

Town of Watertown  
The Planning and Zoning Commission  
Special Meeting  
September 17, 2008

Time: 7:15 PM (8:15PM)

Date: September 17, 2008

Place: Watertown High School Technology Center  
324 French Street  
Watertown, CT

Minnich: I would like to call this special meeting of the Planning and Zoning Commission to order at 8:30 pm on September 17, 2008. Carol would you please call the roll.

Present: D. Minnich, R. Russ, M. Masayda, G. Martin, C. Mancini, G. Dupliese, J. Blais, D. George, K. Demirs, R. Rondeau

Others Present: Ruth Mulcahy, Administrator of Land Use

Minnich: Welcome back Glen you have been out for some time and recuperating and I also want to express our condolences on behalf of his mother having passed away we have a card that will pass around that staff.

**Next item on the agenda is Frost Bridge Associates, LLC, Site Plan/Special Permit #252 for a C & D Reduction Facility at 0 Frost Bridge Road, Watertown, CT from Craig Lapinsi, P.E., Fuss & O'Neill in an IR-80 Restricted Industrial District**

Are we prepared to look at a motion of approval this evening? Ruth has prepared one.

Masayda: The only question I have relative to that would be, can we make these changes of the easement at a later date.

Minnich: I am suggesting that the language we get through this one more time. Most of this is standard language I notice that the answer to my question that is a condition of approval regarding the full cut off lighting at 10 pm is the hour that you have their Ruth.

Mulcahy: Yes, I did yes that is what we used on other applications, I pulled that out of the hat it was based upon their hours of operation anything like that. For wildlife and other things I say 10 pm is the latest that we should have your exterior lights on if you are not in operation.

Minnich: On number 4 perhaps adding to that refer to the dumpsters and the 4 roll offs based on what the applicants said that no materials will be directly on the ground. Are materials the right word to use?

Dupliese: Construction and the rail cars.

Minnich: We need to add rail cars.

Martin: There is only so much room they got.

Mulcahy: I just felt that the rail cars were similar to a when you have the UPS the vehicles that they are using in their operation that they are not storing them. It is vehicles that are using the operation and I did not see anything on UPS approval like the number of vehicles allowed on the site or anything like that, so I did not think that would be something that you would want to restrict.

Minnich: I notice that number 6 addresses the suggestion that Chuck Berger, Town Engineer, his memo dated September 17, 2008 so I need for I was going to be suggesting referencing his memo. No need to have that now.

Mike had talked about #8 we were talking just before the meeting started about that adding language to that easement is subject to approval by the Commission and reviewed by the other Land Use Attorney by the Commission's Land Use Attorney.

Masayda: Should we indicate specifically what those things were again?

Minnich: We may have others that is why I am. We have your comments for the record here. Let me go through and read it more carefully we may have others. You are suggesting a bond here what the bond for here is.

Mulcahy: Sedimentation and erosion control and separate bond for the third party.

Dupliese: And no bond for the cleanup.

Minnich; I think it is already part of that.

Rondeau: I think something should be in here because there is nothing in this condition of approval that no hazardous material be processed on this site, although they are telling us that's not their intention, that is not to say that they could not change their minds. They could sell it.

Martin: If they sell the plant and something else comes in. DEP does control it. But what if they turn it into a hazardous waste?

Rondeau: In other words it could be something that DEP allows and we do not want in town.

Mulcahy: But this is a construction and demolition, this is a certain type of operation that you are approving and it specifies that construction and demolition debris volume reduction were not approving any other thing if that happened on the site I would be calling DEP.

Rondeau: We are suggesting is volume reduction of hazardous materials. #14 no hazardous materials may be processed in this plant. If you want to use DEP as a reference as to what is hazardous or what is not you could say no DEP listed hazardous materials may be processed on the site. They may have no intention of doing it but just to protect ourselves.

Minnich: Anybody have anything else that they want to add to this?

If not I will go forward and read. The only other thing I think we make clear somewhere in here I don't think it is a condition of approval but just to state up here regarding our approval that if you could help with the language here Ruth. My thought was to that the cease and desist order is not really a condition of approval at all but up in the upper paragraph when we talk about our approval that this cease and desist order still is in effect on the property at this time.

Mulcahy: #10

Dupliese: I don't like the way that reads in #10.

Minnich: I think we agree to take #10 off. What I am suggesting not as a condition of approval because it is not an condition they don't have it on the table anymore but we can make a notation at the first paragraph that starts it is therefore resolved that we make a just a statement that the cease and desist order presently on the property remains so. Okay any further.

Mulcahy: It remains until when?

Minnich: Until a petition to remove it.

Mulcahy: We just removed them once it is completed at the satisfaction of staff we remove the cease and desist, it just an everyday event.

Minnich: Until the cease and desist order is removed by the Commission. Okay anything else. Hearing none we are all ready then.

Let me stop here for a minute we also need to add to this that it is a 30,000 gallon fire suppression tank for a condition of approval. So that will be 15.

**WHEREAS**, the Town of Watertown Planning and Zoning Commission received a Special Permit # 252/Site Plan application from 0 Frost Bridge Road Associates, Robert Sachs, 0 Frost Bridge Road, Special Permit #253 / Site Plan application for a Construction and Demolition Debris Volume Reduction Facility on 18.59 acres in an IR-80 Restricted Industrial District which includes Existing Boundary Map dated 5/23/06 with a final revision date of 8/24/06 prepared by Nafis & Young Engineers, Inc., 1355 Middletown Avenue, Northford, CT, Existing Topography Map dated 5/23/06 prepared by Nafis & Young Engineers, Inc., 1355 Middletown Avenue, Northford, CT, Overall Site Plan GI-2 dated 7/30/08, Erosion and Sedimentation Control Plan CE-1 through CE-2 dated 7/30/08, Layout Plan CS-1 through CS-2 dated 7/30/08, Grading and Utility Plan CG-1 dated 7/30/08, Grading and Utility Plan CG-2 dated 7/30/08, Plan and Profile Access Driveway CP-1 dated 7/30/08, Storm Drainage Plan CU-1 through CU-2 dated 7/30/08, Lighting and Landscape Plan LA-1 through LA-2 dated 7/30/08, Site Details CD-1 dated 7/30/08, Erosion and Sedimentation Control Details CD-3 dated 7/30/08, Storm Drainage Details CD-4 through CD-5 dated 7/30/08, Underground Fire Storage Tank CD-6 dated 7/30/08, Storage Tank and Hydrodynamic Separator Details CD-7 dated 7/30/08 prepared by Fuss & O'Neill, 146 Hartford Road, Manchester, CT, Building Elevations A1-A2 dated 7/30/08 prepared by Pacesetter Construction Corp., and

**WHEREAS**, the Commission held a public hearings on September 3, 2008 and September 17, 2008;

**IT IS THEREFORE RESOLVED** the Watertown Planning and Zoning Commission **APPROVES** Special Permit #253 / Site Plan application for a

Construction and Demolition Debris Volume Reduction Facility on 18.59 acres in an IR-80 Restricted Industrial District subject to the following conditions:

1. The Cease and Desist Order remains on the property until removed by the Commission.
2. All of the conditions of the Planning and Zoning Commission's December 5, 2007 Site Plan approval for Site Restoration at 0 Frost Bridge shall be followed and completed after the final zoning permit for the 48,000 square ft building is issued.
3. All testing required by the 12/05/07 approval shall be under the direct supervision of a licensed environmental professional and all results shall be provided to the third party consultant selected by the Administrator of Land Use and the Town Engineer.
4. All exterior lighting shall be full cut off and comply with Section 61.4 Outdoor Lighting and all lighting shall be shut off by 10:00 p.m.
5. No outdoor storage of materials or equipment is approved except the rail cars, the 4 roll-off containers and the 13 dumpsters shown on the Site Layout Plan dated 7/30/08. No construction debris materials shall be directly on the ground.
6. The parking areas shown on the plan shall include landscaped islands every 12 contiguous parking spaces in accordance with Section 70.6.3 of the Zoning Regulations.
7. The hydrodynamic separator shall comply with the current DOT specifications.
8. All trees 8 inch in diameter or greater along the river side and adjacent to the northwest corner of the building shall be flagged and reviewed by the Administrator of Land Use and the Town Engineer before grading the area.
9. The easement for the trail along the river shall be filed with the Site Plan before a zoning permit is issued. The easement is subject to approval of the Commission and reviewed by the Land Use Attorney.
10. A pre-construction meeting is required before any site activity begins.
11. A bond shall be posted in accordance with the bond policy adopted by the Commission. An estimate by the applicant's engineer for sedimentation and erosion control must be submitted to the Town Engineer for review and approval. A separate bond shall be posted for the third party to conduct the required review of the environmental testing and ground water monitoring.
12. All conditions of approval shall be listed on the final filing Mylar.
13. Prior to Town officials signing a final A-2 Survey mylar site map and the two paper copies of all the maps, the final maps with a signature block for the Chairman of Planning and Zoning and the expiration date of the Site Plan shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

The signed Mylar copy shall be filed on the Town of Watertown Land Records before a zoning permit is issued.

14. No hazardous materials may be processed or stored on the site.
15. There shall be a 30,000 gallon fire suppression tank located on the property replacing the 20,000 gallon tank noted on the plans.
16. The maximum tonnage for construction debris processed on this site is 2,500 tons per day.

In accordance with Section 8-3(i) of the Connecticut General Statutes, all work in connection with this Site Development Plan shall be completed within five years after approval of the plan. Said five year period shall expire on September 17, 2013.

Martin: Before you go there I want to add and where are you up to in numbers. I apologize I did not bring this up earlier. It is something I mentioned today and I would like it to be part of this approval. What explained to us today is there maximum allowable tonnage process can happen as this facility via DEP regulations they mentioned it and I just asked Carl and neither of us can remember I think it was 200,000 tons but I don't know what it is. Can I ask what that value is because I would like to say maximum tonnage to be processed per day will not exceed and what that number is. This way here it protects us if they go to DEP and get an additional tonnage process and capability they must also come to us.

Mulcahy: 25 hundred tonnages per day

Minnich: There is a maximum number of tonnage construction to be processed on the site is 25 hundred tons per day.

Is there such a motion? Is there any further discussion?

Text of Motion: As part of the motion for the C&D facility should state: In accordance with Section 8-3-i of the CT General Statutes, all work in connection with the site development plan shall be completed within 5 years of approval of plans, the maximum tonnage for construction debris processed on this site is 2,500 tons per day

Motion made by R. Russ and seconded by C. Mancini  
All in favor and none opposed.

Dupliese: I have one question. I think we heard like 100 truck loads per day 20 yards apiece could easily be 25 tons of materials depending on what kind of material is loaded on there so 25 hundred tons.

Minnich: Any other comments or questions? Hearing none Carol would you please call the roll for the purpose of recording our votes. On a motion of seven in favor and none opposed. The motion is approved and the application is approved. Thank you gentlemen.

Motion made by: R. Russ seconded by C. Mancini  
All in favor and none opposed.

The Chairman called a recess at 8:50PM

The Chairman called the meeting back to order at 8:55PM

G. Martin left the meeting at 8:50PM

K. DeMirs sat in for G. Martin

Minnich: For the record let you know that Gary Martin has left the meeting. Ken would you sit in for Gary.

Demirs: Sure

Minnich: May I accept the motion to move item #5a to be the next item. Is there a second? All those in favor please say I, all those opposed no.

Minnich: **The next item is acceptance of a merger of two non conforming lots located on Chase Street and Moran Street for Steven Park.**

Mulcahy: Steven Park is here and this gentleman came into to get a zoning permit to build a house and he is asking to. I have a couple of maps here I did not make maps for everyone because he is merging two non conforming lots to make one conforming lot in an R12.5. I will just pass these down, the lot it is pretty straight forward but I did tell him it is a policy to come to the Commission even if it is a merger to create a conforming situation. I think it is pretty straight forward.

Minnich: Do you have anything to say or no? Okay very good. Is there any questions?

Is there a motion? Is there a second? Is there any further discussion? All those in favor please say I, all those opposed no. Motion carries unanimously. Thank you for waiting.

Text of Motion: Approve

Motion made by: G. Dupliese and seconded by M. Masayda

All in favor and none opposed.

Minnich: **Next item on the agenda is text amendment for Rt 262 planned commercial development.**

There is really nothing I see to do at this Commission meeting I just wanted to make sure that just to make a couple of notes. Obviously whatever we do at our next session the subcommittee has to come back here. As a point of information I asked Chuck Frigon on behalf of the town administration to give us his input or the staff's input with regards to what items they see should be included in this.

Masayda: I feel we should table this I didn't have an opportunity to review it before we send it out to staff, I thought you wanted the Commission to look at it and I received it yesterday.

Minnich: A table is not in order.

Masayda: Why is a table not in order?

Minnich: Because I am talking, I am the one speaking. The acceptance, I have asked Chuck Frigon on behalf of the town to indicate some fire, police, public works, and any other department their input in regards to what they think is appropriate here to put in the regulations. I recall that almost a year ago now for whatever we ask staff the same thing and they help to participate and if now they were now ready to proceed a little further with some more formality. So he will have that ready for us by next meeting. That is really all I had on this, there is nothing further to do because all the action for this is at our next meeting.

Masayda: Again I had not an opportunity to review this, I don't know if anybody else did, I received it yesterday I had no time to review it and I would like an opportunity to review it as part of this Commission to provide my input before you go forward with it.

Minnich: Yes I understand.

Masayda: You had made some significant changes to it, I don't know if anyone else had an opportunity and I don't know if anyone else received it. Does anybody have any comments? Did anybody have a change to read it?

Minnich: What you are talking about is at the next meeting not this meeting?

Masayda: You are signing it out to town staff and everything else, why we were going to get the nuts and bolt of the town.

Minnich: I don't agree with the objection. Let me put it in this form. This is not me doing business it is the Commission I am trying to be careful here. For purpose of unanimous consent is there objection to the Town Manager presenting to us comments that he has for staff with relationship to a language that the staff believe should be part of this text amendment. No objection. Hearing no objection, so ordered.

Text of Motion: By unanimous consent there is no objection to the Town Manager presenting to the Commission comments that he has for staff with relation to language that staff believes should be part of this text

Minnich: **We will move on to the next item which is the Chairman's Report.**

The only item I had I wanted to mention on the application for Wishbone Realty that Ruth had for Lombard Plaza for that proposed retail building on Main Street. Staff has noticed a public hearing for that we did not take action for that but there is one scheduled for that on October 1<sup>st</sup> is there any objection to that, that was done. Hearing no objections then. Is there to adjourn? Is there a second? Is there any further discussion? All those in favor please say I, all those opposed no motion carries.

Text of Motion: By unanimous consent there is no objection by the Commission to hold a public hearing for Wishbone Realty for a proposed 8,500 Sq. Ft. building located at Lombard Plaza, Watertown, CT to be held on October 1, 2008

Text of Motion: Adjourn at 9:04PM

Motion made by C. Mancini and seconded by J. Blais

All in favor and none opposed.

Michael Masayda \_\_\_\_\_  
Secretary

