

The Chester Planning & Zoning Commission held two public hearings on Thursday, March 13, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Commission members in attendance and seated for both hearings were Jon Lavy, Mel Seifert, Steven Merola, Doreen Joslow and Peter Zanardi (seated for P. Kehayias). It is noted for the record Commission member Keith Scherber was present but recused himself from these two applications. Chairman Lavy opened the first hearing at 7:35 PM.

Chairman Lavy read the Notice of Public Hearing into the record, said notice having been published in the Hartford Courant on February 27, 2014 and March 6, 2014.

Chairman Lavy explained the public hearing procedures.

Application for Special Exception #14-02 submitted by A.I.S. Properties LLC (owner and applicant) for 50' x 80' building to be used for cutting of decorative stone, on property located at 35 Airport Industrial Park Road (Map 17, Lot 20, Zone RLM).

Joel Nucci, owner/applicant, noted this application was the same plan for a 50' x 80' building previously approved. He has made no changes to the plan. The only difference is the use will now be for cutting decorative stone. All stone will be cut inside the building. Stone will be palletized inside the building, then picked up with a forklift and loaded on to a truck. Nucci indicated there would be 1 to 3 trucks per day. The trucks would be either a pick up or small flat bed. Usually the order is 2 to 3 pallets.

Mr. Nucci stated there would be 6 foot fencing around the sides and front of the property. The stone pallets would not project above the fencing. When asked about plantings, Nucci replied there are no plantings in the front as of this time. He also noted the fencing would be shown on the site plan.

Mr. Nucci was asked about hours and the number of employees. He replied there would be 4 employees who would park their vehicles on this lot. The hours would be Monday thru Friday 8 AM to 4 PM. Saturday from 8 AM to 12 Noon. No Sunday hours.

Mr. Nucci noted the finished palletized stone would be put outside on the day of pick up. If it isn't picked up on that day, it will be put back inside for the night.

Chairman Lavy read letters into the record from Anna Sweeney (Wetlands Officer), Lee Vito (Sanitarian) and Richard Leighton (Fire Marshal).

It was noted this lot with the same building was previously approved by the Planning & Zoning Commission in December of 2011.

Mel Seifert asked about noise. Mr. Nucci replied unless one is standing right next to the building, one would not hear any noise.

Peter Zanardi asked about waste and its disposition. Mr. Nucci explained there is not a lot of dust. When they are done cutting, they will sweep the floor. Most of what falls when cut is in pieces, put in a separate barrel and most people buying the stone take it with them.

Steven Merola asked if the stone was cut with a wet saw. Mr. Nucci replied no, it was a hydraulic saw.

Mr. Seifert noted the application states 1 to 2 trucks per day. Mr. Nucci explained one couldn't produce more than 5 truck loads in a day. If someone didn't pick up their stone one day, there may be more trucks the next day.

It was reiterated there will be fencing along the sides and front of the property which should be shown on the site plan. It was also noted there will be parking on the gravel surface and parking spaces should be identified on the plan as well.

Attorney Cronin introduced himself as representative for Keith Scherber who owns property at the entrance of Route 145 and Airport Industrial Park Road. Attorney Cronin noted Mr. Scherber has a clear view down the road and toward the front of the two subject properties. The Scherber property is in a residential zone and his concern is how this will effect the use of his property.

Attorney Cronin asked if this was a saw cut operation, would there be any waste water generated and if so, how would it be disposed of. Currently water drains down the road and to the Scherber property.

Joel Nucci replied this was not saw cutting, but chopping. He explained the chopping process.

Attorney Cronin asked if there was an exhaust system from the cutting going outside the building. Mr. Nucci replied no. It is a smashing operation and not saw cutting.

Attorney Cronin asked how the stone would be transported from the building to the storage area. Mr. Nucci explained the stone would be transported by forklift. The raw material would come in in enclosed 30 yard roll off containers. The stone would be dumped and the truck would then drive off. A forklift would be used to transport stone between the two lots. Chairman Lavy noted once the raw material is dropped, then the gates are closed.

Chairman Lavy asked what the size of the forklift was. Mr. Nucci replied the size of

an all terrain vehicle, probably 8 yards. Lavy asked if the finished product would be taken out the front door of the building. Nucci replied yes.

Mr. Seifert noted there is an erosion control barrier and swale between the two properties and asked Mr. Nucci to check and be sure they would function properly.

Chairman Lavy asked how many trips there would be each day between the two lots. Mr. Nucci replied probably 12 to 14 times back and forth.

Attorney Cronin noted for the record Keith Scherber was representing himself and not representing the views of anyone else.

Madaline Meyer, Winthrop Road, asked for clarification of "stone". Chairman Lavy asked the applicant what size stone would be delivered. Mr. Nucci replied most would be 3' x 3' and some 5' x 5'. It would not be small stone with a lot of dust.

Keith Scherber asked if there would be splitting of stones outside. Mr. Nucci replied no, only inside. He did note, however, there might be the occasional piece of stone that is too big to handle and that would have to be cut. It would be a clean snap of the stone. Nucci stated a lot of the stone comes from Haddam.

Mr. Nucci noted they would do a nice fence around the facility.

Keith Scherber noted he was worried about noise.

Chairman Lavy noted the Commission would like to see a photograph of the proposed fence. He also noted the proposed fence and landscaping around the front and sides of both properties needs to be shown on the site plan. Mel Seifert suggested the applicant look at Section 80B.2.(A) Landscaping to see what the regulations require.

Attorney Cronin noted his client had additional concerns. The big concern was sound. Cronin explained his client had visited a similar business. It was a very loud and dirty process. The people had special suits to wear. Mr. Scherber noted the process he saw was that the stone goes through an hydraulic press and pieces fall down on metal tables. The pieces are then picked up and put in bins.

Mr. Nucci explained the stone is put on a conveyor and pushed into the hydraulic saw. The stone is cut by a steel plate and it falls on the concrete floor. The floor has to be fixed every couple of months, but it takes away the sound. Employees wear hearing, masks and foot protection, but no special clothing.

Attorney Cronin reiterated his client's primary concern is noise.

There was discussion regarding the size of the overhead doors and when the doors would be open. Mr. Nucci noted the doors have to be decent size to accommodate the forklift and so a pick up truck could back into the building. He also noted during the hot weather the doors may be open, but they could install some kind of a ventilation system if necessary. Nucci stated the doors would be open for only a short period of time for bringing stone into the building or when someone picks up a finished product. They would start cutting stone about 9 AM and end at 4 PM. Prior to 9 AM, they would bring stone in to building and do preparation.

Attorney Cronin pointed out the best way to control sound is with conifers and referenced the Zoning Regulations pertaining to Landscaping requirements. He suggested the entire frontage area have a double row of conifers 6' high in accordance with the regulations.

There was further discussion regarding the conifers along the front and sides of the properties.

Mr. Nucci noted when he designs the building, he could make the wall thicker on the side towards the residential area. Attorney Cronin noted there is a concern in the summer that the doors would be opened up and the sound magnified facing the residential area.

Attorney Cronin submitted a list containing four requested conditions of Special Exceptions, mainly having to do with the planting of conifers, no outside storage of materials other than in storage areas, all stone cutting and processing be performed indoors with all windows and doors closed for the purpose of reducing sound, and hours of operation be restricted to 8 AM to 4 PM Monday through Friday and 8 AM to 12 Noon on Saturday.

There was brief discussion as to whether the conifers should be on the inside or outside of the fence. Chairman Lavy suggested having the trees on the front side of the fence might help both the applicant and the neighbors.

It was noted 90% of the time the gates will be closed. They will only be open for deliveries.

Madaline Meyer, Winthrop Road, noted back to the beginning days this was only approved for a small office park. This area was an ideal setting for that. Over time it has changed. The idea of the small office park has expanded. She urged the Commission to look at the regulations before approving these applications.

Motion by Zanardi, second by Joslow, to continue public hearing for Application 14-01 A.I.S. Properties LLC. Voting in favor – Zanardi, Joslow, Merola, Seifert, Lavy. Opposed – none. Motion Carried. It is

noted for the record Scherber recused himself from this application.

Application for Special Exception #14-01 submitted by A.I.S. Properties LLC (owner and applicant) for Storage of stone, on property located at 25 Airport Industrial Park Road (Map 17, Lot 21, Zone RLM).

Joel Nucci noted this property would be used for storage of raw stone material. Three or four roll off trucks would dump stone per week and then leave. There would be no parking of vehicles on this site. The only thing this property would be used for is the storage of stone. A fence and gate would be necessary.

Chairman Lavy noted the site plan showed storage of stone within the 50 foot front setback which is not allowed. Mr. Nucci said he would eliminate that area.

It was noted there was no activity planned within the 100 foot wetlands review area. Chairman Lavy noted he would like a short letter from the Wetlands Agency stating they have reviewed this and no activity is planned, therefore, no permit is necessary.

It was noted the Sanitarian letter read at the previous hearing included this property as well.

Chairman Lavy read into the record a letter from the Fire Marshal.

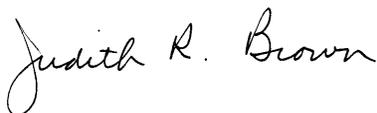
There were no further questions from the Commission members or the public.

Attorney Cronin noted he would like to incorporate the same comments he made from the previous hearing for this application.

Madaline Meyer, Winthrop Road, stated she didn't like the idea of trucks being added to the quiet residential road.

Motion by Joslow, second by Seifert, to continue public hearing for Application #14-02 A.I.S. Properties LLC. Voting in favor – Joslow, Seifert, Zanardi, Merola, Lavy. Opposed – none. Motion Carried. It is noted for the record Scherber recused himself from this application.

Respectfully submitted,



Judith R. Brown, Recording Secretary