labby Rd. Map 95/Block 27/Lot 17/Zone R40. Requesting gravel permit renewal.

1. Bruce Woodis of KWP Associates spoke on behalf of the applicant. He indicated the proposed grading and excavation on the plans, as well as the limit of disturbance. He stated that the limit of disturbed area is relatively unchanged from last year. The amount of rock that has been encountered has forced them to go with a more professional type of operation, and put in a rock processor and crusher. It is a fairly clean, organized, and well run site right now. Last year there were bigger stock piles that have now been broken down and separated into other stock piles. No reclamation has taken place because the operation is still in phase 1.

2. Charles Paquette moved and Randolph Blackmer, Jr. seconded the motion to approve the renewal for application 17-08.

a. J. Rice asked if there are any residential properties near the crusher. B. Woodis answered that the crusher is at the center of the site, and there are no residents near the operation.

b. R. Werge, Sr. asked when phase 1 will be completed. B. Woodis answered that they do not expect to complete phase 1 for several years.

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Yes	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.- Yes		

The motion carried unanimously.

6. Applications received after agenda posted: None

7. Citizens' Comments
 - a. Ken Beausoleil, Walker Dr., stated that there is some senior housing to be discussed later on the agenda. There is definite need for 55 and over housing for people who want to downsize. He has received quite a few inquiries about that type of housing for the area. He asked that the Commission consider it carefully, and endorse that to meet the needs of citizens.
 - b. Charles Obert, Economic Development Commission member, stated that it has been discussed at the Branding/Identity meetings that one department at Town Hall doesn't know what another is doing. A property the Commission just approved has an open violation with the Inland Wetlands Commission, but that wasn't addressed. There will be more discussion on how departments can interact more effectively.

8. John Filchak NECCOG Re: Town of Thompson Branding
 - a. John Filchak stated that NECCOG is working with the Town on coming up with a branding plan. They are looking at the zoning regulations as part of that discussion. They are trying to be honest about the appraisal of the Town, and one negative is the route 12 corridor. There are five zones through the route 12 corridor, and they will probably suggest one single mixed use zone. They may have other zoning recommendations. It would be helpful to work with the Commission as they update the regulations. There are aspects of the zoning regulations that could be simplified.
 - b. R. Werge, Sr. suggested that John Filchak could attend a PZC sub-committee meeting to discuss proposed changes in more detail.
 - c. K. Beausoleil suggested that PZC members attend the EDC Branding/Identity meetings to provide input.

9. Reports of Officers and Staff
 - a. ZEO Report
 - b. Budget Report
 - c. Director of Planning and Development Report.

10. Correspondence – (*sent only via email)
 - a. Agenda: Planning and Zoning Commission, April 24, 2017
 - b. Minutes: PZC Regular Meeting March 27, 2017
 - c. ZEO Report
 - d. Budget Report
 - e. *Agenda and Minutes: Zoning Board of Appeals, March 13, 2017.
 - f. Received April 12, 2017: Letter from Peter Vanghel to Alvan Hill, requesting to be on the Planning and Zoning Commission Agenda under Old Business.
 - g. *Received April 17, 2017: Town of Dudley Planning Board, Public Hearing Notice.
 - h. *Received April 17, 2017: Town of Douglas Planning Board, Public Hearing Notices.
 - i. Dated April 17, 2017: Letter of resignation from Alvan Hill, ZEO, effective April 28, 2017.
 1. C. Paquette stated that A. Hill has done a fantastic job and will be sadly missed. He agrees that the ZEO position needs more hours, as A. Hill indicated in his letter.

11. Signing of Mylars: None

12. Old Business

C. Paquette asked why the 0 Rawson Ave. discussion isn't under Old Business as it has been on the agenda before. J. Rice stated that it can be discussed when it comes up on the agenda. J. B. Lenky agreed that it should be under Old Business as the situation started before he was even on the Commission, and the issue needs to be addressed because there are people looking for a senior community.

a. Meehan Subdivision- Road Status Update, Greg Glaude, Killingly Engineering

1. M. A. Chinatti stated that the Commission approved a year extension pending conditions, and subsequently granted a two month grace period because information from the Wetlands Agent had not been received yet. The Wetland Agent submitted a letter that morning, and her concerns have been addressed by the applicant. No action is needed at this time.

13. New Business

a. Election of Officers

1. **Robert Werge, Sr. moved and Joseph Parodi seconded the motion to nominate the present slate of officers (Greg Lee as Chairman, Randolph Blackmer, Jr. as Vice Chairman, John Rice as Secretary).**

a. C. Paquette stated that he would like to see J. Rice do the secretarial duties as it says in the 'rules.'

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Yes	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.- Yes		

The motion carried unanimously.

b. Preliminary Discussion – 70-unit Elderly Independent Living Facility, Azud Rd./Rt. 12.

1. M. A. Chinatti stated that the prospective applicant's engineer is going to be looking for guidance from the Commission as to whether or not the Commission will require a commercial proponent for the project, and whether or not the Commission would be receptive to reducing the number of required parking spaces.
2. Janet Blanchette stated that David Panteleakos from Westview Health Care would like to address the Commission but is not present yet.
3. **Randolph Blackmer, Jr. moved and Joseph Parodi seconded the motion to switch items 13(b) and 13(c) on the agenda.**

Randolph Blackmer, Jr.- Yes	Bill Cacciapouti- Yes	Missy Desrochers- Yes
Greg Lee- Yes	Charlene Langlois- Yes	John B. Lenky- Yes
Joseph Parodi- Yes	Charles Paquette- Yes	John Rice- Yes
Robert Werge, Sr.- Yes		

The motion carried unanimously.

- c. 0 Rawson Ave.- Updating Site Plan for 20 Unit Multifamily Development
 - 1. Peter Vanghel stated that he thinks everyone knows why he is at the meeting. He hoped the Commission would renew his site plan for a special permit that had been renewed twice and then denied April 23, 2012. He stated that he explained everything in a letter he mailed directly to Commission members. J. Rice asked for a copy of the letter as he had not received one. P. Vanghel stated that economic conditions in the mid-2000s were not good and the two year permit did not allow him enough time to complete his project. He had to make up his mind about what to do with this property and another property. The optimal situation would be for PZC to renew his permit without any conditions. To go through the entire application process again would be very costly.
 - 2. Attorney Slater presented case law supporting the argument that the Commission has a legal basis to grant a renewal.
 - 3. **Charles Paquette moved and John B. Lenky seconded the motion to approve the extension for the site plan for 0 Rawson Ave.**
 - a. J. Rice stated that the site plan was extended twice, and was denied the third time. Attorney Slater explained that the Town regulations directly violate State statute. The Commission had given multiple extensions to the project, then decided it could only give one extension. A judge ruled that the Commission could interpret the regulations either way (that multiple extensions could be granted, or that only one extension could be granted). There are cases that say that regulation is invalid.
 - b. M. A. Chinatti stated that the site plan expiration date would have been May 22, 2015, so now that it has expired, the applicant would have to come in with a new site plan because a site plan cannot be renewed after it has already expired.
 - c. Attorney Slater stated that nothing in the State statutes indicate that an extension cannot be granted after a site plan has already expired. He stated that Land Use lawyers agree that if something has already expired, the Commission can renew it afterward.
 - d. There was significant back and forth discussion on the topic.
 - e. **Charles Paquette moved and John B. Lenky seconded the motion to close the vote.**

Randolph Blackmer, Jr.- No
 Greg Lee- No
 Joseph Parodi- No
 Robert Werge, Sr.- No

Bill Cacciapouti- No
 Charlene Langlois- No
 Charles Paquette- Yes

Missy Desrochers- No
 John B. Lenky- Yes
 John Rice- No

The motion failed.

- f. R. Blackmer, Jr. stated that after the Commission had already granted two extensions, one Commission member was adamant that only one extension could be granted. There is a need for elderly housing. If the Commission is being difficult about this, that is working against what PZC is supposed to do.
- g. J. Rice stated that after approving site plans, zoning regulations change, hopefully for the better, and that is why extensions are granted in two year increments. He is in favor of this project if the Commission gets a new site plan compliant with the updated zoning regulations. Exceptions were made to the regulations at the time of the original application.
- h. Attorney Slater stated that it is costly to redesign site plans, and the other protection State statutes have is that the applicant doesn't have to comply with regulations changing.

- i. R. Werge, Sr. recommended that the Chairman should consult with the Commission's Land Use Attorney before the Commission makes a decision.
- j. J. B. Lenky stated that it looks like the Commission has the right to make the decision tonight, and the Commission won't have this hanging over their heads if they decide tonight.
- k. R. Blackmer, Jr. stated that he felt the Commission was being persuaded by one member in particular when they denied the previous extension, and he agrees with C. Paquette that the Commission should be working with the people in Town.
- l. J. Rice asked if Peter Vanghel believes the project can be completed within two years. Peter Vanghel stated that he hopes so, he plans to develop it, but he cannot predict the future.
- m. C. Paquette stated that it should be approved tonight instead of dragging the applicant back to another meeting.
- n. Attorney Slater stated that if the Commission's Land Use Attorney gives an opinion that the Commission shouldn't extend the site plan, he will present at least three other opinions from Land Use lawyers stating the exact opposite.

Randolph Blackmer, Jr.- Yes

Bill Cacciapouti- Yes

Missy Desrochers- Yes

Greg Lee- Abstain

Charlene Langlois- Yes

John B. Lenky- Yes

Joseph Parodi- No

Charles Paquette- Yes

John Rice- No

Robert Werge, Sr.- No

The motion carried.

Greg Lee left the meeting at 8:35 PM.

- d. Preliminary Discussion – 70-unit Elderly Independent Living Facility, Azud Rd./Rt. 12.
 - 1. David Panteleakos of Westview Health Care thanked the Commission for their time. He stated that they are looking to develop an independent living facility on Azud Rd. 15% of Windham county's population is over 65 years old, and there are not enough units in Windham county for the elderly. Assisted living is becoming unaffordable, but this would be for independent living. He presented statistics about parking spaces at local assisted living and independent living facilities.
 - 2. Janet Blanchette stated that research shows there is only a need for a half parking space per unit for these types of developments. The zoning regulations would currently require 175 parking spaces. The site has enough space, but it would not be practical or aesthetically pleasing to develop that many spaces, as well as being adverse to storm water run off.
 - 3. The Commission discussed parking spaces. J. Parodi summarized that the Commission seems comfortable with somewhere between 1 and 2.5 parking spaces per unit.
 - 4. J. Blanchette stated that they were also looking for guidance as to whether the development will need a commercial aspect as it is in a neighborhood commercial zone. The zoning regulations don't stipulate that a multifamily specifically needs a certain percentage commercial, but earlier in the regulations it is stated that neighborhood commercial development should be 30% commercial and 70% residential. 30% of the project would be about 24,000 sq. ft., which would not be practical.
 - 5. The Commission discussed the Commercial requirements. J. Parodi summarized that the Commission would not give much resistance to waiving the 30% commercial requirement, if necessary.

14. Commissioners' Comments
 - a. C. Paquette reiterated that A. Hill has done a great job and will be missed.
 - b. C. Langlois stated that she has been attending the EDC Branding/Identity meetings. She hopes the Commission will take into consideration some of John Filchak's suggestions, and invited everyone to attend the Branding/Identity meetings.
 - c. J. Rice asked that Commission members be notified when the next Branding/Identity meeting will be, and asked for specific regulations they would like to see changed.

15. Review of ZBA Applications: None

16. Next meeting
 - a. Monday, May 22, 2017; 7:00 PM, Merrill Seney Room, Town Hall.

17. Adjournment
 - a. **Charles Paquette moved and Bill Cacciapouti seconded the motion to adjourn. The motion carried.**
 - b. Vice-Chair Randolph Blackmer, Jr. adjourned the meeting at 9:12 PM.

Tina Fox
Recording Secretary

