

Canterbury Planning & Zoning Commission
Thursday, July 9, 2015 – 7:00 p.m.
Canterbury Municipal Building, 1 Municipal Drive

***Minutes**

- I. Call to Order** – P. Kelly called the meeting to order at 7:06 p.m.
- II. Roll Call**
Members present- C. Bergman, G. Droesch, K. Green, P. Kelly, E. St. Louis, H. Tuttle
E. Dempsky, J. Smith
Members absent- J. Clark
Alternates absent- T. Lord, K. Ohearn
Alternates present- D. Malo
Others present- M. Gil, L. Trahan, D. Sorrentino, D. McKay, R. Sylvestri and others
- III. Public Participation-** L. Trahan of Maynard Road in Brooklyn expressed her concerns with the high volume of gravel trucks hauling on Wauregan Road and the possible dangers due to the traffic congestion. L. Trahan expressed her concern that the abutters were not notified of the public hearing to move the application forward.
- IV. Minutes- June 11, 2015-** accepted
- V. Public Hearings**
PZ Application #15-11-SE, Adelman Family, LLC, Special Exception for excavation operation, Camp Road, Assessor’s Map 60, Lot 39 and Lot 40.
P. Kelly read the notices of public hearing into the record. Certificates of mailings to the abutters were received and on file.
- P. Kelly read a letter from the Canterbury Inland Wetland Watercourse Commission stating that this application was approved June 24th, 2015. Roger Shinkiewicz submitted a letter of concern regarding the “right of way” on Camp Road. P. Kelly read the letter aloud.
- D. Sorrentino from Boundaries, LLC representing the Adelman Family, LLC and Camp Road Partners, LLC, was present. He introduced engineer David McKay of Boundaries, LLC and applicant Richard Sylvestri of Camp Road Partners, LLC. D. Sorrentino referenced the letter submitted by R. Shinkiewicz regarding the “right of way”. He stated that this was addressed in the previous Camp Road Partners application and that both parties have an established easement allowing use and maintenance of the road. P. Kelly asked if the easement has been recorded. D. Sorrentino stated that the easement is a recorded deed.
- D. Sorrentino submitted copies of the plan set detailing Camp Road property being on the northerly side and the Adelman property being on the southerly side. He showed the required buffer between the two properties. He stated that both applications were previously approved in March and May of 2014, and have been renewed this year. D. Sorrentino explained that the Adelman Family, LLC is applying for phases 3 & 4 with the intentions to merge the previously approved projects and eliminate the required 100 foot buffer to create a uniform excavating area. He stated that phases 1 & 2 of both operations will continue to be excavated as approved. E. St. Louis asked for clarification of the proposed

application. D. Sorrentino explained that phases 3 & 4 would follow the completion of phases 1 & 2 and would allow the currently approved applications to remain in effect during the proposed merger of the two properties. D. Sorrentino discussed an interim reclamation plan. He stated that the south westerly and south eastern portion of the Adelman Family, LLC property are proposed to have four inches of subsoil and six inches of topsoil. The areas will then be seeded so vegetation is established and those slopes can be permanently stabilized. D. Sorrentino explained how phases 3 and 4 will be properly served by the storm water management appurtenances constructed during the previously approved phases 1 and 2. He stated that the future phases will not encroach closer to the inland wetlands than the previously approved plans. He also indicated a 250 foot setback from the southerly abutting property owner on the plan.

The applicant's engineer D. McKay of Boundaries, LLC, submitted a Storm Water Management Report for review. He explained the water management plans previously in place for phases 1 & 2 and stated the storm water management systems approved with the original applications were sized to handle the sediment load from larger disturbances. Therefore, they would be adequate to handle the disturbances in phases 3 and 4. D. McKay stated that he spoke to the town's engineer, Syl Pauley and that he requested additional information to support the water management plan. D. McKay explained that he submitted the Storm Water Management report for S. Pauley to review but he is away until August and has not reviewed it. P. Kelly asked D. McKay what issues S. Pauley had with plan. D. McKay stated S. Pauley's concern was that the Adelman Family's excavation would not have enough capacity after completion of the project to infiltrate the run off without exceeding the elevation level. D. McKay referred to page seven of the report to satisfy the concern and explained that the plan is sized to adequately manage the storm water for additional phases 3 & 4. E. St. Louis made mention of Section 18.51 of the Regulations, suggesting the owner or agent of the land must submit the prepared plan. P. Kelly explained that the application is a Special Exception and if granted, the two parcels would merge and become a continuous property. P. Kelly stated that if the merger of the two properties does not happen that the parties shall continue to act on their original approvals. D. Sorrentino stated that if the Commission acts on the application this evening that D. McKay would work with S. Pauley and the Zoning Enforcement Officer to satisfy any concerns. P. Kelly asked for public participation, there were no comments.

C. Bergman made the motion to close the public hearing. G. Droesch seconded the motion. The public hearing closed with a vote of 9-0-0.

C. Bergman made a motion to amend the agenda to include **PZ Application #15-11-SE, Adelman Family, LLC, Special Exception for excavation operation, Camp Road, Assessor's Map 60, Lot 39 and Lot 40** under **Old Business** as A. G. Droesch seconded the motion and it passed unanimously.

P. Kelly acknowledged that the following three public hearings **PZ Application #15-12-TEXT, PZ Application #15-13-SE and PZ Application #15-14-SE** would be held on Thursday August 13th. P. Kelly asked M. Gil if reason was given for the absence. She stated that the applicants notified her that the abutter's notices were not mailed out in time and that the applicants were compiling additional documentation.

- B. **PZ Application #15-12-TEXT, Strategic Commercial Realty Inc., Text Amendment to Section 18.7.11 of the Canterbury Zoning Regulations.**
Scheduled for public hearing August 13th, 2015.
- C. **PZ Application #15-13-SE, LaFramboise Sand & Stone, Inc., Special Exception for excavation operation, Wauregan Road, Assessor's Map 66, Lots 1, 2, & 3 and Assessor's Map 65, Lot 5.**
Scheduled for public hearing August 13th, 2015.
- D. **PZ Application #15-14-SE, Strategic Commercial Realty, Inc., DBA Rawson Materials, Special Exception for excavation operation, Wauregan Road, Assessor's Map 66, Lot 6 and Assessor's Map 67, Lots 13 & 17.**
Scheduled for public hearing August 13th, 2015.

VI. **New Business-** none

VII. **Old Business**

- A. **PZ Application #15-11-SE, Adelman Family, LLC, Special Exception for excavation operation, Camp Road, Assessor's Map 60, Lot 39 and Lot 40.**

P. Kelly asked M. Gil if all entrances and exits are on a state road, M. Gil confirmed that they are. C. Berman made the motion to approve PZ Application #15-11-SE, Adelman Family, LLC, Special Exception for excavation operation, Camp Road, Assessor's Map 60, Lot 39 and Lot 40 with the following conditions:

1/ The application is approved per the submitted plans entitled, "Adelman Family, LLC, Proposed Earth Products Excavation", prepared by Boundaries, LLC, dated May 2015.

2/ Any erosion and sedimentation controls indicated on the plans will be installed before any excavation takes place.

3/ All conditions of the wetlands permit shall be followed.

4/ Mylars are to be submitted to the Land Use Office for signature. After they are signed they shall be filed on the land record of the Town of Canterbury.

5/ Hours shall be as per the Canterbury Zoning Regulations, Section 18.6.5 as amended.

6/ This permit is valid until March 1, 2017, then it must be renewed annually by Site Plan Review.

7/ Any changes requested by town staff (engineer, zoning enforcement officer) be incorporated into the plans.

8/ Approval is not effective until properties are merged.

G. Drosch seconded the motion and it passed with a vote of 9-0-0.

VIII. **Other business**

- A. **Correspondence-** discussed in the following ZEO report.

- B. **ZEO Report-**

M. Gil discussed the traffic counters on Wauregan Road. She noted that several of the NECCOG counters were vandalized, but that did not affect any data collected. The traffic counts from Wauregan Road were attached to her report. The Commission had also hired a

counter P. McCue. NECCOG collected counts, length, and speed at two locations. P. McCue over the three days he counted, two trucks entered into LaFramboise before 7:00 a.m. He did note they were empty, but it was prior to operating hours. M. Gil stated that the land use office received several complaints about a jack hammering noise beyond operating hours. She submitted copies of the letter that she sent to W. LaFramboise reminding him of his hours and also discussed both issues with him on the phone. He stated that he was doing work within the pit during off hours but said, they were not hauling or operating. He also stated to M. Gil that most businesses have some customers that arrive early but they do not begin hauling until 7 a.m.

M. Gil also stated that she contacted Roger LaRose regarding concerns about the events on his property. M. Gil submitted a letter for the record from R. LaRose. He explained that the activities on his property are for personal recreation only and that he would be willing to discuss this matter further with concerned parties.

C. Any other appropriate business- none

IX. Adjournment- C. Bergman made the motion to adjourn at 8:22 p.m. H. Tuttle seconded the motion passed 9-0-0.

Respectfully submitted,

Debby Plantamuro
Land Use Admin. Asst.
*as recorded

Cc; Town Clerk, PZ members and alternates; applicant files; PZ file