

**PORTLAND PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**Thursday, August 17, 2023 at 7:00 PM**  
**Buck Foreman Room (2<sup>nd</sup> Floor)**  
**265 Main Street, Portland, CT.**  
**Public access through Zoom link A at [www.portlandct.org](http://www.portlandct.org)**

**Regular Meeting Minutes**

1. Call Meeting to Order

Robert Ellsworth called the meeting to order at 7:00 p.m.

2. Introduction of Members and Seating of Alternates

Present: Bob Ellsworth, Robert Taylor, Carolyn Freeman, Chantal Foster, Jennifer Tellone

Staff: Dan Bourret, Town Planner  
Dawn Guite, Recording Secretary

Absent: Tom Bransfield, Victoria Tchetchet

3. Accept Agenda

**MOTION:** Chantal Foster MOVED, seconded by Robert Taylor to ACCEPT the agenda as PRESENTED. **VOTE UNANIMOUS. MOTION CARRIED.**

**Public Hearing**

4. Application #22-30: Glastonbury Turnpike. Request for Special Permit Renewal of Sand and Gravel Excavation Permit to Excavate and Remove 562,000 Cubic Yards of Earth Material. Application of the Portland Aggregates LLC and property of Portland S& G LLC. Map 119, Lot 2 and 3. Zone R-25.

**MOTION:** Chantal Foster MOVED, seconded by Robert Taylor to OPEN the Public Hearing for #22-30 **VOTE UNANIMOUS. MOTION CARRIED.**

Attorney David Sherwood, Moriarty, Paetzold, Sherwood, represented the applicant requesting a Special Permit Renewal (seventh renewal) for sand and gravel operation. Excavation takes place in a land-locked 54.2 acre parcel that is adjacent to the previously excavated 57.4 acre site formerly owned by Ansaldi Corporation. The proposed area accesses an existing entrance located on the western side of Glastonbury Turnpike opposite Isinglass Hill Road.

John Zurich, P.E., Megson, Heagle & Friend, LLC, said over the last 4 years the former applicant, Portland S&G, LLC, removed 91,376 cubic yards of material from the site. This application is requesting 470,624 cubic yards of material to be removed from Phases 1 & 2. The original approval called for 562,000 cubic yards to be removed with a total of seven phases on the property. Removal of material will continue at a 91,376 cubic yard pace. Mr. Zurich submitted tabulations showing number of cubic yards removed. The same trucks will be removing material during the same hours as previous phases. Plans submitted show updated topography – dark lines indicated finished grade; dashed lines show topography. All previously submitted and approved plans are to be considered part of this application. Staff comments from Town Engineer are pending. Applicant is agreeable to accepting these comments.

Another email of opposition was received to curb dirt bike/ATV activity. Previous email was sent in 2020. Criminal trespassing is posted for this area. It is an ongoing effort to address breach of activity.

**Public Comment:**

Nancy Mueller Woolhouse, 17 Old County Way, Portland, CT, said that ATV activity is current and ongoing. Noise (noisy mufflers) is heard from 9:30 p.m. (10:00 p.m.) to midnight. Weekends also present a problem. She has contacted the police twice especially for ATV activity at midnight. Boulders have been placed at the entrance, however, activity is generated through Old Maids Lane and Naubuc Elementary School in Glastonbury. Camera(s) have been installed on the trail. The previous owner, Ansaldi Corporation, allowed some ATV activity. Activity is also present on Rt. 66.

Thomas Mueller, 17 Old County Way, Portland, CT, said that the activity is a nuisance and promotes safety concerns as families with children are confronted with ATVs doing wheelies. He doesn't want police affected as it has more important things to tend to.

Attorney Sherwood suggested that letters be written to the police departments for each town suggesting that sirens be run to let intruders know that they are being watched. It was also suggested that Dan Bourret appeal to the First Selectman stating that the PZC has been approving renewals knowing that this activity is taking place. Dan Bourret will reach out to the First Selectman.

**MOTION:** Robert Taylor MOVED, seconded by Carolyn Freeman to CLOSE the Public Hearing for #22-30 **VOTE UNANIMOUS. MOTION CARRIED.**

**RECORDED VOTE**

**DATE:** August 17, 2023

**COMMISSION:** PLANNING & ZONING COMMISSION

**MOTION**

**TO APPROVE** Application #22-30: Glastonbury Turnpike. Request for Special Permit Renewal of Sand and Gravel Excavation Permit to Excavate and Remove 562,000 Cubic Yards of Earth Material. Application of the Portland Aggregates LLC and property of Portland S & G LLC. Map 119, Lot 2 and 3. Zone R-25; as shown on a site plan entitled “Topographic Update-Excavation Plan Glastonbury Turnpike/CT Route 17”, dated 5/22/23 as well as a narrative and based on testimony presented, documents submitted and the following instructions that are integral to this approval:

1. That this permit will expire on 08/17/2026.
2. That the applicant addresses and complies with any comments and recommendations from the Town Engineer after submittal of final plans for review.
3. That an updated E&S bond and site restoration bond, in an amount to be determined by the Town Engineer, be submitted prior to endorsement of the plan, if deemed necessary by the Town Engineer.
4. That 3 paper copies of the final revised set of plans and one set of mylars be submitted to the Planning Department for endorsement by an officer of the Commission. The endorsed mylar set shall be filed on the Land Records within 180 days, as per ZR Section 10.5.3.2.a.
5. That all E&S controls be installed by the applicant and inspected by Town Staff prior to the start of activity under this permit and that they are maintained per the plan.
6. That a Zoning Permit be issued prior to the start of activity associated with this approval;
7. That the applicant or his contractor submit monthly reports indicating amount removed from the site, status of E&S controls, status of restoration. Even when no activity is occurring on site reports must still be submitted.
8. That the limits of clearing be flagged by a licensed land surveyor. Once located, limits shall be delineated by orange fence.
9. That this approval does not include the stockpiling of off-site material except for the concrete pipe being used for erosion and sediment control and the millings used for surfacing of the haul roads.
10. That this approval does not allow hauling of any off-site material into the subject property and specifically prohibits on-site burning and/or waste disposal.
11. That the applicant only excavate at levels at or above proposed final grades shown on the approved plans.
12. That prior to the closure of the operation, sediment basins shall be graded for safety.
13. \_\_\_\_\_

Reasons: This proposal conforms to Sections 4.1, 8.5, 9.5, 10.4 and 10.5 of the Zoning Regulations.

Made by: Chantal Foster

Seconded by: Robert Taylor

**IN FAVOR**

**IN OPPOSITION**

Chantal Foster  
Carolyn Freeman  
Robert Taylor  
Jennifer Tellone  
Bob Ellsworth  
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**IN ABSTENTION**

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Recorded By: Dawn Guite

## Regular Meeting

### 5. Receive in Application(s):

Application #23-01: Proposed amendment to the Town of Portland Zoning Regulations: Article 7.2.3.A.1 add food truck parks to approved uses. Application of Town of Portland. **Discussion on September 7, 2023.**

### 6. Old Business:

- Electric Vehicle Charging Stations

Dan Bourret will have more information available at the next meeting.

### 7. New Business:

- Land Use Training

Public Hearing Overview will be a refresher course to be scheduled on August 31. This will be good for new commissioners, staff, etc.

- POCD Implementation Letter

Dan Bourret will have chart available for the next meeting.

### 8. Staff Report:

- Correspondence

There was no correspondence.

- Brainerd Place Update

Foundation is completed for Starbucks. Road improvements per CTDOT are being done. Historic buildings will be fenced off to protect them. There are no leases in place yet for business.

### 9. Public Comment: The Commission will hear brief comments at this time from anyone wishing to speak. Comments may not be made regarding any pending application.

There were no public comments.

### 10. Approval of Minutes: 8/3/2023

**MOTION:** Carolyn Freeman MOVED, seconded by Robert Taylor to ACCEPT the Meeting Minutes of 8/3/2023 as presented. **VOTE UNANIMOUS. MOTION CARRIED.**

Approval of Minutes: 7/13/23

**MOTION:** Robert Taylor MOVED, seconded by Jennifer Tellone to ACCEPT the Meeting Minutes of 7/13/23 as presented. **VOTE UNANIMOUS. MOTION CARRIED.**

### 11. Adjourn

**MOTION:** Chantal Foster MOVED, seconded by Robert Taylor to ADJOURN the meeting at 7:43 p.m. **VOTE UNANIMOUS. MOTION CARRIED.**

Respectfully Submitted:

***Dawn Guite***

Dawn Guite, Recording Secretary