

GLASTONBURY TOWN PLAN AND ZONING COMMISSION

Corrected SPECIAL MEETING MINUTES OF TUESDAY, FEBRUARY 28, 2018

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The Glastonbury Town Plan and Zoning Commission with Khara Dodds, AICP, Director of Planning and Land Use Services, and Jonathan Mullen, AICP, Planner, in attendance held a Special Meeting in Council Chambers of the Town Hall at 2155 Main Street, Glastonbury, Connecticut.

ROLL CALL

Commission Members- Present

Mrs. Sharon H. Purtill, Chairman
Mr. Robert Zanolungo
Mr. Michael Botelho, Secretary
Mr. Raymond Hassett (arrived at 7:02 P.M.)
Mr. Jacob McChesney
Mr. Keith Shaw
Mr. Scott Miller, Alternate
Mr. Christopher Griffin, Alternate
Mr. Matthew Saunig, Alternate

Chairman Purtill called the meeting to order at 7:00 P.M. welcomed Robert Zanolungo to the Commission. She noted that Commissioner Hassett would be arriving shortly; the Commission agreed to proceed with its Regular Meeting agenda until his arrival.

ELECTION OF OFFICERS - TABLED

REGULAR MEETING

- 1. Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items NONE**
- 2. Acceptance of Minutes of the February 6, 2018 Special Meeting**

Motion By: Secretary Botelho **Seconded:** Commissioner Shaw
MOVED, that the Town Plan and Zoning Commission accepts the minutes of the special meeting of February 6, 2018 as presented.

Result: Motion passes unanimously. (5-0-0)

3. CONSENT CALENDAR

- a. Scheduling of Public Hearings for Regular Meeting of March 6, 2018: NONE**

4. CRCOG Regional Planning Commission representative and alternate appointments

Commissioner Griffin was appointed as representative, and Commissioner McChesney was appointed as an alternate to the CRCOG Regional Planning Commission.

Commissioner Hassett arrived at 7:02 P.M. Mr. Zanolungo recused himself from the public hearing as he is new to the Commission and has not listened to the recordings from the last meeting, so Chairman Purtill seated Commissioner Griffin as a voting member in his place.

PUBLIC HEARING

Continued Public Hearing on the Application of William Dufford for a Section 6.2 Excavation Special Permit and a Section 20.11 Groundwater Protection Permit – Dug Road and Dufford’s Landing Excavation – removal of 210,000 cubic yards of earth products on approximately 10.3 acres located between Dug Road and Dufford’s Landing – Assessor’s Lot S-4 Dug Road and Assessor’s Lot S-3A Dufford’s Landing – Rural Residence Zone and Groundwater Protection Zone 1 (William and Suzanne Dufford, Owners)

Attorney Meghan Hope, representing the applicant, appeared before the Commission with an update on the application for an excavation special permit and a groundwater protection permit. Based on comments and concerns raised by the commissioners and citizens at the public hearing of February 6, 2018, the applicant has reviewed options for alternate access roads for the proposed excavation, specifically to determine if exiting truck traffic could go through Mr. Dufford's property in order to exit onto Tryon Street. Due to the topography, a potential access road would result in a 40-foot elevation change with a grade of 15%; at this grade they would be unable to buffer trucks climbing up the steep slope behind the 52 and 64 Dufford's Landing properties. In addition, Attorney Hope noted that the Town Attorney has determined that a 50-foot buffer would be required on both sides of the access road, and there is not enough room to go through Mr. Dufford's property without violating this buffer requirement.

Attorney Hope explained that the applicant is now proposing to withdraw Phase II of the proposed excavation and seeking approval to only excavate material (110,800 cubic yards on 6.4 acres) designated in Phase I of the plans. The applicant is also proposing to use the historic truck traffic pattern for the previous excavation permit and renewals. Attorney Hope noted that the access road is proposed to be relocated to the south so it's situated more central in the site and further away from the neighbors. She said that Mr. Szcurek is working on revising the overall site plan to reflect the revised proposal, and the revised plan will be submitted when available.

Chairman Purtill called for comment from the attorneys representing surrounding property owners.

Attorney Carl Landolina, representing Scott & Kristin Bissell (156 Dug Road), Skip & Julie Kamis (152 Dug Road), and Paul & Jane DeMaio (148 Dug Road), distributed an appraisal report by Stewart Appraisal Services (Tolland, CT) and a traffic analysis by F.A. Hesketh and Associates (East Granby, CT).

Bob Stewart, Owner, Stewart Appraisal Services, reviewed the findings contained in his report relative to the impact of the excavation operation on surrounding property values. He explained the analysis that was performed, and summarized his opinion that the excavation has already had a negative impact on surrounding property values and the proposal would do the same.

Scott Hesketh, C.E., F.A. Hesketh and Associates, reviewed the findings of his traffic analysis relative to the existing roadway conditions and suitability of Dug Road to handle the truck traffic associated with this proposal. He provided details on the factors that were analyzed, and summarized his opinion that, based on the geometry of Dug Road and the inability to provide adequate sight distances at Dug Road and Tryon Street, the application doesn't meet the criteria for a special permit and the traffic from the proposed operation may create a hazard on existing roadway networks.

Commissioner Hassett inquired about loaded triaxle trucks turning onto Main Street, and said he is concerned they would create difficulty for vehicles traveling on Main Street and Dug Road. Mr. Hesketh responded that it would be concerning if traffic was proposed to go in that direction. He noted that the Police Department noted in their review of the previous application that intersection sight distances were not available there so trucks shouldn't egress in that direction as they could create a hazard.

Commissioner McChesney asked if there would be a safety risk related to a truck turning into Dug Road from Main Street. Mr. Hesketh replied that he did not review that aspect so cannot say if it is adequate, but he noted that the intersection is physically higher up on roadway and there is no vegetation in the way or side slopes to worry about so the sight lines are longer.

Regarding trucks taking a right out of the site and heading toward Main Street, Chairman Purtill asked if there is a way to make it work if flagmen or police were posted there. Mr. Hesketh said there is inadequate sight distance available there and he concurs with the Police Department's opinion that that is a route that shouldn't be undertaken.

Commissioner Miller asked for Mr. Hesketh's opinion on the Town Engineer's comment that the roadway is not up to standard but should not be considered unsafe, and Mr. Hesketh said it is the obligation of the Commission to determine if the road is adequate and meets the criteria for the proposed use.

Attorney Landolina remarked that Mr. Stewart has provided evidence of a technically complex nature regarding the impact of this proposal on surrounding property values, and Mr. Hesketh has determined that the application doesn't meet the criteria of a special permit as the traffic from the proposed operation may create a hazard on existing roadway networks. He commented that

the applicant is not entitled to the permit unless they are able to mitigate the impacts. He urged the Commission to deny the application.

Attorney Mark Branse, representing Michael and Virginia Blair of 65 Dufford's Landing, remarked that he hasn't had an opportunity to review the newly submitted reports. He noted that the character of the area has changed, and part of the change is the creation by the applicant of his subdivision; what has been approved before is no longer suitable. Attorney Branse commented that property owners were led to believe that the expiring permit would be the last. If the application is approved, he urged the Commission to strongly consider limiting the hours for truck activity and not allow trucks before 8:00 A.M. with none leaving the site until 8:30 A.M. in an effort to minimize conflicts with school buses.

Chairman Purtill called for public comment.

Mark Guasta, 300 Dug Road, commented that the dust and fumes associated with the trucks is overwhelming and he is worried about his and his neighbors' health. He voiced concern over the unsafe conditions on the narrow roadway. Mr. Guasta said it is extremely difficult to deal with this situation in his neighborhood on a daily basis, and said he is also worried about his property value.

Skip Kamis, 152 Dug Road, stated that he has spoken in opposition to using the Dug Road route since the initial excavation permit application was filed. He and his neighbors have consistently asked the Commission to investigate safer truck routes that divert the traffic to more appropriate two-lane roads and eliminate the disruption and danger to children, pedestrians and vehicles on Dug Road. Mr. Kamis noted that the character of the area has radically changed since 2008, with many young, growing families moving to the neighborhood. He explained that there are regular conflicts between trucks and school buses as well as vehicles on the narrow roadway. Mr. Kamis remarked that allowing this dangerous, industrial haul road in their residential area has led to decreased home values and their quality of life has suffered; he urged the Commission to deny the proposal and protect the families on Dug Road and in the area.

Paul DeMaio, 148 Dug Road, commented that the property owners in the area have endured these conditions for too long and were under the impression that the operation would be ending this year. He feels that it's not unreasonable to assume that Mr. Dufford will pursue Phase II of the excavation in the future and said they shouldn't have to deal with this any longer.

Holly Gustafson, 301 Dug Road, said she chose to live in the neighborhood due to its ambience, but the operation and its associated trucks have changed the area, such as wear-and-tear on the roadway and increased dust in the air. She feels the neighborhood has put up with this for too long.

Jack Foster, 280 Dug Road, also commented on the dust and dirt and safety issues due to having trucks on the narrow road creating conflicts with vehicles and pedestrians. He asked the Commission to please consider the citizens' concerns.

Jim Horahan, 320 Dug Road, said he is worried about his property value and shares the same concerns as his neighbors. The excavation operation has been quite a burden on them and he would like to see it end.

Scott Bissell, 156 Dug Road, voiced concern over the area's property values and safety issues caused by the trucks, especially the conflicts between school buses and pedestrians. He asked the Commission to protect the adjacent property owners' rights and deny the application based on its impact to the safety and wellbeing of the citizens.

Michael Blair, 65 Dufford's Landing, commented that the roads have changed dramatically over the last decade and trucks of this size don't belong here. He noted the outpouring of concerns voiced by both the Dug Road and Tryon Street residents. Mr. Blair said he understands Mr. Dufford's need to excavate his property, but feels he has been disrespectful toward his neighbors as well as the Town by not ever providing a fence at the excavation site entrance or removing tractor trailers and a pile of dirt he was asked to remove. Mr. Blair said that appropriate buffering should have been provided to the Bissell family years ago. He feels that Mr. Dufford has created his own hardship by the creation of his subdivision and the neighbors have been made to suffer due to his poor business planning. Mr. Blair asked the Commission to strongly consider the area's changing demographics, and to hold the applicant responsible for mitigating the impacts as much as possible if the application is approved.

Andy Reale, 167 Tryon Street, stated that he doesn't have any problem with Mr. Dufford's proposal and doesn't mind the truck traffic. He said the truck drivers have always been courteous and obey the speed limit. Mr. Reale noted that Dug Road has always been narrow and the roadway conditions are the responsibility of the Town.

Attorney Hope explained the work remaining for the expiring permit. She noted that there is existing vegetation along the common driveway but said the applicant would be willing to plant evergreen trees there as additional buffer if requested. Attorney Hope requested that the public hearing be continued again so she has an opportunity to review the two newly received reports with her client who has been out of town but will be returning next week; she submitted a letter to the Commission consenting to have the public hearing kept open.

Regarding the 50-foot buffer issue, Commissioner Hassett wondered if a right-of-way could be provided so truck traffic could go through Mr. Dufford's property. Attorney Hope replied that if a boundary line adjustment were done it would be possible, but noted that there are two points that aren't owned by Mr. Dufford so he would need to get rights from the respective property owners. Commissioner Hassett said it seems like figuring out how to make that work would be a practical solution for all parties. He suggested that the applicant work to provide a proposal that will work for everyone, or granting this special permit would be difficult. Attorney Hope said she will convey his sentiments to Mr. Dufford. Commissioner Shaw asked if an adequate access point on Main Street has been identified should the applicant figure out how to have trucks routed through his property. Attorney Hope responded that she would need to speak to the Town Engineer and Police Department to identify an area with potential access/adequate sight lines.

She noted that a new application would need to be filed if the plans are amended with this alternative.

Secretary Botelho asked if it would be correct to assume that this project could last for another 8+ years, and Attorney Hope replied that there is less material so she doesn't think it would take that long. She noted, however, that it would depend on market conditions in the Greater Hartford area.

Commissioner Griffin **McChesney** inquired about the impact to the length of the project if the hours of operation were adjusted with a later start time of 8:00 A.M. Attorney Hope responded that it would take longer to remove the material from the site if the hours are limited, but she would need to run the numbers before providing specific details to the Commission.

Chairman Purtill commented that she remembers the 2008 application process and the neighbors' concerns regarding the operation, and that the neighborhood has grown a lot since then. She urged the applicant to identify an alternate truck route or another option as she feels the proposal is too intense the way it is set up right now. Chairman Purtill indicated that this is a difficult application, especially for the neighbors who have had to deal with the trucks going up and down their roads for so long.

Secretary Botelho agreed with Chairman Purtill, and said he would like to hear testimony from the Town Engineer and Police Department regarding the submitted reports and citizens' concerns. He feels that the proposal is too intense for the neighborhood as it is currently being proposed.

The Commission came to a consensus to continue the public hearing until their next regularly scheduled meeting.

REGULAR MEETING (continued from above)

5. Chairman's Report –NONE

6. Report from Community Development Staff

Mrs. Dodds reported that the Commission's next meeting will take place on March 20, 2018 as the March 6, 2018 meeting will be cancelled.

There being no further business to discuss, Chairman Purtill adjourned the meeting at 9:00 P.M.

Respectfully Submitted,
Amy M. Pallotti
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Recording Secretary