



Town of Sterling

Town Hall
1183 Plainfield Pike
P.O. Box 157

Oneco, Connecticut 06373-0157

Assessor: 860-564-3030
Building Official: 860-564-2275
Economic Development: 860-564-4752
Library: 860-564-2692
Recreation: 860-564-2136
Registrar of Voters: 860-564-2654

Revenue Collector: 860-564-7563
Selectmen: 860-564-2904
Town Clerk: 860-564-2657
Treasurer: 860-564-8488
Wetlands Agent: 860-564-2275
Zoning Official: 860-564-2275

Legal Notice Sterling Board of Selectmen Notice of Public Hearing

The Sterling Board of Selectmen will hold a public hearing on Monday May 21, 2018 at 6:00 p.m. in Room #15 of the Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT to accept written and/or verbal comments on two Excavation Applications.

1. Application by Tilcon Connecticut, Inc. for property located at 0 Sterling Road – Route 14 (Map 3844, Block 16A, Lot 12). The application is for the phased removal of sand and gravel. There is no blasting, rock splitting, crushing, screening or washing being proposed. Total area of the property is 75.8 acres. Area of excavation is 34.2 acres. Proposed annual excavation is unknown. Total excavation volume is 1.46 million cubic yards. The proposed future use of the property is grassland and forest. Hours of operation proposed are 6:00 a.m. to 6 p.m. Monday thru Friday and 7:00 a.m. to 12:00 p.m. Saturday.

2. Application by Sterling Materials, LLC (South) for property located at 258 Newport Road (Map 3644, Block 29, Lot 11). Proposed activities for the area include blasting and rock splitting for the removal of sand and gravel. There is no crushing, screening or washing being proposed. Total area of the property is 66.38 +/- acres. Area of excavation is 17.6 acres. Proposed annual excavation volume is 25,000 +/- cubic yards. Total excavation volume is 500,000 cubic yards. The future use of the property has not yet been determined. Hours of operation proposed are 7:00 a.m. to 5:00 p.m. Monday thru Friday and 7:00 a.m. to 12:00 p.m. Saturday.

Copies of the proposed applications can be viewed during normal business hours at the Sterling Town Hall.

Dated this 3rd day of May 2018 at Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT.

Russell M. Gray
Sterling First Selectman

May 21, 2018

The public hearing was opened at 6:00 p.m. by Selectman, John Firlik. Selectman Lincoln Cooper was also present. There were approximately fifteen (15) people present.

Staff present-Joyce Gustavson and Don Aubrey (6:05 p.m.)

The legal warning for the hearing was ready by J. Firlik. The purpose of the hearing is to accept written and/or verbal comments on Excavation Applications by Tilcon Connecticut, Inc. and Sterling Materials, LLC (South).

The first public hearing is for Tilcon Connecticut, Inc. Submitted into record is the following letter from David Held of Provost and Rovero, Inc., dated 5/21/2018, "We are in receipt of the 5/3/2018 review comments from Towne Engineering, Inc. for the above reference project. Since we just received these comments this morning, we respectfully request that the Board open and immediately continue the hearing on this application as additional time will be required to address the comments".

L. Cooper made a motion, seconded by J. Firlik to continue the public hearing to Monday, 6/11/2018 at 6:00 p.m. in Room #15 at the Sterling Municipal Building, 1183 Plainfield Pike, Oneco, CT. All voted in favor of the motion.

The second public hearing is for Sterling Materials, LLC (South). Bruce Woodis of KWP Associates presented the application on behalf of Sterling Materials, LLC. The following was submitted into record: Proposed Gravel Removal Plans, Revised Excavation Application, Abutter Notification Return Receipts/Certified Mail and Revised/Corrected Abutter Notification Return Receipts/Certified Mail, a letter outlining preliminary comments from Don Aubrey, Town Engineer, dated 5/7/2018, and a letter from Bruce Woodis, KWP Associates requesting waivers of certain regulations as allowed, dated 5/21/2018.

B. Woodis stated that this is a re-application of the same project that was approved in 2011. Within the last year or two, the permit lapsed and was not renewed. Revised and re-prepared project plans were done from the original approval and project. Current surveys have been done to show the existing topographical conditions. The grading plans are the same grading plans that were approved before with modifications to certain areas; such as, the big out crop of ledge, which the applicant has no intent to blast and/or take out, and an excavated area that created a ponded area that the applicant will also work around. The project plans, the grading plans, and everything about the project are the same as before except the plans have been upgraded to show the existing conditions. One condition of approval for both Inland Wetlands and Planning & Zoning was to pave, re-grade, and stabilize along the banks the access haul road that runs down through and crosses Vaughn Brook. This has been done.

Frank Tarbox, 264 Newport Road asked if that is behind the farm.

B. Woodis stated yes. The access for this project comes through "Sterling Materials North", where the main gate is. This is a small area in the back, across the brook and little bridge. This was a gravel road and has since been paved.

B. Woodis stated the applicant is trying to renew the application. If they had been on the ball and didn't have the circumstances where the owner and Bruce's partner died, leaving them with no one to keep track of the renewal process, they would have simply renewed instead of having to go through the reapplication process.

F. Tarbox stated that he is the last house on the horseshoe and asked if the right of way will be used.

B. Woodis stated no. It was not used in the past and we are not proposing to use it again. The location of haul road out to Newport Road will be used, allowing Sterling Materials to use the same entrance. No new activities are being proposed.

B. Woodis stated that he received D. Aubrey, Town Engineer's ten (10) preliminary comments and several regulation compliance comments dated 5/7/2018 stating there are a number of issues that need to be addressed; some in the form of a waiver letter and some that will need further discussion with D. Aubrey.

Discussion followed regarding the regulatory time frame, possible extensions if needed, and combining the public hearing for both the north side and the south side on 7/11/2018.

L. Cooper asked if anyone else had any other questions or comments.

Victoria Lewis, 791 Margaret Henry Road asked how many truck trips per day.

B. Woodis stated it is hard to say, this is a not a big project even after the North side excavation application is submitted. The North side is pretty tapped out, there are some residual boulders and stone that need to be crushed out and a little excavation needs to be done. The North side will be more of a reclamation project.

Tammy Rose, 254 Newport Road asked if 258 Newport is less than four (4) acres of land then why is it addressed as 258 Newport Road if you are not going to be hauling gravel out of that driveway.

D. Aubrey stated that originally it was owned by Peter Farland and it still has a boundary, a title, and the only access originated through the right away.

T. Rose stated that Herman Rose was the first owner and he was granted the right of way.

Discussion followed regarding the acreage of the south and north parcels. From a tax perspective, they are two (2) separate parcels that stand alone.

L. Cooper asked if anyone else had any other questions or comments.

V. Lewis stated that she would like to ask that the Board be very clear on the stipulations and conditions of approval; be nice to the neighbors, especially on Saturday, and to wet down the anti tracking pad.

D. Aubrey stated that the problem with any application is that it needs supervision.

B. Woodis stated that one of the reasons for this reactivation is that this will get done before moving on to something else. Part of the process for any gravel excavation is that when it is completed, the land has to be reclaimed and has to be finished off and used for something, even if only as open space. There is not a lot of material left in either the north or the south site.

D. Aubrey stated that the topsoil has not been removed and is still on site.

F. Tarbox asked if they can take out the ledge over the brook.

B. Woodis stated no. This application does not include a proposal for blasting. Further discussion with D. Aubrey may be needed because Mr. Aubrey believes that part of the ledge has already been drilled for blasting and should be blasted.

L. Cooper stated that the application's proposed activities calls for blasting.

B. Woodis stated that application was submitted in error and a revised application was submitted after the legal notice went out. There may be a small amount of blasting during the reclamation process.

L. Cooper asked if anyone else had any other questions or comments.

Donald Salisbury, 105 Deerfield Drive asked who B. Woodis was working for as the elder Mr. Laydon has passed.

B. Woodis stated that he is working for the younger Bill Laydon and his sister, Suzanne Hopkins.

D. Salisbury asked if the work will be on the northern side or has that been done.

B. Woodis stated this application tonight is on the south side of the property, where you enter from Newport Road; go down and across the brook and into the back.

In closing, B. Woodis stated this is the same application as what was previously approved by the Commission. New topographic surveys have been done to show what the existing conditions are, but the grading plans, the project areas, the sedimentation and erosion control measures are all the same as what was previously approved by the Planning and Zoning Commission and the Board of Selectmen in 2011. This is a re-application; if it would have been timelier it would have been a renewal.

L. Cooper asked if anyone else had any other questions or comments. There were none.

L. Cooper made a motion, seconded by J. Firlirk to continue the public hearing to Wednesday, 7/11/2018 at 6:00 p.m. in Room #15 at the Sterling Municipal Building, 1183 Plainfield Pike, Oneco.

May 21, 2018

Item I: The special meeting of the Sterling Board of Selectmen was called to order at 6:42 p.m. with John Firlirk and Lincoln Cooper. Selectman R. Gray was absent.

Staff present-Joyce Gustavson and Don Aubrey.

Also present-Jared, Glynn and Ed Roy, Victoria Lewis, Frank, Irene, and Cynthia Tarbox, Ron Marchesseault, Robin Bourey, John and Tammy Rose, and Donald Salisbury.

Item II: Excavation Application for Tilcon Connecticut, Inc. for Property Located at 0 Sterling Road – Route 14: The public hearing for Tilcon Connecticut, Inc. for property located at 0 Sterling Road – Route 14 has been continued to Monday 6/11/2018 at 6:00 p.m. in Room #15 at the Sterling Municipal Building, 1183 Plainfield Pike, Oneco.

Item III: Excavation Application for Sterling Materials, LLC (South) for Property Located at 258 Newport Road: The public hearing for Sterling Materials, LLC (South) for property located at 258 Newport Road has been continued to Wednesday 7/11/2018 at 6:00 p.m. in Room #15 at the Sterling Municipal Building, 1183 Plainfield Pike, Oneco.

Item IV: Adjournment: J. Firlik made a motion, seconded by L. Cooper to adjourn at 6:44 p.m. All voted in favor of the motion.

Attest: _____
Joyce Gustavson, Recording Secretary