

TOWN PLAN AND ZONING COMMISSION
PUBLIC AND REGULAR MINUTES

May 9, 2016

Present were Acting Chairman Doeg, Commissioners Brenneman, Fraprie, Jarvis, Alternate Commissioners Charette and Donald and the Town Planner and Clerk. Acting Chairman Doeg opened the meeting at 7:01 p.m.

Acting Chairman Doeg explained the process of the meeting to the public.

Alternate Commissioner Donald was appointed to vote on behalf of Commissioner Dunn and Alternate Commissioner Charette was appointed to vote on behalf of Commissioner Tucker.

Acting Secretary Fraprie read the legal notice into the record.

PUBLIC HEARINGS

MJD Builders LLC – Lot 9B1 Pinnacle Road

Special permit for blasting related to new home construction located at Lot 9B1 Pinnacle Road (adjacent to 12 Pinnacle Road), R40 zone. Mark DeFilippo explained he has applied for a special permit regarding blasting ledge needs to be removed in the front of his lot to lower the knoll for the installation of the driveway and utilities. John Bahre, John W. Bahre, Inc., stated they are in the process of conducting pre-blast surveys for 2, 5, and 9 Pinnacle Road. As required by the zoning regulations a pre-blast survey is done for structures and wells within 250 feet of the blast location. When asked how long he has been blasting Mr. Bahre responded thirty (30) year. He then explained the ledge to be cut is between five and seven feet deep on average and will likely take two to three days with three to four shots each day. A detailed blasting plan is part of the application file. Commissioners asked for clarification on whether blasting is needed to install the well. Mr. Bahre responded no but he may need to blast for the line that connects the well to the house. Hours of operation are expected to be 9 a.m. to 2:30 p.m. and the Fire Marshal will be informed in advance of the blasts so he can witness them. When asked if there was an alternate way to remove the ledge Mr. Bahre stated he could use a hydraulic hammer. This process would take three times as long and the vibration would be all day for the eight to ten day period of time. Mr. Bahre was then asked to explain how claims of damage are handled. Written claims of damage are submitted to his insurance company. There was a brief discussion to clarify the location of the new house and whether blasting is required for the foundation.

Ed Flanagan, 2 Pinnacle Road, asked about water testing and cited the regulation regarding hours of operation. Mr. Flanagan submitted a letter of concerns dated May 9, 2016 for the record.

Normando Moquete, 5 Pinnacle Road, asked for a copy of the blasting company's insurance certificate, bonding and asked for a time frame for the blasting.

Margaret Flanagan, 2 Pinnacle, expressed concern with their well and asked how long they are protected for damage related to blasting.

Mona Shahriari, 12 Pinnacle Road, asked if post-blast surveys will be done and asked what the final elevation will be. Ms. Shahriari submitted a letter of concerns dated May 9, 2016 for the record. A representative for Ms. Shahriari also asked about elevations.

Loru Brooks, 4 Pinnacle Road, expressed concern with her septic system because is located on ledge.

Martin Tobey, 14 Pinnacle Road, stated he shared the concerns of his neighbors.

In response to public comment Mr. Bahre offered the following responses: Claims of damage related to the blasting are limited to three years. The insurance certificate will be on file with the Fire Marshal's Office. Bonding is not required per the zoning regulations or the State statutes. Pre-blast surveys are done per the zoning regulations for structures and wells within 250 feet of the blasting site and not the property lines. Post-blast surveys are not done unless requested by the insurance company in response to a claim of damage. Mr. Bahre also stated water testing is done but typically not flow testing. Mr. Bahre stated the elevation between the road and the house will be pretty level. Mr. DeFilippo stated the deep hole tests were done by Robert Green Associates and explained the depth of the ledge under the soil. The Commission informed the applicant that the zoning regulation states the survey shall include a test of water quality and quantity.

During further discussion it was noted the Town of Farmington is the only Town in the area with regulations regarding blasting. Blasting is regulated by the State and Fire Marshal's Office but the Town's regulations are an added layer of notification that blasting will take place.

The public hearing closed at 8:00 p.m.

Commissioner Jarvis moves and Commission Brenneman seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit as required pursuant to Article IV, Section 27 of the Farmington Zoning Regulations (regulations) to allow for blasting at Lot 9B1 Pinnacle Road (adjacent to 12 Pinnacle Road); and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS Section 8-3(c) ; and

Whereas the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit request with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations (Article IV, Section 27) including post approval performance standards and representations made by the applicant;

2. Prior to the start of any work the plans shall be reviewed and approved by the Fire Marshal and a blasting permit shall be issued by the Fire Marshal; and
3. Blasting shall be limited to the hours of 9 a.m. and 2 p.m. Monday through Friday unless otherwise approved by the Fire Marshal.

The motion passed unanimously.

DiTommaso Associates LLC – 11 Executive Drive

Special permit and site plan approval to install natural turf practice field and associated parking for property located at 11 Executive Drive, C1 zone. The applicant requested this matter be continued to the May 23, 2016 meeting.

NEW BUSINESS

Forest Park Office Green – 10 Fenwick Drive

The office park is seeking approval to install an existing sign for a new tenant relocating from another location in Town. The wood carved sign is 26” x 72” and conforms to the requirements of the zoning regulations. No lighting is proposed.

Upon a motion made and seconded (Fraprie/Donald) it was unanimously

VOTED: To approve the Forest Park Office Green application to install the “Thomas Byrne Associates Employment Specialists” building sign at 10 Fenwick Drive as per plan presented and on file in the Planning Office.

PLANNER’S REPORT

Town Planner Warner noted the Chairman provided the clarification that 4 (four) mechanical rides are allowed at the Dream Ride and that the motion is limited to non-profit events but the Town Planner has discretion to 1) allow for profit events, such as an antique show, and report it to the Commission; or 2) refer to the Commission for consideration.

Town Planner Warner met with Metro Realty lot clearing that will begin soon for the approved medical office buildings between Farmington Avenue on Birdseye Road. Blasting will be required so they will be in with an application.

MINUTES

Upon a motion made and seconded (Fraprie/Donald) it was unanimously

VOTED: To approve the minutes of the April 27, 2016 meeting.

The meeting adjourned at 8:07 p.m.

SJM