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THE PLAINFIELD TOWN HALL

PLAINFIELD • CENTRAL VILLAGE • MOOSUP • WAUREGAN

PLANNING AND ZONING COMMISSION

PLANNING & ZONING COMMISSION

Regular Meeting Minutes

May 10, 2022

The Planning & Zoning Commission held their Regular Meeting on May 10, 2022, at the Plainfield Town Hall.

Members Present: Karla Desjardins, John Meyer, June Gagne, and Roz Chviek, and Frank Mills

Alternates Present: Kevin Poppie

Absent: Bill Martell, Jared Fournier

Staff Present: Mary Ann Chinatti – Town Planner, Ryan Brais – Assistant Town Planner/ZEO, and Katie O'Neill – Recording Secretary

Karla Desjardins called the meeting to order at 7:00 P.M.

PUBLIC HEARING:

- a. **Z2022-2275** of the Planning and Zoning Commission, applying for an amendment to the Zoning Regulations for Accessory Dwelling Units (ADU).
 - Assistant Town Planner and ZEO Ryan Brais stated that at last months meeting the proposed regulations were read for the record. R. Brais continued gave a brief overview of the application.
 - Art Gagne, Jackson Road spoke against the proposed text amendment application. With concerns about lot size restrictions, single family homes, fire safety. A. Gagne asked if tiny homes would be allowed as ADU's.
 - J. Gagne stated that she would feel more comfortable if the Planning and Zoning Commission reviewed and approved all ADU applications.

Received For Record At Plainfield CT

On 5-16-2022 @ 4:13 pm

Attest: Dianne J. Talbot

Town Clerk

- Conservation Commission Chairman Walter Cwynar spoke in opposition of the proposed text amendment, asking how many people will be allowed to reside in the accessory unit.
 - Town Planner Mary Ann Chinatti said that she has some concerns with the proposed application.
 - Sylvia Wielk of Moosup asked about how ADU's would affect the resale of a property.
 - Chairman K. Desjardins stated that based on public and commission comments, it sounds like the proposed text needs to be revised.
 - Commission members discussed scheduling a Special Meeting to discuss the text amendment further.
 - **Motion:** R. Chviek made a motion, which was seconded by J. Gagne to continue the Public Hearing for application **Z2022-2275** to June 14, 2022. The motion passed.
- b. **Z2022- 2283** – Continuation of United Ag and Turf Northeast requesting permission to construct a 7,780-sf addition, pavement modifications and drainage improvements for property located at 20 Excalibur Blvd. Assessor's Map 17, Block 11, Lot I32. HC Zoning District.
- **Motion:** J. Meyer made a motion which was seconded by J. Gagne to table application **Z2021-2283** to June 14, 2022, without opening the Public Hearing. The motion passed unanimously.
- c. **American Industries** - requesting a Special Permit for Earth Excavation at 0 Norwich Road and Roode Road. Assessors Map 5, Block 3, Lot 1. RA- 60 Zoning District.
- Engineer Kyle Haubert of CLA Engineers, presented on behalf of American Industries. K. Haubert started his presentation by distributing plan sets to commission members and staff. K. Haubert stated that the application is for a 103-acre piece of property on the corner of Roode Road and Norwich Road. The applicant is requesting a Special Permit for Sand and Gravel excavation and removal. The applicant is proposing to disturb 32.6 acres of the property, in 9 phases. The project grading is designed to form a bowl shape, which will eliminate the need for storm water discharge. Erosion and sediment control measures are shown on the plan. Once the project is complete the property will be restored to its current state. K. Haubert completed his presentation by saying the application has already been reviewed and approved by the Wetlands Commission.

- David Young, 1362-1367 Norwich Road stated he's concerned about the dust and mud created by the excavation and removal, the large trucks that will be exiting the property, and restoration of the property after the excavation is complete.
- Linda Toper of Toper Road said that she is concerned that the applicant won't be made to follow conditions the commission put in place. L. Toper asked about project timeline, and dust control measures.
- Conservation Commission Chairman Wally Cwynar discussed the POCD and how it suggests limiting excavation of prime farmland.
- Paul Sweet of 260 New Road stated he is in support of the application. The application conforms to the regulations. P. Sweet said he feels as though the Conservation Commission goes against every Planning and Zoning application.
- Sue Hall, Moosup spoke against the application stating the Conservation Commission has a responsibility to protect farmland and asked how they can be sure that American Industries will work in compliance.
- Steve Toper, Toper Road discussed the possibility of neighboring properties wells going dry.
- Conservation Commission Chairman Wally Cwynar stated that the Conservation Commission does not speak against all applications. Conservation Commission has been in support of many applications, but feels it is their job to protect open land.
- Rick Revero of Provost and Revero discussed how the Planning and Zoning Commission has the authority over applications, while Conservation Commission is just an advisory board.
- Martin Toper spoke in concern of how the application could affect the wetlands.
- Kevin Cunningham 405 Moosup Pond Road spoke in support of the proposed excavation application stating that his only concern is with the proposed operating hours of 7 a.m. – 7 p.m.
- Property owner Donald Roode stated that he appreciates the public's support of preserving his family's land. D. Roode stated that his family has put a lot of consideration into this; they feel American Industries has their best interest in mind.
- Poly Auger of Moosup asked about the bowl shape that the property would be excavated into.

- **Motion:** J. Gagne made a motion which was seconded by J. Meyer to continue American Industries public hearing to June 14, 2022. The motion passed unanimously.
- d. **Norwich, LLC** - requesting a Map Amendment from RA-30 to Industrial-1 for property located at 1279 Norwich Road. Assessors Map, Block 4C, Lot 14.
- Paul Archer of Archer Surveying presented the Map Amendment application to rezone 1279 Norwich Road to Industrial. The lot is 5 ½ acres and is currently zoned RA-30. If the map amendment is approved, the owner/applicant would then combine three lots, 1293 Norwich Road, 1279 Norwich Road, and 0 Toper Road, to expand his business. The project would need further Planning and Zoning approval before it could move forward.
 - Paul Sweet 260 New Road, spoke in favor of rezoning the parcel.
 - **Motion:** J. Meyer made a motion, which was seconded by R. Chviek to close the Public Hearing at 8:19 p.m. The motion passed unanimously.
- e. **Norwich, LLC** - requesting a Map Amendment from RA-30 to Industrial-1 for property located at 0 Toper Road. Assessor's Map 5, Block 4C, Lot 15.
- Paul Archer of Archer Surveying stated that the rezone application for 0 Toper Road has the same concept as the application for 1279 Norwich Road. 0 Toper Road is a 7 ½ acre lot that is currently zoned RA-30.
 - Paul Sweet 260 New Road spoke in favor of the application.
 - **Motion:** J. Meyer made a motion, which was seconded by J. Gagne to close the Public Hearing at 8:27 p.m. The motion passed unanimously.

REGULAR MEETING:

Additions and /or Corrections

- **Motion:** R. Chviek made a motion which was seconded by J. Gagne, to add Discussion/Possible action for application Z2021-2095 to the agenda under New Business. The motion passed unanimously.

Citizen Participation – None

Unfinished / Old Business

a. **Z2021- 2214** – Continuation of Spicer Road Realty, LLC requesting a Special Permit for earth excavation for property on located on Black Hill Road, Assessors Map 7, Block 53A, Lot 55.

- Commission member R. Chviek recused herself from the application.
- Assistant Town Planner and ZEO Ryan Brais stated that this application was previously presented, and the commission needs to act. R. Brais recommended approving the application with the conditions listed below.

Conditions:

1. Mylars are to be submitted for commission signatures, then recorded by the applicant prior to receiving a zoning permit.
2. Engineering review fees are to be paid within 30 days of billing or prior to filing mylars; whichever comes first.
3. A \$50,000 cash or surety bond be submitted and kept current for the duration of the project for E&S controls and site restoration prior to receiving a zoning permit.
4. Correspondence/agreement from Eversource regarding work within their easement is required prior to receiving a zoning permit.
5. After restoration of each phase, an as-built of that phase is to be submitted to the Planning and Zoning Office within 90 days of completion. As-built is to be performed by a surveyor (A-2/T-2 accuracy) and include the limits of excavation and area reclaimed, side slope grades and final elevations.

- **Motion:** J. Gagne made a motion, which was seconded by K. Poppie to approve application Z2021-2214 with the ZEO's recommended conditions and with the operating hours of Mon-Fri 8-5, Sat 9-12, no operating on Sundays or holidays. The motion passed.

- Commission member R. Chviek resumed her seat.

b. **Z2022- 2283** – Continuation of United Ag and Turf Northeast requesting permission to construct a 7,780 sf addition, pavement modifications and drainage improvements for property located at 20 Excalibur Blvd. Assessor's Map 17, Block 11, Lot I32. HC Zoning District.

- **Motion:** J. Meyer made a motion, which was seconded by F. Mills to continue application Z2022-2283 to the June 14, 2022, meeting. The motion passed.

c. **Z2022- 2275** – of the Planning and Zoning Commission, applying for the amendment to the Zoning Regulations for Accessory Dwelling Units (ADU).

- The commission discussed scheduling a Special Meeting to discuss the application further. A meeting date of May 31, 2022, at 7:00 p.m.

- **Motion:** J. Meyer made a motion, which was seconded by J. Gagne to continue application Z2022-2275 to June 14, 2022. The motion passed.
- d. **American Industries** - requesting a Special Permit for Earth Excavation at 0 Norwich Road and Roode Road. Assessors Map 5, Block 3, Lot 1. RA- 60 Zoning District.
- **Motion:** R. Chviek made a motion, which was seconded by J. Meyer to continue the American Industries application to June 14, 2022. The motion passed.
- e. **Scannell Properties #639, LLC (C/O Daniel Madrigal)** - requesting Site Plan Approval to construct a 1,000,000-sf warehouse with 975 parking spaces, associated drives, parking areas, drainage, etc. on property located at 91-105, 107, 113, and 143-151 Plainfield Pike Road. Ind-2 District.
- Attorney Evan Seamon of Robinson and Cole introduced himself, and his colleagues, as the representatives for the application.
 - BL Companies Civil Engineer Matt Bruton presented a slide show of the proposed application. The combined properties total approximately 137 acres, on Plainfield Pike. Existing conditions of the vacant parcels were discussed. Color renderings of the proposed were then projected, with proposed parking, proposed building design, vegetation, loading docks and parking. M. Bruton stated that as of now the warehouse doesn't have tenants. The layout of the building and parking areas allow the building to be divided into one or two units. One of properties, approximately 5 acres, would be retained by the current owner. M. Bruton discussed the proposed storm water management grading, drainage, catch and detention basins and underground systems for the site.
 - Traffic Engineer Pat Padlo stated that a traffic analysis study has been completed. The proposed project would not impact traffic, the test passed at acceptable levels.
 - Engineer Matt Bruton continued the slide show presentation. Site plan details outline E&S measures for both phase one and two. M. Bruton stated that their goal is to protect the property abutters with ample buffers along the property line. Lighting was designed for both safety and security, with little light trespass.
 - Town Planner Mary Ann Chinnatti asked about the proposed traffic circulation, ingress, and egress of the property.
 - Traffic Engineer Pat Padlo stated that DOT permitting is ongoing. DOT will not sign off until local approvals have been obtained.
 - Town Review Engineer Chuck Eaton stated he does have a few concerns with the plans. Traffic in the parking areas and roadways could increase depending on the tenants of the building and their operating hours.

- **Motion:** R. Chviek made a motion, which was seconded by J. Gagne to continue Scannell Properties application to June 14, 2022. The motion passed.
- f. **Norwich, LLC** - requesting a Map Amendment from RA-30 to Industrial-1 for property located at 1279 Norwich Road. Assessors Map, Block 4C, Lot 14.
- **Motion:** J. Gagne made a motion, which was seconded by R. Chviek to approve Norwich, LLC application as presented with an effective date of June 1, 2022. The motion passed.
- g. **Norwich, LLC** - requesting a Map Amendment from RA-30 to Industrial-1 for property located at 0 Toper Road. Assessor's Map 5, Block 4C, Lot 15.
- R. Chviek made a motion, which was seconded by J. Meyer to approve Norwich, LLC application as presented with an effective date of June 1, 2022. The motion passed.

New Business

- a. **Elvis Real Estate Holdings, LLC** requesting Site Plan Approval for a proposed Automotive Sales and Service, on property located at 28 Main St, Moosup. Assessor's Map 2M, Block 66, Lot 4. C-2 Zoning District.
- Assistant Town Planner and ZEO Ryan Brais stated the application cannot be approved at this time as its pending ZBA approval.
 - **Motion:** J. Meyer made a motion, seconded by R. Chviek to continue Elvis Real Estate Holding, LLC application to June 14, 2022. The motion passed unanimously.
- b. **Z2021-2095** - McDonalds Corporation, approved with conditions July 13, 2021.
- This matter is before the commission due to the fact that, during construction of the approved improvements, the Town's Engineer became aware that the drainage system was found to differ from the survey plan such that the stormwater treatment systems will not for the existing catch basins:
 1. The two southern catch basins were found to be dry wells with grated tops.
 2. The northern catch basin in the parking lot is a shallow catch basin with no sump.
 - Town Engineer Chuck Eaton stated that the contractor informed him that the approved system cannot be constructed. C. Eaton requested a revised storm water treatment plan, suggesting the applicant request a Site Plan Modification.

- **Motion:** R. Chviek made a motion, seconded by J. Meyer to require a Site Plan Modification for application **Z2021-2095**. The motion passed unanimously.

Approval of Minutes

- a. Approve 04.12.22 Meeting Minutes.
 - Chairman D. Desjardins asked for corrections or omissions to the 04.12.22 meeting minutes.
 - **Motion:** J. Gagne made a motion, which was seconded by J. Meyer to approve the 04.12.22 meeting minutes as written. The motion passed with K. Desjardins and F. Mills abstaining.

Correspondence - None

Other

Zoning Enforcement Officer Report - None

Report from Planning & Zoning Department - None

Adjournment

- **Motion:** R. Chviek motioned to adjourn, seconded by J. Meyer. Motion passed. Meeting adjourned at 9:34 P.M

Digital recording is on file in the Town Clerk's office.

Submitted by,
Katie O'Neill
Recording Secretary