

MINUTES
ZONING COMMISSION
MAY 4, 2011 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Cady, French, Hudecek, Marquardt, Sutherland, O'Neill (7:16 p.m.)
Absent: Haviland
Staff: Davis, Gilot

Chairman Hudecek called the meeting to order at 7:04 p.m. and seated Cady for O'Neill and Sutherland for Haviland.

II. APPROVAL OF THE MINUTES OF April 6, 2011.

MOTION: To approve the minutes of April 6, 2011 as written.

Motion made by French, seconded by Marquardt. Motion passed 3-0-2, 2 abstentions (Hudeck and Cady).

French made an apology to staff member Deb Jones. Ms. French stated at the April meeting that Ms. Jones was not in attendance at a coastal resilience meeting hosted by the Nature Conservancy in Old Lyme when in fact she was present, but Ms. French did not see her.

III. PUBLIC COMMUNICATIONS - None

IV. NEW BUSINESS

1. Tilcon Stack Height Modification Request, 185 South Road

Clint Brown, DiCesare-Bentley Engineers, presented the request for a height modification for a stack at the Tilcon plant. Chris Marchese, Triton Environmental, and Chris Costello, Tilcon, Inc. were also present. Mr. Brown explained the request for a height modification, a pending site plan application with the Planning Commission, the location and layout of the site, and the details of the stack area. The site consists of about fifty acres, several large structures and machinery for processing and manufacturing construction materials. The stack area for the plant is in the center of the site. After a self-imposed regulatory review, the applicants found they are not in compliance with certain (air) environmental regulations, and propose to replace an existing 40 ft. stack with a 139 ft. stack. Due to its proximity to Groton-New London Airport, a request was made to FAA and was determined to be of no hazard to air navigation with the conditions that the chimney is not over 139 ft. in height, and must be illuminated and painted in accordance with FAA requirements.

Mr. Marchese, Triton Engineering, explained the history of the site. Tilcon plans to make upgrades in the near future, and they have determined that they are not in compliance with DEP's maximum allowable stack concentrations (MASC). Staff requested that the applicant explore all options available to comply with state regulatory requirements. It was determined that the most prudent method to bring the emissions into compliance is to raise the stack.

Mr. Marchese explained the technical details of the emission factors for the Commission, including DEP models and requirements, stack concentration, hydrocarbons, flow rates, fuel types, and relocation of the plant. Equipment, such as a scrubber, is not available on the market for an asphalt plant. Staff spoke with DEP and verified that the stack height would be the only option to regulate. Mr. Marchese distributed a written summary of his presentation.

Commissioners had several questions about the various aspects of the proposal. Staff discussed the standard of “reasonable and necessary” relative to the zoning regulations. Staff said this plant will likely stay as it is, in the industrial zone, with a limited amount of residences in close proximity. Staff had no issues.

MOTION: To approve the increase in height for a stack for Tilcon, Inc., 185 South Road, to a maximum height of 139’, as presented.

Motion made by French, seconded by Marquardt. Motion passed unanimously.

2. Receipt of New Applications

No new applications have been submitted.

V. REPORT OF CHAIRMAN - None

VI. REPORT OF STAFF

Staff said the public hearing for the flood regulation amendments is scheduled for June 1st.

VII. ADJOURNMENT

Motion to adjourn at 7:42 p.m. made by French, seconded by Marquardt, so voted unanimously.

Zoning Commission

Prepared by Debra Gilot, Office Assistant III