

Exhibit List for:

File 475; ApIn 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; Zone: B; Special Permits: Section 4.1.C.1.a., retail/service businesses and personal service businesses greater than 2,500 square feet; Section 4.1.C.2.b., outdoor dining when accessory to restaurant classes I, II, or III; Section 4.1.C.3.a., drive-thru uses; Section 4.1.C.10.a., new car dealership, as defined by CGS Section 14-51(1); Section 4.1.C.10.e., gasoline filling stations; Section 7.3.F.8.a., sign approval by special permit; Section 7.5.D.3., earthwork and grading over 2,000 cubic yards; Section 7.7.C.3., retaining wall by special permit; Section 7.10.B.2, outdoor storage and display; and Site Plan Application: Section 4.1.B.3., restaurant classes I & II; Section 9.1.A., request to construct a 8,384 sq. ft. gas station/convenience store with restaurants and drive-thru, and 23,500 sq. ft. electronic vehicle showroom with 117 associated parking spaces; 9-15 Albany Turnpike, LLC, applicant/owner

List as of January 19, 2021 (4:15pm)

Drawings:

1. Cover Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
2. Property Survey 1 of 2; 9-15 Albany Turnpike; Prepared by Accurate Land Surveying, LLC; Prepared for 9-15 Albany Turnpike, LLC; dated 12/10/19
3. Property Survey 2 of 2; 9-15 Albany Turnpike; Prepared by Accurate Land Surveying, LLC; Prepared for 9-15 Albany Turnpike, LLC; dated 12/10/19
4. 2.10; Overall Site Layout Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
5. 2.11; Site Layout Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
6. 2.21; Grading & Drainage Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
7. 2.31; Soil Erosion & Sediment Control Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
8. 2.41; Soil Erosion & Sediment Control Plan Notes; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 9/24/20; revised 11/24/20
9. 2.51; Site Utility Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
10. 2.61; Landscape Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
11. 2.62; Landscape Details Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 9/24/20
12. 2.71; Lighting Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 1/15/21
13. 2.72; Lighting Details Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
14. 3.01; Detail Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20

15. 3.02; Detail Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 11/24/20
16. 3.03; Detail Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 9/24/20; revised 11/24/20
17. 3.04; Detail Sheet; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 11/24/20
18. 4.11; Preliminary Offsite Improvement Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/16/20; revised 11/24/20
19. Car Sales and Maintenance Building: Main Level Floor Plan; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20
20. Car Sales and Maintenance Building: Lower Level Floor Plan; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20
21. Exterior Elevations I; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20
22. CP1.1; Conceptual Plan; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/6/20; revised 11/24/20; revised 1/15/21
23. CP1.2; Conceptual Elevations; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/6/20; revised 11/24/20; revised 1/8/21; revised 1/15/21
24. CP1.3; Conceptual Elevations: Colored; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 10/6/20; revised 11/24/20; revised 1/8/21; revised 1/15/21
25. CP1.4; Fuel Dispenser Canopy Plan & Elevations; 9-15 Albany Turnpike; Prepared by Millennium Design Associates, Inc.; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 1/14/21
26. A101; Proposed First Floor Plan; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
27. A102; Proposed Second Floor Plan; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
28. A103; Proposed Roof Plan; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
29. A201; Proposed First Floor Lighting Plan; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
30. A202; Proposed Second Floor Lighting Plan; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
31. A301; Exterior Elevation I; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
32. A302; Exterior Elevation II; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
33. A303; Materials List; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/15/20; revised 11/24/20; revised 1/8/21
34. A401; Building Sections; Prepared by Phase Zero Design; Prepared for 9-15 Albany Turnpike, LLC; dated 10/16/20; revised 11/24/20; revised 1/8/21
- 35-44. Car Showroom and Maintenance Building Renderings 1-10; dated 10/16/20
45. Lot Line Revision Plan 1 of 2; 9-15 Albany Turnpike; Prepared by Accurate Land Surveying, LLC; Prepared for 9-15 Albany Turnpike, LLC; dated 11/25/20

46. Lot Line Revision Plan 2 of 2; 9-15 Albany Turnpike; Prepared by Accurate Land Surveying, LLC; Prepared for 9-15 Albany Turnpike, LLC; dated 11/25/20
47. 2.32; Soil Erosion & Sediment Control Plan (Phase 2); 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 11/24/20
48. 2.33; Soil Erosion & Sediment Control Plan (Phase 3); 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 11/24/20
49. 2.72; Non-Business Hours Lighting Plan; 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 11/24/20
- 50-65. Car Showroom and Maintenance Building Renderings 1-15; dated 11/14/20
66. 2.31.1; Soil Erosion & Sediment Control Plan (Phase 1-a); 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 12/15/20
67. 2.31.2; Soil Erosion & Sediment Control Plan (Phase 1-b); 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 12/15/20
68. 2.31.3; Soil Erosion & Sediment Control Plan (Phase 1-c); 9-15 Albany Turnpike; Prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 12/15/20
- 69-87. Car Showroom and Maintenance Building Renderings; dated 1/8/21
- 88-103. Revised Car Showroom and Maintenance Building Renderings; received 1/15/21
104. FIG.12; Conservation Easement Exhibit; 9-15 Albany Turnpike; Prepared by Solli Engineering; dated 1/13/21

Correspondence:

1. Town of Canton Zoning Development Application: File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; Zone: B; Special Permits: Section 4.1.C.1.a., retail/service businesses and personal service businesses greater than 2,500 square feet; Section 4.1.C.2.b., outdoor dining when accessory to restaurant classes I, II, or III; Section 4.1.C.10.a., new car dealership, as defined by CGS Section 14-51(1); Section 4.1.C.10.e., gasoline filling stations; Section 7.3.F.8.a., sign approval by special permit; Section 7.7.C.3., retaining wall by special permit; and Site Plan Application, Section 9.1.A.; request to construct a 8,384 sq. ft. gas station/convenience store with drive-thru and 20,865 sq. ft. electronic vehicle showroom with 68 associated parking spaces; 9-15 Albany Turnpike, LLC, applicant/owner
 - 1a. Town of Canton Zoning Development Application: File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; Zone: B; Special Permits: Section 4.1.C.1.a., retail/service businesses and personal service businesses greater than 2,500 square feet; Section 4.1.C.2.b., outdoor dining when accessory to restaurant classes I, II, or III; Section 4.1.C.10.a., new car dealership, as defined by CGS Section 14-51(1); Section 4.1.C.10.e., gasoline filling stations; Section 7.3.F.8.a., sign approval by special permit; Section 7.5.D.3., earthwork and grading over 2,000 cubic yards; Section 7.7.C.3., retaining wall by special permit; and Site Plan Application, Section 9.1.A.; request to construct a 8,384 sq. ft. gas station/convenience store with drive-thru and 20,865 sq. ft. electronic vehicle showroom with 68 associated parking spaces; 9-15 Albany Turnpike, LLC, applicant/owner
 - 1b. File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; Zone: B; Special Permits: Section 4.1.C.1.a., retail/service businesses and personal service businesses greater than 2,500 square feet; Section 4.1.C.2.b., outdoor dining when accessory to restaurant classes I, II, or III; Section 4.1.C.3.a., drive-thru uses; Section 4.1.C.10.a., new car dealership, as defined by CGS Section 14-51(1); Section 4.1.C.10.e., gasoline filling stations; Section 7.3.F.8.a., sign approval by special permit; Section 7.5.D.3., earthwork and grading over 2,000 cubic yards; Section 7.7.C.3., retaining wall by special permit; Section 7.10.B.2, outdoor storage and display; and Site Plan Application: Section 4.1.B.3., restaurant

classes I & II; Section 9.1.A., request to construct a 8,384 sq. ft. gas station/convenience store with restaurants and drive-thru, and 23,500 sq. ft. electronic vehicle showroom with 117 associated parking spaces; 9-15 Albany Turnpike, LLC, applicant/owner

2. Traffic Impact Study; prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20 (provided under separate cover)
3. Engineering Report; prepared by Solli Engineering; Prepared for 9-15 Albany Turnpike, LLC; dated 8/11/20; revised 9/4/20; revised 9/24/20; revised 10/16/20; revised 11/24/20 (provided under separate cover)
4. Site Plan application checklist
5. Erosion and Sediment Control checklist
6. Special Permit application checklist
7. Letter from Lawrence LePere of Solli Engineering to Neil Pade regarding proposed zoning map amendment; dated 8/12/20
8. Email from Collene Byrne of Solli Engineering to Fire Marshal Tim Tharau regarding application submittal; dated 8/12/20
9. Email from Collene Byrne of Solli Engineering to Police Chief Arciero regarding application submittal; dated 8/12/20
10. Abutter list
11. Letter from Sarah Ridyard of CT Water to Anthony Capuano of Solli Engineering regarding water feasibility; dated 8/5/20
12. Email from Anthony Capuano of Solli Engineering to WPCF Superintendent Roger Ignazio regarding Canton's sewer shed; dated 8/3/20
13. Letter from Kevin Solli of Solli Engineering to Neil Pade regarding application submittal; dated 8/12/20
14. RAB Lighting Cut Sheet for Model: WPLED26N
15. Lithonia Lighting Cut Sheet for Model: LDN6
16. Emblem/Regalia Emblem Series Specifications
17. CREE Lighting Cut Sheet for Model: 304 Series
18. CREE Lighting Cut Sheet for Model: OSQ Series
19. Project Narrative
20. Letter of Transmittal from Solli Engineering; dated 9/1/20
21. Email communication between Solli Engineering, Attorney David Markowitz and Renee Deltenre regarding legal notice review; dated 9/1/20
22. Legal Notice posted to the Town of Canton Website on 9/1/20
23. Email from Renee Deltenre to Town Staff requesting application review; dated 9/3/20
24. Email from Roger Ignazio (WPCF) to Renee Deltenre regarding application feedback; dated 9/4/20
25. Email from Renee Deltenre to Town Staff requesting review of revised application materials; dated 9/9/20
26. Email of concern from Patricia Hamilton to Neil Pade; dated 9/10/20
27. Email of concern from Carolyn Woodard to Neil Pade; dated 9/10/20
28. Email of concern from Tim Kendzia to Neil Pade; dated 9/10/20
29. September 16, 2020 Canton PZC Agenda
30. Notice of Public Hearing Postponement; dated 9/15/20
31. Email from Glenn Cusano (DPW) to Renee Deltenre regarding application feedback; dated 9/14/20
32. Letter from CT Water to Neil Pade regarding application review; dated 9/15/20
33. Email from Chief of Police Chris Arciero to Renee Deltenre regarding application feedback; dated 9/29/20

34. Memorandum from Neil Pade to Planning and Zoning Commission, Staff Report; dated 9/29/20
35. Email from Neil Pade to Attorney Markowitz regarding staff review; dated 9/30/20
36. Email from Neil Pade to Renee Deltenre and Emily Kyle regarding 10-02-20 revised plan set submittal; dated 10/5/20
37. Email communication between Neil Pade and Fire Chief Bruce Lockwood regarding plan review; dated 10/5/20
38. Town of Simsbury approval letter for Application #ZC 20-10; 9-15 Albany Turnpike; dated 10/6/20
39. Email from Collene Byrne to Neil Pade regarding the submittal of a revised zoning development application; dated 10/6/20
40. Email from Collene Byrne to Neil Pade regarding the revised legal notice description for the 10/21/20 public hearing; dated 10/6/20
41. Email from Collene Byrne to Neil Pade regarding abutter notifications and posting of the public hearing sign; dated 10/7/20
42. Photos of public hearing signs on-site
43. Certificate of mailings from the USPS
44. Email from Attorney Markowitz to Neil Pade regarding special permit criteria; dated 10/14/20
45. Special Permit criteria narrative
46. Letter from Chairman Jay Kaplan of the Canton Conservation Commission to PZC Chairman Jonathan Thiesse regarding application review; dated 10/14/20
47. Project Narrative provided by Solli Engineering; received 10/6/20
48. Letter from Kevin Solli to Neil Pade regarding response to feedback from the CT Water Company; dated 10/2/20; received 10/6/20
49. Email communication between Neil Pade and Collene Byrne regarding the submittal of revised plans; dated 10/16/20
50. Special Permit criteria checklist
51. Request for Modification Letter from Solli Engineering to Neil Pade; dated 10/16/20
52. Response to Staff Comments Letter from Solli Engineering to Neil Pade; dated 10/16/20
53. Email of concern from John Pech to Neil Pade; dated 10/20/20
54. Email and photo renderings from Neil Pade to Attorney Markowitz regarding View-shed Considerations; dated 10/20/20
55. Email from Zoning Enforcement Officer Emily Kyle to Neil Pade regarding proposed signage review; dated 10/19/20
56. Email from Barbara Kelly of the NCCD to Neil Pade regarding the E&S Plan Certification; dated 10/20/20
57. Email and documentation from Fire Marshal Tim Tharau to Neil Pade regarding the issuance of blasting permits; dated 10/21/20
58. Email of concern from Melissa Antarsh to Neil Pade; dated 10/20/20
59. Email of support from Gary Adajian to Neil Pade; dated 10/19/20
60. Email from Collene Byrne to Neil Pade regarding the public hearing sign affidavit; dated 10/21/20
61. Email from Collene Byrne to Neil Pade regarding discrepancies with revised drawings; dated 10/21/20
62. Letter from Chairman Katie Lucas of the Canton Economic Development to Neil Pade regarding proposed development; dated 10/21/20
63. 10/21/20 Public Hearing presentation from Solli Engineering; received 10/28/20
64. Email of concern from Theresa Barger to Neil Pade; dated 10/21/20
65. Signed affidavit regarding the posting of a public hearing sign; received 10/21/20

66. Email from Theresa Barger to Neil Pade regarding the impact of blasting on wells; dated 10/25/20
67. Email from Project Administrator Glenn Cusano regarding review of the cost estimate; dated 10/29/20
68. Staff memorandum from Neil Pade to the Commission regarding application completion review; dated 11/2/20
69. Email communication between Jessica Demar of CT Water and Solli Engineering regarding project review; dated 11/9/20
70. Letter and associated email from Jessica Demar of CT Water to Neil Pade regarding review of revised plans and blasting concerns; dated 11/9/20
71. Email of concern from Jim Todd to Neil Pade; dated 11/9/20
72. Email from Theresa Barger to Neil Pade regarding blasting concerns; dated 11/12/20
73. Environmental Science & Technology article regarding groundwater nitrate contamination; published 12/28/15
74. State of Connecticut DEEP guidance document for evaluating potential hydrogeological impacts; dated 12/12/19
75. Email from Kim Czapla of CT DEEP to Neil Pade regarding blasting; dated 11/12/20
76. Email from Theresa Barger to Neil Pade regarding additional blasting concerns; dated 11/12/20
77. Staff comments from Chief of Fire and EMS Bruce Lockwood to Renee Deltenre; dated 11/12/20
78. Letter of concern from Julianne and John McCahill to the Commission; dated 11/9/20; received 11/13/20
79. Consent for extension of statutory time per CGS, Chapter 8-7d; received 11/16/20
80. Email of concern from Michael Ignatowicz to Neil Pade; dated 11/15/20
81. Email of concern from Peter and Diana Hiza to Neil Pade; dated 11/16/20
82. Email of concern from Seraphim Flaherty to Neil Pade; dated 11/16/20
83. Letter from Jane Latus of the Canton Advocates for Responsible Expansion, Inc. to the Commission; dated 11/15/20
84. Email of concern from the Eskay Family to Neil Pade; dated 11/16/20
85. Email of concern from Harald Bender to Neil Pade; dated 11/16/20
86. Email of concern from Michael Campbell to Neil Pade; dated 11/16/20
87. Email of concern from Adam Hagymasi to Neil Pade; dated 11/16/20
88. Letter from Deputy Historian David Leff to the Commission
89. Letter from Conservation Commission Chairman Jay Kaplan to the Commission; dated 11/15/20
90. Email of concern from John and Kerri Interlandi to Neil Pade; dated 11/16/20
91. Email of concern from Kerry and Christopher Stovall to Neil Pade; dated 11/16/20
92. Email of concern from Jane Manna to Neil Pade; dated 11/16/20
93. Email of concern from Gretchen Swibold to Neil Pade; dated 11/17/20
94. Email of concern from Tom Mason to Neil Pade; dated 11/17/20
95. Email of concern from Carolyn Woodard to Neil Pade; dated 11/17/20
96. Email of concern from Anne Duncan to Neil Pade; dated 11/17/20
97. Email of concern from Mayre Miller to Neil Pade; dated 11/18/20
98. Email of concern from Marianne Burbank to Neil Pade; dated 11/18/20
99. Email of concern from Anne Hunter to Neil Pade; dated 11/18/20
100. Email of concern from Harold Mullins to Neil Pade; dated 11/18/20
101. Email from Fire Marshal Tim Tharau to Neil Pade regarding prior blasting permits; dated 11/18/20
102. Email of concern from Charlie DeWeese to Neil Pade; dated 11/18/20
103. Email of concern from Celeste Rockel to Neil Pade; dated 11/18/20
104. Email of support from Larry Vigil to Neil Pade; dated 11/18/20

105. Email of concern from Joshua Russell to Neil Pade; dated 11/18/20
106. Email of concern from Sarah Faulkner to Neil Pade; dated 11/17/20
107. Email of concern from Leesa Lawson to Neil Pade; dated 11/18/20
108. Email of concern from Jessica Giblin to Neil Pade; dated 11/18/20
109. Email of concern from Ellen Kenney to Neil Pade; dated 11/17/20
110. Email of concern from Wendy Baron to Neil Pade; dated 11/17/20
111. Letter of concern from David Shepard to Neil Pade; dated 11/18/20
112. Email of concern from Cynthia Zdzanukas to Neil Pade: dated 11/18/20
113. Email of concern from Karen Barger to Neil Pade; dated 11/18/20
114. Email of concern from Glenn Barger to Neil Pade; dated 11/18/20
115. Email from William Warzecha (retired CTDEEP Geologist) to Neil Pade; dated 11/18/20
116. Email of concern from Emily Barger to Neil Pade; dated 11/19/20
117. Email of opposition from Jordan Toussaint to Neil Pade; dated 11/19/20
118. Email communication between Neil Pade and Robert Robinson of CTDEEP; dated 11/20/20
119. Email of concern from Jeremy Pilver to Neil Pade; dated 11/21/20
120. Email from Dianne Harding of the FVHD to Neil Pade; dated 11/30/20
121. Memorandum from Kevin Solli to Neil Pade regarding Earth Excavation in Connection with Special Permit activity; dated 11/24/20
122. Letter from Kevin Solli to Neil Pade regarding a Request for Modification; dated 11/24/20
123. Letter from Kevin Solli to Neil Pade regarding a response to the 11/5/20 staff comments; dated 11/24/20
124. Utility Services Map from the Canton Plan of Conservation and Development
125. Sewer Capacity Review; prepared by Woodard & Curran; dated 12/4/20
126. Email of opposition from Gina and Jim Magennis to Neil Pade; dated 12/6/20
127. Third-Party Plan Review quote; prepared by GZA GeoEnvironmental, Inc.; dated 12/7/20
128. Site walk stake-out drawing; received 12/8/20
129. 12-05-20 PZC Site Walk draft minutes
130. Email of concern from Mary Hess to Neil Pade; dated 12/9/20
131. Email communication between Fire Marshal Tim Tharau and Neil Pade regarding blasting requirements per CT General Statutes; dated 12/9/20
132. Staff memorandum from Neil to Pade to Commission regarding application completion review; dated 12/11/20
133. Email of concern from Theresa Barger to Neil Page regarding geologist review; dated 12/13/20
134. Email of concern from Tim Baseman to Neil Pade; dated 12/12/20
135. Email of concern from Gregory Evans to Neil Pade; dated 12/14/20
136. Letter of concern from Attorney Michael Pendell to Neil Pade; dated 12/14/20
137. Email of concern from Attorney Michael Pendell to Neil Pade; dated 12/15/20
138. Letter of concern from Mary Tomolonius to Neil Pade; dated 12/15/20
139. Hydro-Geologic Impact Assessment; prepared by WSP USA; dated 12/15/20
140. North Central Conservation District Comments; dated 12/15/20
141. Letter from The Metropolitan District to Chairman Jonathan Thiesse regarding MDC Raw Water Transmission Main; dated 12/10/20; received 12/16/20
142. Letter of support from Scott Macbeth to Neil Pade; dated 12/16/20
143. Email from Neil Pade to Dianne Harding of the FVHD regarding hydro-geologic impact assessment; dated 12/16/20
144. Email from Project Administrator Glenn Cusano to Neil Pade regarding hydro-geologic impact assessment; dated 12/16/20
145. Email from Jessica Demar of CT Water regarding postponement of plan review due to outstanding information; dated 12/16/20

146. Email of concern from Chris Hager to Neil Pade; dated 12/16/20
147. Letter from Alisa Phillip-Griggs of the Farmington River Watershed Association to Neil Pade regarding application review; dated 12/16/20
148. Letter from Kevin Solli to Neil Pade regarding updated E&S measures; dated 12/16/20
149. Email of concern from Michael Jastremski to Neil Pade; dated 12/16/20
150. Email of concern from Mary Ducor to Neil Pade; dated 12/16/20
151. Copy of signed Third-Party Environmental Assessment by GZA GeoEnvironmental, Inc.; dated 12/7/20; signed 12/21/20
152. Email of concern from David Sinish to Neil Pade; dated 12/20/20
153. Email from Dianne Harding (FVHD) to Neil Pade regarding review of the hydro geologic impact assessment; dated 12/21/20
154. Letter of concern from Kenton McCoy to Neil Pade; dated 12/21/20
155. Email of concern from Colin Johnson; dated 1/2/21
156. Email of concern from Lee Carvalho; dated 1/3/21
157. Email of concern and corresponding attachments from Jennifer Violette; dated 1/2/21
158. Letter of concern from Barry Schiffman; dated 1/3/21
159. Email of concern from Anthony DeVito; dated 1/3/21
160. Email of concern from Alden Paye; dated 1/2/21
161. Email of concern from Tim Larson; dated 1/4/21
162. Email of concern from John and Judith Sharp; dated 1/7/21
163. Hydrogeologic Review of WSP 12/15/20 Report; prepared by GZA GeoEnvironmental, Inc.; dated 1/6/21
164. Email of concern from Jean Tai Ladetto; dated 1/7/21
165. Email of concern and corresponding attachments from Kelly Hagymasi; dated 1/7/21
166. Email from Collene Byrne to Neil Pade regarding revised application materials; dated 1/8/21
167. Email of concern from Paul Cianfaglione; dated 1/8/21
168. Email from Jessica Demar of CT Water to Neil Pade regarding review of Hydrogeologic Impact Assessment; dated 1/8/21
169. Email of concern from Jenny Maher; dated 1/9/21
170. Email of concern from Allie Southworth; dated 1/10/21
171. Email of concern from Christopher and Kerry Stovall; dated 1/10/21
172. Email of concern from Michelle Begley; dated 1/10/21
173. Letter of concern from Tracey Coyne; dated 1/10/21
174. Email of concern from Elisa Villa; dated 1/11/21
175. Email of concern from Kelly Conway; dated 1/11/21
176. Email of concern from George Mastrogiannis; dated 1/11/21
177. Email of concern from Corey Tucker; dated 1/11/21
178. Email of concern from David Nastri; dated 1/11/21
179. Email of concern from Katarzyna Nastri; dated 1/11/21
180. Email of concern from Josephine Meyer; dated 1/11/21
181. Email of concern from Mallory McCormick; dated 1/11/21
182. Email of concern from Brian Cummiskey; dated 1/11/21
183. Email of concern from Meghan Sheehan; dated 1/11/21
184. Email of concern from Pamela Huntington; dated 1/11/21
185. Email of concern from Lynn and Robert Preminger; dated 1/11/21
186. Email from Neil Pade to Town of Simsbury Staff requesting copies of staff review, approval letters and possible conditions; dated 1/6/21
187. Letter from Kevin Solli to Neil Pade regarding response to staff comments received on 12/11/20; dated 1/8/21; received 1/11/21

188. Copy of Town of Simsbury approval letter for Application #ZC20-10; dated 10/6/20
189. Kim Lighting specifications and photo metrics
190. Non-Business Hour Lighting Narrative memorandum from Solli Engineering; dated 1/7/21; received 1/11/21
191. Parking Analysis – Proposed Mixed Use Development memorandum from Solli Engineering; dated 1/7/21; received 1/11/21
192. Email of concern from Susan Jones; dated 1/11/21
193. Email of concern from Heather Calabro; dated 1/11/21
194. Email of concern from Kathleen Wood; dated 1/11/21
195. Email of concern from Lori and Michael Marie; dated 1/11/21
196. Email of concern from Finn Begley; dated 1/11/21
197. Email of concern from Stephanie Economu; dated 1/11/21
198. Email of concern from Suzanne Roemke; dated 1/12/21
199. Email of concern from Desmond Ebanks; dated 1/12/21
200. Email of concern from Jessica and Ofer Sagiv; dated 1/12/21
201. Website content from <https://sites.google.com/view/canton-cares/impact-on-water>
202. Email of concern from John Palmer; dated 1/11/21
203. Email of concern from Bryan Adams; dated 1/12/21
204. Email of concern from Anthony Asaro; dated 1/12/21
205. Email of concern from Penny Doyle; dated 1/12/21
206. Email of concern from Jennifer Cioffi; dated 1/12/21
207. Email of concern from Deborah Asaro; dated 1/12/21
208. Email of concern from Barbara Fichtenholtz; dated 1/12/21
209. Email of concern from Wendy Spurrier; dated 1/12/21
210. Letter of concern from Sue and Paul Therrien; dated 1/12/21
211. Letter of concern from Ken Jones; dated 1/12/21
212. Email of concern from John and Kerri Interlandi; dated 1/14/21
213. Email of concern from Kristin Cork; dated 1/13/21
214. Email of concern from Jen Pirro; dated 1/13/21
215. Email of concern from Carolyn O'Connor; dated 1/13/21
216. Email of concern from Katherine Blake; dated 1/13/21
217. Email of concern from Marge and Bill Kurtz; dated 1/13/21
218. Email of concern from Phoebe Miliken; dated 1/13/21
219. Email of concern from Nicole Palmer; dated 1/13/21
220. Email of concern from Carissa Howard; dated 1/13/21
221. Email of concern from David Mehr; dated 1/13/21
222. Email of concern from Angela Larson; dated 1/13/21
223. Email of concern from Danielle D'Ermo; dated 1/13/21
224. Email of concern from Barbara Koontz; dated 1/13/21
225. Town of Simsbury staff review comments for Application #ZC20-10; 9-15 Albany Turnpike; dated 10/1/20
226. Facebook posting from Jenny Abel regarding 1/19/21 PZC hearing
227. Letter of concern from Cheryl Scholes; dated 1/12/21
228. Email update from Jessica Demar of CT Water to Neil Pade; dated 1/8/21
229. Email of concern from Gretchen Washington; dated 1/14/21
230. Email of concern from Ed Rodgers; dated 1/14/21
231. Email of concern from Kylee Melnysyn; dated 1/14/21
232. Email of concern from Jacob Wood; dated 1/14/21
233. Email of concern from Jennifer Giannini; dated 1/14/21

234. Email of concern from Whitney O'Donnell; dated 1/14/21
235. Email of concern from Mark Rondeau; dated 1/14/21
236. Case Summaries from Michael Pendell: Hayes Family LTD Partnership vs. Glastonbury PZC; 2009 and City of Meriden vs. Wallingford PZC; dated 2013
237. Email of concern from Gavin Wood; dated 1/14/21
238. Email of concern from Larry Wood; dated 1/14/21
239. Letter of concern from The Davis Family; dated 1/14/21
240. Letter of concern from Kristen Chang; received 1/15/21
241. Letter of concern from Kristina Oswald; dated 1/14/21
242. Letter of concern from Orville Winchell; dated 1/15/21
243. Letter of concern from Ellen Kenney; dated 1/15/21
244. Email of concern from Michelle Traub; dated 1/15/21
245. Follow-up email from Bill Warzecha, previously of CT DEEP to Neil Pade; dated 1/15/21
246. Letter of concern from Jennifer Abel; dated 1/15/21
247. Letter from Kevin Solli to Neil Pade regarding the submittal of additional supporting documentation; dated 1/15/21
248. *Letter from Evan Glass of ALTA Environmental Corporation to the Commission regarding Hydrogeologic assessment; dated 1/19/21*
249. *Letter and attachments from Theresa Barger to the Commission regarding opposition to the application and petition from residents; dated 1/19/21*
250. *Email of opposition from Pam Bali Hoppi; dated 1/15/21*
251. *Email of opposition from Jessie Maher; dated 1/15/21*
252. *Email of opposition from Jonathan Sidrane; dated 1/15/21*
253. *Email of opposition from Andrew Lambe; dated 1/15/21*
254. *Email of opposition from Marc Cournoyer; dated 1/16/21*
255. *Letter of opposition from Hayley Kolding; dated 1/16/21*
256. *Letter of opposition from Betty Kolding; dated 1/16/21*
257. *Email of opposition from Kathleen Monroe; dated 1/17/21*
258. *Email of opposition from Rie Poirier-Campbell; dated 1/17/21*
259. *Email of opposition from Renee and Matt Cole; dated 1/17/21*
260. *Email of opposition from Linda Peltier; dated 1/17/21*
261. *Letter and attachment from David Yih of the CT Botanical Society to Neil Pade; dated 1/16/21*
262. *Email of opposition from Jeremy Pilver; dated 1/16/21*
263. *Email of opposition from Patricia Sotis; dated 1/17/21*
264. *Email of opposition from Margaret Connoy; dated 1/17/21*
265. *Email of opposition from Joseph Casioppo; dated 1/17/21*
266. *Email of opposition from The Kilduff Family; dated 1/16/21*
267. *Email of opposition from Jennifer Gero; dated 1/18/21*
268. *Email of opposition from Aaron Maitz; dated 1/18/21*
269. *Email of opposition from Sarah Blanchard; dated 1/18/21*
270. *Email of opposition from Min Fang; dated 1/18/21*
271. *Letter of opposition from Patrick Slater; dated 1/17/21*
272. *Email of opposition from Richard Abraham; dated 1/18/21*
273. *Email of opposition from Helen Thomas; dated 1/18/21*
274. *Email of opposition from Holly Hamleton; dated 1/18/21*
275. *Email of opposition from Leanne Engels; dated 1/18/21*
276. *Email of opposition from Scott Engels; dated 1/18/21*
277. *Email of opposition from Karyn Lancaster; dated 1/18/21*

278. *Email of opposition from Michael Emery; dated 1/18/21*
279. *Email of opposition from Allyson Mulligan; dated 1/18/21*
280. *Email of opposition from Lynn Hunter; dated 1/18/21*
281. *Email of support from John Boullie; dated 1/18/21*
282. *Email of opposition from Pamela Shapiro; dated 1/18/21*
283. *Email of opposition from Christine Delano; dated 1/18/21*
284. *Letter of opposition from Sarah Faulkner; dated 1/18/21*
285. *Letter of opposition from Margaret Lynch; dated 1/18/21*
286. *Email of opposition from Joe Dawkins; dated 1/18/21*
287. *Email of opposition from Lisa Weiss; dated 1/18/21*
288. *Email of opposition from Bridget Dunn; dated 1/18/21*
289. *Email of concern from Susan Eccleston; dated 1/18/21*
290. *Email of concern from Candis Harper; dated 1/18/21*
291. *Letter from Christopher Milliard of Phase Zero Design to Neil Pade; dated 1/12/21*
292. *Email of concern from Rosemary Brennan; dated 1/18/21*
293. *Email of concern from Kara and Pete McConville; dated 1/18/21*
294. *Email of concern from Christine Comen; dated 1/18/21*
295. *Email of concern from Sarah Vukalovic; dated 1/18/21*
296. *Email of concern from Dawn Cohen; dated 1/18/21*
297. *Email of concern from Julius Ziemba; dated 1/18/21*
298. *Email of concern from Anne Ziemba; dated 1/18/21*
299. *Email of concern from Helena Adorno; dated 1/18/21*
300. *Email of concern from April Roy; dated 1/18/21*
301. *Second email of concern from Helene Adorno; dated 1/18/21*
302. *Letter of concern from Ryan and Jessica Fisher; dated 1/18/21*
303. *Letter of support from Kei Lam; dated 1/18/21*
304. *Letter of concern from Gretchen Diefenbach Slater; dated 1/18/21*
305. *Letter of support from Frank Zacchera; dated 1/18/21*
306. *Letter of concern from CARES; dated 1/18/21*
307. *Email of concern from Fred Carstensen; dated 1/5/21*
308. *Email and attachment from Southwest Homeowners Association regarding petition and public hearing tips; dated 1/18/21*
309. *Email of concern from Stacy Kurtz; dated 1/18/21*
310. *Email of concern from Carol and Douglas Corry; dated 1/18/21*
311. *Email of concern from The Matthews Family; dated 1/18/21*
312. *Email of concern from Debbie Rindge; dated 1/18/21*
313. *Email of concern from Mary Pakulski; dated 1/18/21*
314. *Email of concern from Jerry Franceschetti; dated 1/18/21*
315. *Email of concern from Rosemary Casale; dated 1/18/21*
316. *Email of concern from Elaine Morisano; dated 1/18/21*
317. *Email of concern from Jeffrey and Francesca Morisano; dated 1/18/21*
318. *Email of concern from Michael Ziemba; dated 1/18/21*
319. *Email of concern from JJ Twigg; dated 1/18/21*
320. *Email of concern from Karel Rubinstein; dated 1/18/21*
321. *Email of concern from Lee Heller; dated 1/18/21*
322. *Email of concern from Stephani Shivers; dated 1/18/21*
323. *Email of concern from Shirley Barisano; dated 1/18/21*
324. *Email of concern from Lise Bosman; dated 1/18/21*
325. *Email of concern from Alex Kawa; dated 1/18/21*

326. *Email of concern from Janet Nelson; dated 1/19/21*
327. *Email of concern from Mary-Ellen Baer; dated 1/19/21*
328. *Email of concern from John Mason; dated 1/19/21*
329. *Email of concern from Chris Sullivan; dated 1/19/21*
330. *Email of concern from Jennifer Mason; dated 1/19/21*
331. *Email of concern from Tom Blais; dated 1/19/21*
332. *Email of concern from Nora Jamieson; dated 1/19/21*
333. *Email of concern from Hilary Sidrane; dated 1/19/21*
334. *Email of concern from Francena Dwyer; dated 1/19/21*
335. *Email of concern from Erin Lamadrid; dated 1/19/21*
336. *Email of concern from Vicky Kramer; dated 1/19/21*
337. *Email of concern from Jamie Taylor; dated 1/19/21*
338. *Email of concern from Deirdre Lloyd; dated 1/19/21*
339. *Email of concern from Rachel Brown; dated 1/19/21*
340. *Email of concern from Suzanne Rogers; dated 1/19/21*
341. *Email of concern from Colleen Brown; dated 1/19/21*
342. *Email of concern from Melissa Cardinal-Gish; dated 1/19/21*
343. *Email of concern from Peg Barry; dated 1/19/21*
344. *Email of concern from Terry Dias; dated 1/19/21*
345. *Email of concern from Jessica Giannos; dated 1/19/21*
346. *Email of concern from Monica Zanini; dated 1/19/21*
347. *Email of concern from John Perzan; dated 1/19/21*
348. *Email of concern from Carol Latter; dated 1/19/21*
349. *Email of concern from Janice Appell; dated 1/19/21*
350. *Email of concern from The Buehler Family; dated 1/19/21*
351. *Email of concern from Bruce Charette; dated 1/19/21*
352. *Email of concern from Mary and Bruce Freeman; dated 1/19/21*
353. *Email of concern from Judith Hopkins; dated 1/19/21*
354. *Email of concern from Joseph Janucik; dated 1/19/21*

Archived: Tuesday, January 19, 2021 2:46:15 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 14:03:43
To: [Deltenre, Renee](#)
Subject: FW: EV Showroom development
Importance: Normal

Neil

From: Joe Janucik [mailto:jpflabound@yahoo.com]
Sent: Tuesday, January 19, 2021 2:02 PM
To: Pade, Neil
Subject: EV Showroom development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil, I reside on Secret Lake Rd. in Avon, a few houses away from the Canton Line. I understand that the proposed construction of the EV site will entail considerable blasting during site preparation. I am concerned that this could possibly affect the water supply to the nearby brook that runs through "the Shops" and feeds water to Secret Lake as well as potential contamination to area wells.

If this project does go through, I would like to see them limit the blasting of the trap rock ridge to a minimum.

Joseph Janucik
85 Secret Lake Rd.
Avon, Ct.
860-990-5873

Sent from [Mail](#) for Windows 10

Archived: Tuesday, January 19, 2021 2:46:10 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 13:51:44
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Trap Rock Ridge
Importance: Normal

Neil

-----Original Message-----

From: Judith Hopkins [<mailto:jhma@judithhopkins.com>]
Sent: Tuesday, January 19, 2021 1:50 PM
To: Pade, Neil
Subject: Trap Rock Ridge

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Sir/Madam ,

As a former Canton resident, I was shocked to learn about proposed plans for this location.

Environmental concerns are real with no stated remediation for homeowners.

Aesthetically, it only contributes a very ugly substitute for a beautiful natural area. Twenty pumps???

Expanded car dealership???

It is reported 9 permits for variances must be given???

Perhaps a solid no is required. People's lives have been disrupted and will be into the future if this deal is approved.

Ive family living in the area. I travel out there. Let Canton be Canton. Enough has been lost as I think when I would take my daughters sledding at the Canton Golf Course. It was beautiful.

Sincerely,

Judith Hopkins
126 Warrenton Ave
Hartford, CT 06105

Sent from my iPhone

Archived: Tuesday, January 19, 2021 2:46:06 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:38:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Canton rock development
Importance: Normal

Neil

-----Original Message-----

From: Janice Appell [<mailto:janiceappell20@gmail.com>]
Sent: Tuesday, January 19, 2021 1:37 PM
To: Pade, Neil
Subject: Canton rock development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Neil,

I was raised on Forest Lane with my family from 1959. Both my parents died from cancer. My mom got breast cancer at about 1972 and died from metastatic breast cancer in 1988. She was 62. My father died from rectal cancer in 1978. Both of these cancers and many other people died due to the swift chemical spills into their drinking water. I was tested for breast cancer with the braca test and it was determined it was not positive. In other words I did not inherit the gene that causes breast cancer. There needs to be an environmental impact test done because blasting in the general area of chemical spills is not a good idea. I live on Dowd Avenue now and even though we have city water I am against this development. The amount of blasting would effect the aquifer and disturb the chemicals under the ground. How is this a good idea? The gas station development can be someplace where there is not such an environmental disaster waiting to happen. Who is taking on the liability for this potential "disaster"? Is the town or the developer? The blasting alone would be a nightmare! Leave the rock ALONE!

Thank you for your time

If you want any information on my story my phone number is +18605504172
Janice Appell
501 Dowd Ave
Canton Ct 06019

Sent from my iPhone

Archived: Tuesday, January 19, 2021 2:45:57 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:41:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 ALBANY TURNPIKE
Importance: Normal

Neil

From: William Buehler [<mailto:wjb06019@yahoo.com>]
Sent: Tuesday, January 19, 2021 1:39 PM
To: Pade, Neil
Subject: 9-15 ALBANY TURNPIKE

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr Pade,

We are not entirely sure how town residents can voice a concern or opposition to a planning project given board members have to evaluate the project based upon the zoning regulations but we are concerned with this development and feel we need to be noted as in opposition. Aside from the traffic and visual modifications being proposed I have concerns for my own property in regards to the aquifer and any disturbance of the Swift contaminants. While any well contamination may take many years to surface the damage will have been done and who will rectify the situation years down the road? With so many already neglected parcels in town (lots of space in the IGA area for a car showroom or gas station) it seems there are better options for a developer that are outside the boundaries of the Swift contaminated site.

If anyone is making note of taxpayers support or opposition can you please add our family to the opposition side.

Thank you

William, Mary Beth, Avery and Colby Buehler
34 Wilders Pass
Canton, CT

Archived: Tuesday, January 19, 2021 2:45:48 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:46:54
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Project for E/V Car Showroom and 20 Pump Gas Station
Importance: Normal

Neil

From: Bruce L. Charette [mailto:bcharette@yahoo.com]
Sent: Tuesday, January 19, 2021 1:46 PM
To: Pade, Neil
Subject: FW: Project for E/V Car Showroom and 20 Pump Gas Station

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Sent from [Mail](#) for Windows 10

From: [Bruce L. Charette](#)
Sent: Tuesday, January 19, 2021 1:36 PM
To: npade@townocantonct.org
Subject: Project for E/V Car Showroom and 20 Pump Gas Station

Mr. Pade,

My wife (Regina Charette) and I have lived at 15 Forest Lane in Canton for the last 37 years. Prior to that we both lived in Canton/ Collinsville for most of our childhood having attended Canton School system.

My wife and I are **opposed** to the destruction via blasting of the rock cliff at this location. Our opposition mostly comes from the disruption to the traffic and noise this activity will cause for the next two years.

The only benefit that comes from this construction will be a traffic light at the intersection of Old Albany Tpke, Brass Lantern, and Route 44. The folks that have lived in this neighborhood for many years, have requested a traffic light several times due to the many accidents that have included fatalities at this location. Most of the neighborhood has resolved itself to using the traffic light at the end of Secret Lake Road and Route 44 when wanting to travel west bound on Route 44 into Canton.

In addition to the disruption to traffic, we are also concerned about the aquifer and how this blasting might affect the wells in the Avon, Canton, and Simsbury area. We personally have city water but there are still some folks that never tied themselves into the city water. We have had several people that have died of cancers on Forest Lane during the time we have lived here. Some of them were neighbors next to and across

the street from us. We don't really know if this has anything to do with the Swift Chemical Company but it has to be more than a coincidence.

I recall when Route 44 was expanded from a two lanes to four lanes and blasting was done to accomplish that on this section of Route 44. I don't recall if there was any damage to foundations or wells that may have occurred in the neighborhood at this time but am fearful that the new blasting removing the cliff rock altogether will cause damage in some of the neighborhoods. Who will pay for this if this should happen? I can't see having to go through some prolonged court battle to be provided compensation for any provable damage.

I realize that the Zoning Commission is not concerned with the businesses being built on this land, however, I don't believe that another 20 pump gas station will be built there. We already have gas stations less than 1000 feet from this location serving the community. I believe that Mr. Greenberg has other motives that have not yet been revealed to us for this property.

Sincerely,

Bruce and Regina Charette
15 Forest Lane
Canton, CT 06019

Mobile: (860) 604-8281

Sent from [Mail](#) for Windows 10

Archived: Tuesday, January 19, 2021 2:45:39 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:51:27
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: NO to route 44 trap rock ridge development
Importance: Normal

Neil

From: mary@marycoburn.com [mailto:mary@marycoburn.com]
Sent: Tuesday, January 19, 2021 1:50 PM
To: Pade, Neil
Subject: NO to route 44 trap rock ridge development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

This proposal is dangerous to the citizens of Canton and our water. Please vote no to this proposal.

My husband and I just moved to Canton a few years ago. We purchased Judi & Lou Friedman's house on Lawton Road. We love it here but this development threatens so much of the quality of life we have here in Canton. I am in agreement with C.A.R.E. (Canton Advocates for Responsible Expansion, Inc.)

1. I am not opposed to developing the site, just *this* plan.
2. Please wait and approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.
3. Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.
4. One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.
5. Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

Sincerely,
Mary Coburn & Bruce Freeman
101 Lawton Road
Canton, CT 06019



Help C.A.R.E. Save The Rock and Our Water (Canton, CT)

<https://www.thepetitionsite.com/786/816/351/help-c.a.r.e.-save-the-rock-and-our-water-canton-ct/>

Author: Canton, CT C.A.R.E. - It's Your Town, Too

Recipient: Canton, Avon, Simsbury Residents who oppose the proposed development @ 9-15 Albany Turnpike

Petition:

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for (9) special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining.

The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: **a.** Public health, safety or welfare; **b.** The environment; **c.** Improved land use, site planning and land development, and sound planning and zoning principles; **d.** Property values; or **e.** Better overall neighborhood compatibility."

This project violates all five provisions.

Please help C.A.R.E. (Canton Advocates for Responsible Expansion) Save The Rock and Our Water (Canton, CT).

For further information regarding the project and C.A.R.E. concerns regarding environmental impact of proposed development, please visit:

<https://sites.google.com/view/canton-cares>

	Name	From	Comments
1.	Jenny Abel	Collinsville, CT	Applicant(s) displaying a complete disregard for our residents\' public health, the environment, our water supply and our town.
2.	Jane Latus	Canton, CT	
3.	Elisha Jezek	Avon, CT	Save our water, neighborhood and scenic rock welcome
4.	Barbara D	Canton, CT	
5.	Jennifer Cartland	West Simsbury, CT	
6.	Daryl Vallez	Avon, CT	I\'m worried that the blasting will disturb the superfund site and chemicals will pollute our drinking water.
7.	Nora Mills	Collinsville, CT	Environmental impact
8.	Elena Pendell	Canton, CT	
9.	Karen Berger	Canton, CT	The traprock ledge anchors our town and blasting adjacent to the Super Fund Site recklessly endangers the aquifer.
10.	Sara Paoluzzi	Sacile, it	
11.	Jenny Maher	Canton, CT	This is irresponsible planning and will ruin the landscape of our town. If the proposed blasting occurs it could potentially destroy my family\'s well water. They have been living in the same house sinve 1982. Their investment will be ruined FOREVER. Please, don\'t do this.
12.	Gretchen Washington	Canton, CT	Preserve the natural landscape of Canton and keep our water supply safe
13.	Amelia Miner	Collinsville, CT	We don\'t need the destruction of beautiful landmarks in our town. And building yet another gas station/convenience store on the 44 corridor seems ridiculous to me. We need things to add to the charm of our town and not turn it into a small version of the Berlin Turnpike.
14.	Emily Barger	Canton, CT	
15.	Jennifer Avenia	Collinsville, CT	Aquifer contamination is the highly likely result of this project to build an entirely unnecessary business.
16.	Megan Witcoskie	Avon, CT	I live in the proposed affected area
17.	Kama Cawley	Avon, CT	I am very concerned about the safety of our drinking water.
18.	Hasan, Aneez	Avon, CT	Preserve our landscape and residence.
19.	Felicia Jordan	Canton, CT	Conservation of the earth and elimination of toxins is hugely important to me and the environment as a whole.
20.	Gretchen Diefenbach Slater	West Simsbury, CT	
21.	Mary Fletcher	Collinsville, CT	

	Name	From	Comments
22.	Marianne Burbank	Canton, CT	We absolutely must protect the character of the Town of Canton and follow the plan of the Planning Commission! This is OUR CITIZENS' Town, NOT THE DEVELOPER's!
23.	Mary Ann M	Collinsville, CT	The design and plan is not appropriate to the site. The danger of contamination of the aquifer under the current plan is serious.
24.	Amanda F	Canton, CT	My grandparents both lived in Secret Lake and died of cancer -along with many of their neighbors due to the Swift Chemical Company spill in the 50s to 70s. This contaminated their water supply and caused them serious illnesses that ultimately lead to years of suffering. I never had the chance to meet them because they died young. I oppose the disruption of our water supply, this will only cause more harm to future generations. I do not want our town to repeat the past again. We deserve better and so do our children.
25.	ELIZABETH LADUKE	CANTON, CT	
26.	Alison Hager	Collinsville, CT	Water supply. Why do this much damage if you can reconfigure an existing vacant property? We don't need 20 more gas pumps. I care about our natural landscape.
27.	Josiah Coons	Collinsville, CT	
28.	Sarah Thompson	Avon, CT	
29.	Janice Appell	Canton, CT	Both my parents died from cancer. They lived on forest lane in canton. My dad was 59 and died from colon cancer. My mom died from breast cancer that had spread. Both died from the the chemical spill from swift right near the site that they want to blast and unearth the ground. This will have major environmental consequences. This is a very bad idea. I now live on Dowd Ave in canton.
30.	Sarah Gaines	Simsbury, CT	
31.	Jennifer Casey	Acon, CT	
32.	Ben Eberly	Avon, CT	
33.	Maryann Staron	Evergreen Park, IL	
34.	Paige Stenrud	Simsbury, CT	
35.	Sarah Watson	Avon, CT	
36.	Robert Young	Collinsville, CT	
37.	Patrick Slater	West Simsbury, CT	
38.	Judy Lockwood	Collinsville, CT	Is this REALLY the first impression of our beautiful town we want people to see as they cross our town line? Have never had to wait in line to gas my car which is proof, I believe, we don't need more gas pumps. If we do, then let's fix up the <i>(continues on next page)</i>

	Name	From	Comments
38.	Judy Lockwood	Collinsville, CT	<i>(continued from previous page)</i> "eyesore" next to Canton Village. This is a crime, Dan Carcio always had that station looking top notch. Before we build a new one, let's fix that one up as a thank you to Dan!
39.	Jessica Fisher	Canton, CT	I do not believe we should allow the special permits for this project and that any development on this parcel should confirm to the current town regulations. As a close resident to the proposed project, I am concerned about the potential environmental effects.
40.	Carol Corry	Avon, CT	
41.	Justin Stromberg	Shelton, WA	
42.	corey tucker	canton, CT	We don't need any more urban sprawl on Rt. 44. There are tons of empty buildings up and down Rt. 44 that could be converted into an EV showroom. Keep our places wild. We don't need to pave paradise and put up a parking lot. Our water and land and wild creatures are at stake. Enough with expansion.
43.	Sarah Faulkner	Collinsville, CT	Protecting our natural resources and appearance of our town is critical, and is well documented in the Town Plan of Conservation and Development. This proposal does not at all fit what Canton has envisioned for itself.
44.	Pamela Vitale	New Hartford, CT	
45.	Leesa Lawson	Collinsville, CT	
46.	Lisa Oquisanti	Collinsville, CT	We don't need more development infringing on the beauty of our town. Use the empty buildings and places already available. We don't need more failed businesses and empty buildings creating an eyesore in our already very developed town. There are dangers to our water supply that cannot be rectified if something goes wrong, and the land will be another useless site if contamination happens. Please do not build this insane complex in canton.
47.	Lacey Goldsher	Avon, CT	
48.	Theresa Taylor	CANTON, CT	This is beyond out of character for our area. The potential environmental impacts are huge. There are too many "what if's".
49.	Arlene DeMaris	Avon, CT	1. My well is among those that will be affected by the blasting. 2. I live close enough to be within earshot of the blasting. 3. I am in favor of responsible development along Route 44. This project will create an eyesore where there is now a natural feature and affect quality of life for nearby residents. How is this responsible?
50.	Charlene Speyerer	Collinsville, CT	
51.	Jaquelyn Taylor	Prospect, CT	
52.	Susan Gentile	Canton, CT	

	Name	From	Comments
53.	Richard Oeser	Collinsville, CT	This plan is shortsided. It will not lower our taxes. It will employ few and enrich even fewer. Of what benefit does it provide to residents? Zero! Traffic on Maple Ave is already out of hand w speeding traffic and zero police presence on Covid Speedway! Do No Harm!
54.	Alisa Phillips-Griggs	Collinsville, CT	Potential harm to ground and surface water quality, destruction of Canton's unique natural resources and beauty, not in keeping with town character.
55.	Teresa kucia	canton, CT	
56.	M Kincer	Shelby two., MI	
57.	Anne Hall	New Hartford, CT	
58.	Diana Lawler	Canton, CT	
59.	Kellie Sperry	Canton, CT	This is not in character with Canton, there are many other places the developers can go, not in Canton. If Simsbury likes it, they can put it where the old Wagner Dealership was. Concerned with noise, water problems and animals.
60.	Lucy Lonning	Suffield, CT	Having majored in geology, I love driving around CT seeing the wonderful outcroppings of distinctive rock. Do we need another gas station with 20 pumps? No. Especially in Canton. I would think you would want to preserve the natural landscape as much as possible, as that is what we all think of when we think of Canton.
61.	Jessica Livingston	Canton, CT	
62.	Marjorie Clarke	Collinsville, CT	I oppose granting variances for a development that makes no contribution to our town.,
63.	Katherine Griswold	norfolk, CT	
64.	Michael Ignatowicz	Canton, CT	
65.	Kristen Chang	Canton, CT	This development will negatively impact the environment in my area and negatives outweigh positives overall.
66.	Cynthia Zdzankas	Canton, CT	Do not want this "development " to be Canton's gateway!!
67.	Lucinda Boudreau	Shelton, WA	
68.	Monique Koller	San Francisco, CA	
69.	Kim Ahlgren	Canton, CT	It's going to ruin the landscape and effect drinking water for a lot of the surrounding area!!
70.	Carolyn Duffy	Canton, CT	The plans for the site will disrupt the environment
71.	Phoebe M.	Torrington, CT	
72.	Allie Southworth-Eck	Canton, CT	

	Name	From	Comments
73.	Gregory Judd	Canton, CT	As a resident who lives close to this development area, I am highly concerned about the impact to the superfund site not 1500 ft away
74.	Nora Baumgart	Canton, CT	
75.	Chris Lawler	Canton, CT	As a commercial vehicle driver in town, nothing is worse than another traffic light and even more traffic on rt 44! By the time you get going with a load from a stoplight, you have to slow down and stop again for the next light. That increases fuel consumption by astronomical amounts! Which, isnt that the opposite of what the electric vehicle dealership wants????? Also, how come we need ANOTHER gas station in the area?? There are two not even half a mile down the road! And 2 more a little more than a mile away the other direction! We all know fuel prices will be higher than surrounding towns, which means that i will continue purchasing fuel out of town!
76.	Carolyn O'Connor	Canton, CT	I am worried about the environmental impact this will have on my family, neighborhood and town!!
77.	Ruth Small	Canton, CT	
78.	Courtney Vincent	Canton, CT	
79.	Candis Harper	Canton, CT	Possible well water contamination
80.	George Mastrogiannis	Canton, CT	
81.	lesley stephen	collinsville, CT	Concerned about the safety implications as well as the environmental issues removing this "gateway"into Canton -particularly as we have so many vacant businesses already along 44.
82.	Jennifer Johnson	Canton, CT	Keep this out of our town. We are small and quaint. This a loud, long and dangerous project for our town.
83.	MARY ADAMS	West Suffield, CT	
84.	Emily Bevelaqua	Collinsville, CT	
85.	Judith Abraham RPT	Canton, CT	The health of my community!
86.	Catherine Powe	Canton, CT	I live in Canton and this project is a concern to the residents.
87.	Carlene Rhea	Canton, CT	
88.	Julianne McCahill	Canton, CT	I live close to the project.
89.	Kathy Munroe	Collinsville, CT	This proposed development is antithetical to the POCD and an insult to all of us who thoughtfully devoted time and energy to define the direction in which our town should grow. In fact, the conceptual drawings within this Application should be inserted into the POCD as examples of poor development practices and exactly what Canton residents do not want. The obliteration of the trap rock ridge carries <i>(continues on next page)</i>

	Name	From	Comments
89.	Kathy Munroe	Collinsville, CT	<i>(continued from previous page)</i> significant risk to the health and safety of the community, and it destroys forever the natural landmark that is the eastern boundary of Canton. The central business proposed is a speculative whim of the developer with no proven precedent and no committed tenant. The ancillary business are fast-food operations and gas pumps that are duplicated elsewhere and/or can easily be established on other vacant parcels in town. We must stop erasing Canton's character.
90.	Michael Giannini	West Simsbury, CT	I'm very concerned about my well being contaminated and my foundation cracking. We went through this once with Hoffman Toyota several years ago and our well was contaminated and we spent \$10,000 to have another one drilled. Not to mention the continuous noise we'll have to endure...
91.	William Knebel	Canton, CT	
92.	Joseph Burcaw	Collinsville, CT	
93.	Alan Weissman	Canton, CT	It's pure poison
94.	Cynthia Weissman	Canton, CT	It's unnecessary & an eyesore
95.	Jennifer Pirro	Canton, CT	My well will be effected and I was to keep canton a quaint town not turn in Manchester!
96.	Jordan Toussaint	Canton, CT	This will impact me directly.
97.	Stacy Kurtz	Simsbury, CT	My well will be impacted by the blasting.
98.	Kari Mullins	Canton, CT	
99.	Marjorie Kurtz	Canton, CT	Do not want wells to be contaminated
100.	William Kurtz	Canton, CT	Do not want well water contaminated
101.	Lee Carvalho	Collinsville, CT	Noisy, unsightly, dangerous to water supply, proximity to superfund site, inappropriate for Canton, destructive to important geologic feature: bad idea.
102.	Pamela Clarke	Avon, CT	
103.	Hannah Ardenski	Simsbury, CT	It may effect our well water & lead to contamination. We don't need more development in this area.
104.	Jennifer Scott	Burlington, CT	
105.	Andrew Ardenski	Simsbury, CT	We should not compromise our quality of life (and access to clean well water) in the name of profit and growth. We can build sustainably it is our responsibility to push for greener building practices..... how about heating the complex with geo thermal, how about powering the complex with solar, how about exploring grey water systems to be used to flush toilets.... the point is there are better ways for them to spend money on thank you.

	Name	From	Comments
106.	Kelly Hughes	Avon, CT	The environmental impacts for the towns and the residents health and well- being are in jeopardy. We moved to CT just shy of 2 years ago because of the pride and respect that was given to the land and its people. That is what makes this area unique. That is why we moved here. The health of the residents and the environment should be put before any corporation or money. Do we need a gas station? Do we need a car dealer? No. We need a safe environment to call home where our children are safe. This shouldn't even be a debate.
107.	Susan Lapio	Canton, CT	
108.	Elizabeth Chickos	Canton, CT	Ruin my wayer supply and harm my family
109.	Rie Poirier-Campbell	Canton, CT	
110.	Paul Lapio	Canton, CT	
111.	Ryan Fisher	Canton, CT	I live less than a half of a mile away from the planned site and strongly oppose this plan! I am concerned about the magnitude of this project because of all the special permits requested and feel they shouldn't approve of them. I am not opposed to building at this site, but this is not the right project for this location!
112.	Gregory Vincent	Canton, CT	I'm concerned about the water pollution, noise, and traffic.
113.	Meghan Sheehan	Canton, CT	
114.	Laura Brees	Canton, CT	Open spaces and ethical building and businesses are important to me. Not to mention the ramifications this project could have our water supply and other environmental impacts. It's a strong no for me.
115.	Emily Wilde	Canton, CT	
116.	Michele Forbes	New Britain, CT	There are already too many developments ravaging the Farmington Valley's natural resources.
117.	Kevin Salvatore	Simsbury, CT	
118.	Dawn Ryzak	Canton, CT	
119.	Jeff Hockett	Collinsville, CT	
120.	Robert Ryzak	Canton, CT	
121.	Hailey Ryzak	Canton, CT	
122.	Robert Greger	Canton, CT	I live nearby and think this project will take away from the beautiful rock ridge at the beginning of town.
123.	Samantha Cappiello	Canton, CT	
124.	Aubrey Ryzak	Canton, CT	
125.	Deborah Tennen	Collinsville, CT	
126.	Colin Johnson	Collinsville, CT	

	Name	From	Comments
127.	SUSAN OLSON	WEATOGUE, CT	preserve water resources. preserve natural character of town. Inappropriate site - deny special permits
128.	Meredith Pickett	Collinsville, CT	I don't want to see chemicals affected peoples' wells from blasting. No opposed to the project just the location. Or make it small to eliminate the need to blast a superfund site.
129.	Kim Burke	West Simsbury, CT	Major concerns about clean water. Do we even trust the report, paid for by the developer?
130.	Amy Peltier	Collinsville, CT	This is not the development Canton needs. The proposed vision is not well suited for this smaller, limited space - it creates a possible threat to clean drinking water as well as other serious environmental hazards for our community - not worth it!!
131.	Deborah Gillespie	Canton, CT	I believe this project will have a toxic impact on the aquifer and surrounding community based on the history and past deep reports of the site in question. I think it is an environmentally irresponsible proposal.
132.	Karel Rubinstein	Canton, CT	
133.	Mary Pakulski	Canton, CT	This is an urgent matter to oppose petition to preserve our clean water and natural habitat. We need to be safe with clean, potable water
134.	Carol Latter	Simsbury, CT	We live on the corner of Bushy Hill Lane and Bushy Hill Road, within close proximity of the proposed project site. We are extremely concerned about potential well contamination (we do not have town water), possible damage to our foundation, and the ongoing noise of blasting, which will greatly and negatively impact my ability to perform my job and run my business (i work from home full time).
135.	Dan Hurley	Canton, CT	I am concerned about the effects this may have on my family's drinking water - a well fed by an aquifer near the site - and feel more research should be done before permitting this development.
136.	M T	Canton, CT	
137.	Laura Levandowski	Granby, CT	I grew up in canton and this goes against everything we stand for.
138.	Douglas Albreski	Simsbury, CT	Live close to the site and depend on well water.
139.	Maria Ali	Avon, CT	
140.	Ken Jones	Canton, CT	
141.	Stephani Shivers	Avon, CT	I have significant concerns about the impact of this project on our water supply. I'm open to other projects but not this one.
142.	Ken Freidenberg	Canton, CT	
143.	Carol Martinchek	Canton, CT	
144.	Michelle Bulin	Simsbury, CT	

	Name	From	Comments
145.	Elisa Villa	Canton, CT	Our environment and quality of life should not be compromised for commercial development.
146.	Amber Petrizzo	Canton, CT	
147.	Kristina Oswald	collinsville, CT	
148.	John Pech	Canton, CT	The rock ridge is a natural and beautiful gateway to Canton and she be preserved to maintain the character of Canton. Man can destroy natural beauty in a few days but we can never restore it. We need to preserve this ridge and habit and work with natural treasures not blow them up for man made temporary eyesores.
149.	Flynn Boonstra	Collinsville, CT	
150.	Shannon Eckley	Collinsville, CT	
151.	Susan Rybczyk	West Simsbury, CT	We are tired of all the commercial buildings threatening our neighborhood/street. First we had to deal with the Hoffman car lot basically across the street and now more car lots are being proposed. Enough is enough. Not to mention that our drinking water will be at a high risk of being contaminated.
152.	Lise Bosman	Canton, CT	I sent a letter—I believe in balanced, rational development —was an active advocate for that when I lived in Middletown and support the same idea here in Canton. I did email a letter to the Town Planner.
153.	jean ladetto	w simsbury, CT	my house is too close to the blasting area, i don't want the nose and damage my house \s foundation and contaminating my well.
154.	Katherine Blake	Canton, CT	
155.	Jonathan Behuniak	Canton, CT	Water table damage, environmental impacts of a fuel station, traffic, environmental impacts of blasting
156.	Hannah Cover	Canton, CT	
157.	Laura Meheran	COLLINSVILLE, CT	
158.	Alex Kawa	Avon, CT	As a young person, I am deeply concerned about climate change, and the impacts it will have on my generation, as well as future ones. A proposal such as this one would impact people living in my hometown of Avon directly. We cannot afford to move backwards at a time like this. Please reject this proposal!
159.	Lissa Pimentel	Canton, CT	This is important because it will impact me and my community. It will impact quality of life. Hazards in our water supply and air pollution.
160.	Christine Delano	Canton, CT	I do not want the blasting which could damage the aquifer that my well runs into and could be affected. I don't want to hear hear blasting And it what it will do to the existing area. I do not want the added traffic. Do the right thing and do not have another Flint Michigan. Vote no on this proposal.
161.	Andrea Petrizzo	Plainville, CT	

	Name	From	Comments
162.	Lenore Black	Markham, ca	
163.	Jessica Giblin	Canton, CT	I believe this is bad for the environment-potential to release contaminants into well water. Unnecessarily remove trap rock and deface the landscape. 2 years of blasting and removal of the rocks, tying up traffic and disrupting traffic on an already congested main road. Creating a monstrous, ugly gateway to our quaint and quiet town. Adding yet another traffic light for daily commuters on an already long ride into West Hartford and Hartford.
164.	Kim Bishop	Canton, CT	
165.	Brianne Angello	Canton, CT	
166.	Jonathan Angello	Canton, CT	
167.	francoise rousset	marseille, fr	
168.	Judy Howland	Collinsville, CT	
169.	Marina Ris	Sesvete, hr	
170.	Anna Brewer	PHOENIX, AZ	
171.	Alden Paye	Collinsville, CT	
172.	Dovile Dacyte	Farmington, CT	Neighborhood needs to stay the way it is. We need to protect nature!
173.	Caroline Sévilla	Champs-sur-marne, fr	
174.	Joanna Szymanski	Burlington, CT	
175.	Wendy Forster	Gateshead, gb	
176.	Scott McGee	Collinsville, CT	
177.	Liza Ruiz	Kimball, MI	
178.	Maureen Wondoloski	Collinsville, CT	
179.	Jennifer Giannini	West Simsbury, CT	Contamination possibility, foundation crack possibility, decreased property value, noise, quality of life
180.	Angela Brown	Canton, CT	
181.	Jennifer Mason	Canton, CT	This development is not in keeping with the nature of our town. Short term- Environmental impact and longer term change to character of town coupled with years of disruption due initial development combine to make this development extremely difficult to support
182.	Anne Duncan	Canton, CT	trap rock ridge should be preserved
183.	Robin Baran	Avon, CT	I support responsible development; this proposal poses many long-lasting, irreversible threats to the surrounding environment. Please act in good conscience. Please deny these applications.
184.	Hedy Barton	North Canton, CT	

	Name	From	Comments
185.	eymun chouhan	karachi, pk	
186.	Margaret Berry	Canton, CT	Ground water!
187.	Anne Corbosiero	Simsbury, CT	For many reasons - to protect our well water and health not to mention the loud noise blasting will make and the affects on air quality.
188.	Debbie Kendall	Simsbury, CT	We need to stop building and preserve our land. We don't need another gas station along this road. The size of this plan is ridiculous.
189.	Joe Corbett	Simsbury, CT	We're supposed to be the place you go to get away from over, development.
190.	Sara Varney	SIMSBURY, CT	As someone who lives near the Canton line and has well water, this is very concerning!
191.	Nick Cinea	Simsbury, CT	<p>Canton, Simsbury and Avon are guilty of overdevelopment. We must preserve what little of untouched nature is left, not only so that these towns may "keep their charm" as some have said, but more importantly: so the wildlife have a place to live as well. Nature is an ecosystem. What impacts one thing will affect another.</p> <p>Lastly, I encourage all three towns mentioned above to engage in re-development of vacant commercial properties. Anytime a new business wishes to establish itself in town, it should be forced to repurpose a vacant commercial property. There are many of those.</p> <p>Similarly, housing developers should be forced to repurpose abandoned and foreclosed homes before trying to build these new, \$800,000 homes around town that are out-of-place.</p> <p>If Canton, Simsbury and Avon don't want to become the next West Hartford or even Manchester (overdeveloped with little land left), I highly encourage these three towns to stop the new development and start finding more eco-friendly ways to repurpose existing properties that aren't currently serving a purpose other than collecting dust.</p>
192.	Steven Bessette	Simsbury, CT	Water is a limited resource and protecting our open space is all we have left now!
193.	Marissa Pratt	Canton, CT	
194.	Curt Edgar	Danville, VT	As a former resident of Canton I was sad to learn of this application. To allow the environmental impact makes no sense. Development should seek to enhance and protect the character and environment of a town not destroy it. It would be a shame to allow such an inappropriate everlasting destruction of the natural gateway to Canton.
195.	Evernia Fay	SimsburySimsbury, CT	The trap rock ridge is an important ecosystem which will be destroyed. Blasting of any sort, let alone the length of this project will affect wildlife well outside of the blasting area not to mention it will affect water quality, etc.

	Name	From	Comments
196.	Susan Johnson	Avon, CT	Want to preserve the beauty of our farmington valley. Also worried about the noise, air and water pollution
197.	Margaret Lynch	Canton, CT	
198.	Michael Corbosiero	Simsbury, CT	My family and I rely on our well for all our water needs. It is our sole source of water and we can not afford it to be put in jeopardy. From the information provided the proposed project(s) have a number of undesirable impacts: - Water quality impacts possible - Noise pollution for over a year - Increased traffic and congestion on Route 44 (no more lights, i don't want to see our area become like the Berlin turnpike)
199.	Cindy Webb	Canton, CT	
200.	Nancy Slauenwhite	Simsbury, CT	To save the integrity, health, safety and well being of our town and neighborhood.
201.	Kate Kenner	Guilford, VT	
202.	Frank Barton	North Canton, CT	Environment and wild life need to be preserved. Little animals living in and among the rock ledge will be killed.
203.	Kerry stovall	canton, CT	WATER QUALITY
204.	Holly Gerner	Canton, CT	My water comes from a well,!
205.	Janet Neihart	COTTAGE GROVE, MN	
206.	Christina Warnock	Canton, CT	
207.	Pamela Bali Hoppi	Canton, CT	
208.	Aliya Vandal	Simsbury, CT	
209.	Jan Gillis	Simsbury, CT	Awful idea to build there.
210.	Deirdre Lloyd	Canton, CT	I strongly object to the environmental damage that this development would cause our town if it were allowed to be built.
211.	Robin Verrone	Simsbury, CT	
212.	Anne Hunter	CANTON, CT	The earthwork with elevated retaining wall is excessive and it should be reapplied for under the form based code since the developer has not been able to meet documentation deadlines.

Archived: Tuesday, January 19, 2021 1:34:05 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:30:21
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposition to proposed Canton project (EV showroom and gas station)
Importance: Normal

Neil

From: Carol Latter [mailto:carol_latter@yahoo.com]
Sent: Tuesday, January 19, 2021 1:24 PM
To: Pade, Neil
Subject: Opposition to proposed Canton project (EV showroom and gas station)

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade:

My name is Carol Latter and I am writing on behalf of both myself and Dr. Douglas Albreski, who is a physician at the Connecticut VA and UConn Health. We live at 531 Bushy Hill Road in Simsbury. Our property is located at the junction of Bushy Hill Road and Bushy Hill Lane, and in very close proximity to the Hoffman Auto complex in West Simsbury.

We recently learned of the electric vehicle showroom, gas station, and multi-use complex that is proposed for the Canton Ridge area, between the former La Trattoria Restaurant and Best Buy. After spending hours conducting some of our own research and reviewing the developers' submissions, environmental studies, and residents' concerns -- all of which will apparently be considered during tonight's public hearing via Zoom (Jan. 19, 2021) -- we would like to go on record as being strongly opposed to this project.

I won't repeat all of the other residents' well-founded concerns about the real and potential damage to the natural beauty, wildlife, and environment associated with this project, although I strongly share those concerns. Instead, in the interest of relative brevity, I will outline what this project would mean for our quality of life, and its direct economic impact on us, should this project be approved.

1. Noise Concerns

I am employed full-time as a developer of continuing medical education. I also own an editorial company that, among other projects, helps to produce seven editions of *Seasons Magazines*, a quarterly glossy lifestyle publication that is locally owned by a long-time resident of West Simsbury. (I am the editor of five of these magazines and serve as copy editor and fact checker for two more). Both of my positions are home-based, as my full-time employer has permanently closed its

Connecticut office in Hartford due to economic factors connected to the pandemic as well as concerns about keeping its employees safe.

My day job requires me to research, write and illustrate medical education in a quiet environment and to participate in Zoom calls with my colleagues, located across the country, multiple times a week. Some of these calls last for 1 to 2 hours, and again, a quiet environment is essential. My magazine-related duties also require me to interview people throughout the week (mostly first thing in the morning, before my day job begins, or late in the afternoon). I perform my writing and editing duties during my off hours, usually on the weekend.

The Town of Simsbury's documents included in tonight's project package states that "the removal of rock is approved with the following hours of operation: Monday to Friday, 8:00 am to 5:00 pm, and Saturdays, 9:00 am to 5:00 pm." (See page 55 of tonight's agenda, at http://www.townofcantonct.org/filestorage/6662/17720/26104/50416/01-19-21_PZC_Meeting_Packet.pdf.) This represents blasting and hauling of rock on the project site for 9 hours every weekday and for eight hours on Saturday, for a period of 1.25 years.

In order to retain my day job and continue to run my editorial company, I would be forced to rent an office in a different location. In addition to being highly inconvenient for me, this would be an expensive proposition. After doing some research, I found that renting even the cheapest office space in Avon that is a sufficient distance from the blasting site would cost me \$12 per square foot. The smallest office space available, which measures 1,025 square feet, would therefore cost me \$12,300 per year, or \$1,025 per month. For the 15-month period during which blasting could be conducted, the cost of that office space would be \$15,375. This does not include additional monthly fees for utilities and parking or the cost of additional equipment (a desk, chair and computer set-up), which would also have to be factored in.

An alternative (renting a 1-bedroom apartment in Avon for use as a daytime office) would cost even more ... as much as \$1,725 per month plus utilities, according to Apartments.com.

I am absolutely certain I am not the only one in the surrounding area who would be impacted in this way, especially since a great many people now work from home due to the pandemic. Many neighbors and friends of mine are in the exact same boat, so this is not an assumption on my part. Our neighborhoods are also home to families with babies and young children, people in poor health, and retirees and elderly residents, all of whom deserve and are entitled to the quiet enjoyment of their homes. Forcing remote workers and other residents to look for other places to spend their days in order to preserve their livelihoods and their sanity -- for almost one and a half years, no less -- is simply not fair to tax-paying residents of Simsbury and Canton.

2. Well Contamination

In addition to concerns for my livelihood, Doug and I are extremely concerned about possible contamination of our well. The well is original to our property (the house was built in the early 1950s). We had the well tested about three years ago and the water was found to be clean and safe for drinking. However, when we recently called the Farmington Valley Health District to discuss our concerns about the potential that our water might be contaminated by blasting associated with the electric vehicle project, we were told that our well was our responsibility, and that if our water turned out to be contaminated during or after the project was completed, the developer and town could/would

claim that our water was already contaminated before the project started. Needless to say, this was very shocking to hear.

In reading through the documents submitted in preparation for tonight's meeting, we saw references to the fact that a number of private wells in the immediate vicinity may be surveyed/tested before the project begins. However, these documents differ as to the radius that might be surveyed. Will it be a 500-foot radius? 1,000 feet? More? We are located about 1,400 feet from the project site and wonder if we will have to pay to have our water tested just before the project begins (if, in fact, the project is approved), to prove that our well water is currently drinkable and safe.

If our water does become contaminated as a result of this project, what is our recourse then? Is the developer responsible? The Town of Simsbury? The Town of Canton? No doubt the developer's company, created and named for this specific project, will have limited liability in this regard.

I spoke with First Selectman Eric Wellman about this a few days ago. He said while he was not directly involved with the Town of Simsbury's decision to sign off on this project, he had looked into it after I expressed my concerns to him. He told me he had been informed that the water impact study prepared by the developer and another independent study prepared for the Town of Canton by GZA had both determined that there was no risk to local wells. However, I read these studies and it is clear that the companies involved have promised no such thing. I quote from the independent study by GZA (found on page 153 of the meeting agenda at http://www.townofcantonct.org/filestorage/6662/17720/26104/50416/01-19-21_PZC_Meeting_Packet.pdf). The report cites numerous uncertainties related to the following factors:

- a. Groundwater flow in bedrock is governed by fractures in bedrock. The direction of bedrock groundwater flow **may or may not be consistent** with the direction of groundwater flow in the overburden soil. **Because the report references the John Swift Chemical Superfund Site, a known source of volatile organic releases, GZA would recommend that the pre- and post-groundwater sampling not only include the analytes included within Section 4 of the CTDEEP December 2019 Guidance Document but also volatile organic compounds using EPA Method 524.**
- b. GZA agrees that a geologist should make observation of the bedrock during the removal process to log the bedrock and to evaluate the presence of pyrite. **If pyrite is observed, however, the removal of the bedrock should cease** until a plan to prevent acid rock drainage has been submitted to the Town for review and approval.
- c. Stormwater best management practices should consider including **reducing the use of de-icing materials and routine maintenance because the report notes that some stormwater may infiltrate into the bedrock.** However, unlike existing conditions, **the blasting operation will result in fracturing the bedrock.** In addition, the stormwater basin and detention chambers will be constructed on the blasted rock.
- d. The reports indicate “there **should be no adverse impacts to neighboring water-supply wells** from the proposed blasting”, **however, the pre- and post-blasting surveys will be needed to demonstrate no adverse impacts.**

Essentially, what the GZA report says is that the risk for well contamination will not be known until the blasting is already underway. And worse still, testing may find, in the midst of the blasting, that irreversible contamination has already taken place.

In addition to stating all of these "unknowns," GZA is careful to side-step responsibility for whatever may happen once blasting begins by stating on the final pages of its report (see page 154 of tonight's meeting packet agenda at http://www.townofcantonct.org/filestorage/6662/17720/26104/50416/01-19-21_PZC_Meeting_Packet.pdf):

- a. "Use of this report, in whole or in part, at other locations, or for other purposes, may lead to inappropriate conclusions; and **we do not accept any responsibility** for the consequences of such use (s). Further, reliance by any party not expressly identified in the agreement, for any use, without our prior written permission, **shall be at that party's sole risk, and without any liability to GZA.**"
- b. "These findings and conclusions must be considered **not as scientific or engineering certainties**, but rather as our professional opinions concerning the **limited data** gathered during the course of our work. Conditions other than described in this report may be found at the subject location(s)."
- c. "No warranty, expressed or implied, is made. **Specifically, GZA does not and cannot represent that the Site contains no hazardous material, oil, or other latent condition beyond that observed by GZA during its study.** Additionally, **GZA makes no warranty that any response action or recommended action will achieve all of its objectives** or that the findings of this study will be upheld by a local, state or federal agency."
- d. "In conducting our work, GZA relied upon certain information made available by public agencies, Client and/or others. **GZA did not attempt to independently verify the accuracy or completeness of that information.**"

And on and on it goes. GZA offers 13 paragraphs of disclaimers in all.

It is also very concerning that only \$1,000 was allocated for this study, when recent, much simpler studies of other project sites cost almost twice that much. With the quoted DAS contract rates for 2019-2024 (see page 189 of tonight's agenda) ranging from \$80 per hour for clerical support to \$210 per hour for a senior consultant, one begins to wonder how many GZA employees were involved in the site survey and report preparation, and how much time was spent by each of them. (It is important to note that travel time, equipment rentals, and out-of-pocket expenses are extra and would also be part of the budgeted \$1,000 figure.) Even if just the two associate principals who signed the GZA report were involved in surveying the site and typed up the report themselves, it seems apparent that very few hours were spent actually surveying this site and assessing the potential for contamination associated with this project. No wonder the report is full of ifs, buts, and maybes.

In case anyone is thinking that Doug and I should not be concerned for the quality of our well water because we do not live within the 500-foot radius or 1,000-foot radius areas mentioned in the report, past experience suggests that we have significant reason to be concerned. Our next door neighbors, Mike and Jen Giannini, suffered ongoing contamination of their well, along with years of noise and other disruption, due to the development and later expansion of the Hoffman Auto site. They were ultimately forced to dig a new, deeper well at their own expense. They have written a letter opposing this project, which is included in tonight's packet but here is an excerpt:

"Our water was determined to have been contaminated but it was not from the gas station; it was contaminated with Trichlorethylene (TCE). TCE is a chemical used to degrease parts and being right next door to the Hoffman complex we assumed it originated there. We just so happened to have a couple of friends who were environmental engineers that did all of the leg work of determining water tables and which, led us to get the State involved. The DEP dispatched a full team to our property and to the Hoffman property to dig multiple wells, test and monitor. The DEP was unable to determine where the contamination came from. We then had a new 365 ft bedrock well dug and the DEP agreed to put an industrial water filtration system in our basement and would continue to monitor our water."

Our neighbors' filtration system has long since been removed, and now they feel that they, and their well water, are once again exposed to potential contamination, including from chemicals associated with the SuperFund site. Our well is located not far from theirs, and we feel equally at risk.

It appears that any fiscal benefits that this project may offer to the towns of Canton and Simsbury, assuming the developer is able to find tenants for this project, are minimal. However, this development, ironically touted as being beneficial to the environment due to its association with electric vehicles, will actually cause irreversible aesthetic and environmental impacts, as well as significant adverse financial and health risks to local residents themselves.

In reviewing the documents in tonight's presentation packet, I did not see a single letter from a resident expressing support for this proposal ... only vehement opposition to it. If the Town of Canton's elected officials truly purport to represent their constituent taxpayers, I would urge them to give serious consideration to all of the grave concerns expressed by local residents, the Canton CARE group, local environmental organizations, and the Connecticut Water Company, and reject this proposal.

We are all counting on you to safeguard our properties, our economic well-being, and most importantly, our health. Please don't let us down.

Sincerely,

Carol Latter and Dr. Douglas Albreski

Carol Latter

President, Editorial Partners
Editor, Seasons Magazines
531 Bushy Hill Road, Simsbury, CT 06070
(860) 951-2858 cell
www.Linkedin.com/in/carollatter

Archived: Tuesday, January 19, 2021 1:34:01 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:59:50
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Canton blasting impact-trap rock ridge-No Go
Importance: Normal

Neil

-----Original Message-----

From: Jessica Flaherty [<mailto:jessicaflaherty311@gmail.com>]
Sent: Tuesday, January 19, 2021 12:24 PM
To: Pade, Neil
Subject: Canton blasting impact-trap rock ridge-No Go

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

I am writing in opposition of the 9 special permits that Mark Greenberg has requested approval of. I am not in support of the potential ramifications to our town, well water, or any other environmental impacts just to add another car showroom with adjacent 20 pump gas station- as I find this extremely unnecessary in the current radius. Likewise- CT planning and zoning should not support this request and should oppose at time of voting.

Thanks,
Jessica Giannos
Canton Resident

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:33:53 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:57:59
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: THE PROPOSED DEVELOPMENT AT 9-15 ALBANY TURNPIKE
Importance: Normal

Neil

From: Terry Dias [mailto:TerryDias@hotmail.com]
Sent: Tuesday, January 19, 2021 11:57 AM
To: Pade, Neil
Subject: THE PROPOSED DEVELOPMENT AT 9-15 ALBANY TURNPIKE

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I oppose this development. I moved to Canton to get away from traffic and with the recent development of Wholefoods and Aldi's the traffic is bad. To add another complex to 44 when we have businesses standing empty is a waste of space and no guarantee that new ones will survive. The environment can only support so much and we are killing ourselves with such wasteful materialism.

Thank you for your time and service,

Terry Dias
465 Dowd Ave.
Canton, CT.



Scanned by [McAfee](#) and confirmed virus-free.

Archived: Tuesday, January 19, 2021 1:33:45 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:07:45
To: [Deltenre, Renee](#)
Subject: FW: CARE PROJECT FOR CANTON, AVON
Importance: Normal

Neil

From: Monica Zanini [mailto:outlook_8EABAC9758D5C9B0@outlook.com]
Sent: Tuesday, January 19, 2021 1:06 PM
To: Pade, Neil
Subject: CARE PROJECT FOR CANTON, AVON

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please do not allow this project to go forward. We do not want this project to Happen.

Thank you

Sent from [Mail](#) for Windows 10

Archived: Tuesday, January 19, 2021 1:33:41 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 13:28:02
To: [Deltenre, Renee](#)
Subject: FW: Not in favor
Importance: Normal

Neil

-----Original Message-----

From: JOHN PERZAN [<mailto:johnperzan@icloud.com>]
Sent: Tuesday, January 19, 2021 1:19 PM
To: Pade, Neil
Subject: Not in favor

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am not in favor of the proposed project by Mark Greenberg effecting the property on Albany Turnpike. I feel this will negatively effect the surroundings and are against the special permit requests.

Thanks!
John Perzan
40 Thompson Hill
Canton, CT
Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:32:02 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:56:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Electric Vehicle Site Proposal
Importance: Normal

Neil

From: Peg Berry [mailto:pegberry@gmail.com]
Sent: Tuesday, January 19, 2021 11:44 AM
To: Pade, Neil
Subject: Electric Vehicle Site Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil:

I'm emailing today to add my name to the list of Canton residents against the proposed development for the EV showroom etc on route 44.

My particular area of concern is the lengthy proposed blasting requirement and the potential impact to residential aquifers in both Simsbury and Canton. If e aquifer is compromised, this is not something that could be fixed or undone.

I strongly urge the planning and zoning commission to deny this request.

Thank you for your consideration.

Peg Berry
115 Robin Drive
Canton

Archived: Tuesday, January 19, 2021 1:31:55 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:53:53
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Concern regarding proposed development
Importance: Normal

Neil

From: colleen_clp@comcast.net [mailto:colleen_clp@comcast.net]
Sent: Tuesday, January 19, 2021 11:24 AM
To: Pade, Neil
Subject: Concern regarding proposed development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

\u-257 ?Dear Neil,

I am writing regarding my opposition to the purposed development of the former La Trattoria site on Albany Turnpike.

I am asking that Canton's Planning & Zoning Commission deny the developer of 9-15 Albany Turnpike's request for (9) special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining.

The blasting of Trap Rock Ridge area, directly adjacent to the land contaminated by the J. Swift Chemical Company, could detrimentally affect the long term health of many Canton, Simsbury and Avon residents. It simply could set our town on a trajectory for future loss of life, class action lawsuits and devaluing of property.

Additionally, the project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. According to the town's zoning, regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound

planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility." - This project violates all five provisions.

I look forward to attending tonight's hearing and am hopeful that our town will do right by it's residents.

Sincerely,

Colleen Brown

[38 Crown Point Road](#)

[Canton, CT 06019](#)

Archived: Tuesday, January 19, 2021 1:31:47 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:51:40
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Development on Canton Town Line
Importance: Normal

Neil

From: Deirdre Lloyd [mailto:deirdrel@att.net]
Sent: Tuesday, January 19, 2021 10:36 AM
To: Pade, Neil
Subject: Proposed Development on Canton Town Line

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello, Mr. Pade, on behalf of my husband David and myself, I would like to express our serious concerns regarding the proposed commercial and residential development project being considered by Canton Planning and Zoning tonight. Chief among our objections are the nine special exceptions to Town zoning, the possibly contamination of private home owners' wells, possible release of toxic chemicals from the Superfund Site into the aquifer due to blasting, not to mention the partial demolition of traprock ridge. If we understand this proposal, then a 2 year mining operation which would profit the developer (while creating noise pollution and traffic for residents) could not necessarily result in the proposed electric vehicle showroom, car charging stations, etc.

We own an electric vehicle and welcome the development of charging stations to support the green industry, however, it is the environmental damage to our town and water that gives us pause with this particular large scale development in our small town.

I will attend the meeting tonight via zoom to learn more and appreciate your time in reading our family's concerns.

Sincerely,
Deirdre Lloyd

Archived: Tuesday, January 19, 2021 1:31:38 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:52:15
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: development proposal at 9 and 15 Albany Turnpike
Importance: Normal

Neil

From: Rachel Brown [mailto:rachel_brown@comcast.net]
Sent: Tuesday, January 19, 2021 10:50 AM
To: Pade, Neil
Subject: development proposal at 9 and 15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil Pade
Director of Land Use, Town of Canton

Dear Mr Pade,

I am a resident of Canton with deep reservations about the development proposal put forth by Mark Greenberg for 9 and 15 Albany Turnpike. Specifically:

- The proposal includes several commercial uses – gas station, convenience store, restaurant with outdoor dining, drive-through usage, car dealership – but no committed tenant is identified. So while we know of extensive changes Mr Greenberg wants to make to the site, we don't know how the site will actually be used.
- The development was originally promoted as an electric vehicle showroom, which has emotional appeal as cutting edge and environment-friendly. However, every car manufacturer now producing electric or hybrid vehicles markets them in their own dealerships, and the business press suggests that this business model will continue. Should the idea of a multi-manufacturer electric vehicle showroom take off, why would it not be located more centrally than in the Farmington Valley? South of Hartford, for example? In short, I think the original proposal, while appealing, is wishful thinking. And given all the other uses Mr Greenberg has added into his proposal, perhaps he does too.
- The extensive blasting of the trap rock ridge will be unpleasant and inconvenient to residents for an extended period of time. I see no reason to endure the destruction

of a natural landmark and 12-18 months of discomfort for the sake of what may well end up being a mega-gas station with fast food drive-through restaurant.

- Some residents may suffer long-term consequences from the blasting if pollutants are released into their well water. I see no recourse to the developer should this happen.

In summary, I believe the proposed development is commercially speculative at best and therefore not worth destroying a distinctive natural landmark. It poses significant risks to our peaceful enjoyment of life and to clean well water. Further, I believe Canton's citizens and town governance are committed to environmentally friendly development. Blasting out tons of rocks from a striking feature of our landscape seems quite the opposite. Finding a use for the land consistent with its natural configuration would seem a better fit with our environmental goals.

Respectfully,

Rachel Brown
5 LedgeWood Road
Canton CT 06019

Archived: Tuesday, January 19, 2021 1:31:29 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:52:52
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Rt.44 Expansion Proposal
Importance: Normal

Neil

From: erston [mailto:erston@aol.com]
Sent: Tuesday, January 19, 2021 11:01 AM
To: Pade, Neil
Subject: Rt.44 Expansion Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning Mr. Pade,

We are residents of Parkview Dr. , Avon. I am emailing you to voice our objection to the project being proposed for expansion at 9-15 Albany Turnpike in Canton. Our objection is based on the impact that it will have on the health and safety of our area. The last thing we need is blasting in a area that has Hazardous Chemical Waste buried nearby. We do not need a 20 pump gas station or another car showroom. Enough already, you are destroying our beautiful home. Leave the Tap Rock Ridge alone!

Sincerely,
Suzanne Rogers
Barbara Upton

Sent from my Sprint Samsung Galaxy S8.

Archived: Tuesday, January 19, 2021 1:31:21 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:54:45
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Vote No on Development Proposal.
Importance: Normal

Neil

From: Melissa Cardinal-Gish [mailto:melissacardinalgish@gmail.com]
Sent: Tuesday, January 19, 2021 11:35 AM
To: Pade, Neil
Subject: Vote No on Development Proposal.

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil,

Please vote no to the proposed development plan that can negatively impact the community and all other communities around it. It's about the health and safety of the community, wells, and the environment will be impacted. It won't be good for generations to come.

Thank you for your time.

Melissa Cardinal-Gish

West Hartford Resident with family living in Avon who use well water, and will be directly impacted.

Archived: Tuesday, January 19, 2021 1:29:25 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:48:15
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Development 9-15 Albany Ave
Importance: Normal

Neil

-----Original Message-----

From: jmason242@comcast.net [<mailto:jmason242@comcast.net>]
Sent: Tuesday, January 19, 2021 7:59 AM
To: Pade, Neil
Subject: Proposed Development 9-15 Albany Ave

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning,

I am writing to encourage the Planning and Zoning Board to oppose the proposed development at 9-15 Albany Ave. I believe that this development would negatively alter the character of our town. Additionally, this proposed development would have other short and long term negative impacts. This proposed development would adversely impact the development area and its surroundings with noise, traffic and many other negative aspects of a development site for multiple years. Finally, this proposal would ultimately include a large commercial development that is absolutely not in keeping with the character of our town.

In closing, I do not support this development. I sincerely hope that the Planning and Zoning Board carefully weighs this proposal and considers the character of the town of Canton, and public opinion when making decisions regarding this proposed development.

Respectfully submitted,
Jennifer Mason
Resident
690 Cherry Brook Road
Canton

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:29:17 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:48:54
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: New development on 44
Importance: Normal

Neil

From: Hilary Sidrane [mailto:hsidrane@yahoo.com]
Sent: Tuesday, January 19, 2021 8:42 AM
To: Pade, Neil
Subject: New development on 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning,

I'm writing this in opposition of the new projected development on 44 by La Trattoria. We moved to Canton because of it's small town charm and decided to raise our children here. There has been enormous development through the years and many businesses have come and gone. It would be a shame for this type of development to take place ruining the charm of Canton. Traffic is already a daily issue especially on weekends and holidays. There's so many abandoned structures that should be utilized before new ones are put up. We live in close proximity to proposed area, and am also concerned about the noise and repercussions of disturbing the water table. Lastly, the proposed development looks nothing like what all the other businesses have had to comply with to keep Canton looking like the small town it is.

Thank you for taking the time to read.

Sincerely,
Hilary Sidrane
(a concerned Canton resident)

[Sent from Yahoo Mail on Andro](#)

Archived: Tuesday, January 19, 2021 1:29:09 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:50:20
To: [Deltenre, Renee](#)
Subject: FW: Jan 19 meeting
Importance: Normal

Neil

From: lynnmhunter@comcast.net [mailto:lynnmhunter@comcast.net]
Sent: Tuesday, January 19, 2021 9:21 AM
To: Pade, Neil
Subject: Jan 19 meeting

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

This is a duplicate of my previous letter. I neglected to include my address on the initial one sent yesterday.

I oppose the proposed development at the LaTrattoria site for the following reasons.

1. It is way too large a project which will clog up Route 44 for the thousands of people travelling daily to and from work and going about their daily business. There is not an easy alternative route to take.
2. I don't believe that it will bring customers into existing Canton businesses. I think it will bring people from all over the state who are interested mainly in the electric car showroom. Others who can avoid the area would, because of the congestion brought in by the development.
3. There is no reason to build an additional gas station. There are two in the Staples area just a stone's throw away and two nearby in Canton. An additional one will just result in an existing one closing, leaving another empty building on Route 44.
4. Can it be done without taking down the rock ridge? Certainly, customers would be able to get to the area by driving around it? Our town has already been defiled by the building of town utilities along what might have been a beautiful park/concert area along the Farmington River in Collinsville. Now we can only see the river through the bars of the bike route. Taking the natural ridge down is moving us one step closer to looking like a shopping mecca rather than the beautiful, scenic, and rural town we moved here for.
5. On the Canton side of this project, from Lawton Road to Secret Lake is 0.4 miles and we have 4 traffic lights. On the eastern side there is a traffic light into Best Buy, just 0.2 miles away from the proposed project and one at the junction of 44 and Bushy Hill Road. There would need to be one at the proposed project due to continuous traffic especially with a gas station possibly open for most hours of the day and night.

Archived: Tuesday, January 19, 2021 1:29:02 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:51:17

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: No to trattoria

Importance: Normal

Neil

From: victoriajersey@hotmail.com [mailto:victoriajersey@hotmail.com]

Sent: Tuesday, January 19, 2021 10:24 AM

To: Pade, Neil

Subject: No to trattoria

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please deny this project. We have children home and need our water quality intact

Vicky Kramer

Parkview dr

Archived: Tuesday, January 19, 2021 1:28:54 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:51:08
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Public Hearing - Zoning 1_19_21
Importance: Normal

Neil

From: Jamie Taylor [<mailto:jataylor157@gmail.com>]
Sent: Tuesday, January 19, 2021 10:21 AM
To: Pade, Neil
Cc: Jennifer Gero; Peg Connoy
Subject: Public Hearing - Zoning 1_19_21

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

To Neil Pade and the Canton Planning and Zoning Commission,

I am writing in concern about the application to permit exceptions to current zoning restrictions regarding the blasting of trap rock to develop a new electric car facility.

We on Secret Lake Road live with the environmental threat of groundwater contamination, as many of us have no option to tie into public water and have our own private wells. I live at 157 Secret Lake Rd in Avon and my well is shallow, as are the private wells of most of my neighbors. Last year, the neighbor two houses down from me had a battle with breast cancer. Last month, the neighbor across the street was diagnosed with colon cancer, and last week another neighbor living on the street was diagnosed with colon cancer. Is this a cancer cluster? Is this cancer related to the J. Swift Chemical Company Superfund Site? In 2009, DEP sampled our wells and found the carcinogenic chemicals had not traveled to the vicinity of our wells on this part of Secret Lake. Is this current cluster of cancer cases related to chemicals that were later released from traprock movement, and/or will we be put at future risk with the planned explosion and exposure of the trap rock directly connected to the J Swift site? I am asking the CT DEP to test our wells for the Superfund site chemicals. I strongly protest the future risk and endangerment of our neighborhood and our personal and public health that will occur if the town of Canton overlooks zoning and environmental protections. .

There must be other sites this electric plant can find that would not require blasting natural landscapes that protect the balance of our local ecosystem.

Feel free to contact me with any further questions.

Thank you for reading and submitting my testimony.

Jamie Taylor, PhD
157 Secret Lake Rd.
Avon, CT 06001
860-716-7392

Archived: Tuesday, January 19, 2021 1:28:45 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:49:43
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Development 9-15 Albany Turnpike
Importance: Normal

Neil

From: Erin Lamadrid [mailto:enlamadrid@mac.com]
Sent: Tuesday, January 19, 2021 8:52 AM
To: Pade, Neil
Subject: Proposed Development 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning,

I am writing my opposition to the proposed development of 9-15 Albany Turnpike for the reasons listed below:

- 1-Expert geologists predict that the proposed blasting may release toxic chemicals in the ground into the aquifer from the [John Swift Chemical Company Superfund Site](#), which is about 1,500 feet west of the proposed rock mining operation
- 2-Irreparable damage to wells and the aquifer can result from the mining, forever ruining the water for many, possibly hundreds of homes in Canton, Simsbury, and Avon. Volatile organic compounds (VOCs) from the Swift site could be released into the air during blasting and scrapin
- 3-I request the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.

Thank you, Erin Lamadrid
49 Tyler Court, Avon CT

Archived: Tuesday, January 19, 2021 1:28:37 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:49:07
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Potential risks of proposed EV Park/vote no
Importance: Normal

Neil

From: F Dwyer [mailto:francenad@gmail.com]
Sent: Tuesday, January 19, 2021 8:46 AM
To: Pade, Neil
Subject: Potential risks of proposed EV Park/vote no

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade:

As a Secret Lake resident-15 Goodwill Trail in Avon- I am writing to express my concerns about the potential risks presented by the proposed EV Park in Canton.
The danger of disrupting the Swift Chemical Company's hazardous waste superfund site is reason enough not to approve this proposal.

Thirteen years ago I suffered a chemical injury that has ruined my health and taken from me many of the things that illness destroys: work, driving, travel...
I learned you cannot fight back against corporations once the damage is done.

OUR WELLS: A huge concern of mine is about my/our well water. I am 68 years old. I scrimped and saved for 24 years to pay off my mortgage. My well could be damaged by this project. Who would be responsible for that damage? Would I be forced to buy into Town water at a large, unplanned, and unnecessary expense? Years ago, Secret Lake members fought that initiative because we had good wells.
And what would happen to our property values if our water becomes contaminated? What would happen to our lake? And what if the Town water supply were contaminated?

Mr. Pade, I am confident that as the Town planner, you want to do right by area residents. This proposal is not acceptable for many obvious reasons: its scope, its location, its futuristic style. If the project is deemed environmentally safe by the Town of Canton, why would it need 9 special permit exceptions?

The potential risks to our clean water are avoidable. There must be a different location where this project can be built that will not entail blasting that could damage our water. Please do not approve this proposal as it stands.

Archived: Tuesday, January 19, 2021 1:28:33 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:48:38
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Project at Trattoria site
Importance: Normal

Neil

-----Original Message-----

From: Nora Jamieson [<mailto:norajamieson@comcast.net>]
Sent: Tuesday, January 19, 2021 8:12 AM
To: Pade, Neil
Subject: Project at Trattoria site

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil,

I live at 8 Stonemeadow Lane, Collinsville, CT. The project proposed at the site, the plan to remove trap rock and build a car showroom and gas station (!)if passed will destroy what entrance to Canton we have. It suggests there is beauty here, besides the strip of stores along 44. I don't live in a zone that is endangered. But I always breathe a sigh of relief when I drive over that hill. Please vote no — we already have a mess to figure out along our existing route 44.

Nora Jamieson
860-874-9790

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:28:29 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:48:21
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposing Greenberg Development
Importance: Normal

Neil

-----Original Message-----

From: Tom Blais [<mailto:anborn3000@aol.com>]
Sent: Tuesday, January 19, 2021 8:01 AM
To: Pade, Neil
Subject: Opposing Greenberg Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I want to voice my objection to the planned Mark Greenberg development on route 44 coming up for vote.

Thomas Blais
20+ Years long resident of
Canton, CT

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:28:25 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:47:55
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Canton Project
Importance: Normal

Neil

-----Original Message-----

From: Chris Sullivan [<mailto:csully227@gmail.com>]
Sent: Tuesday, January 19, 2021 7:35 AM
To: Pade, Neil
Subject: Canton Project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr Pade,

I am writing to voice my objection to the Mark Greenberg construction project proposal for 9-15 Albany Turnpike, Canton CT.

I feel this will be a detriment to the area impacting well water of many people and bad for the environment.

Please do not let this project go through.

Thank you for your attention to this matter.

Sincerely,

Chris Sullivan
Concerned CT citizen

Archived: Tuesday, January 19, 2021 1:27:03 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:44:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike
Importance: Normal

Neil

From: Stephani Shivers [mailto:stephani.shivers@mac.com]
Sent: Monday, January 18, 2021 10:04 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I'm writing to respectfully request Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for special permits. I agree with the potential impact this development may have on our water supply as stated by the Connecticut Water Company.

I also believe the project is too large for the site and does not meet the requirements for special permits outlined in the Plan of Conservation & Development. With regards to approving a special permit, "the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: **a.** Public health, safety or welfare; **b.** The environment; **c.** Improved land use, site planning and land development, and sound planning and zoning principles; **d.** Property values; or **e.** Better overall neighborhood compatibility." I believe this project has the potential to do the opposite of 'protect and promote' these provisions.

Sincerely, Stephani Shivers
3 Mountain Ledge Rd.
Avon, CT 06001
860.922.9330

stephani.shivers@mac.com

Archived: Tuesday, January 19, 2021 1:26:55 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:43:41
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Albany Turnpike development
Importance: Normal

Neil

From: Karel Rubinstein [mailto:krubin50@gmail.com]
Sent: Monday, January 18, 2021 9:29 PM
To: Pade, Neil
Subject: Albany Turnpike development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Mr. Pade,

Apart from the blasting, water issues, supersized scale of the project in general... a 20-pump gas station?
How is this even being considered?

Thanks very much,

Karel Rubinstein
6 The Green
Collinsville

Archived: Tuesday, January 19, 2021 1:26:48 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:42:52
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Rt 44 E/V Project
Importance: Normal

Neil

From: JJ Twigg [<mailto:jjtwigg@hfaltd.com>]
Sent: Monday, January 18, 2021 9:15 PM
To: Pade, Neil
Subject: Rt 44 E/V Project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil,

Hope this finds you well in these crazy times! I've had the pleasure of working with you on a couple projects as a Canton resident, to listen and give feedback on development. I've always appreciated your approachability and ideas. This project was recently brought to my attention, and though I am way behind the eight ball on this one, and most likely the resident opinions can't put a halt to this project; I did want to express my concern. Though my concern isn't in regard to the safety of the project, water, etc. It has more to do with the aesthetics of our town. It seems we are heading in the wrong direction as for the look and feel of Canton. This town is awesome, and can be beautiful. We can keep a small time feel with expanding businesses without taking away the appeal. I hate to see it become more and more like Route 6 in Bristol, or the Silas Deane Highway; as opposed to Old Wethersfield or Downtown Glastonbury. Does this town really need a TWENTY pump gas station? The first thing visitors see when they enter Canton! Downtown Glastonbury has beautiful condo/apartment/retail space built in a classy, upscale design. Glastonbury does a fantastic job reaching out to young homebuyers, as well as keeping property values high. Projects like this will not do that. Neal, I have been in town for sixteen years, and love it, but hate to see it losing out to "everyday" retail. There is such promise here. Again, with the power of Mark Greenberg and the depth of this plan, I am sure this is far to gone to change, but hope for the better of Canton that future ideas do. I understand a fine balance of tax revenue and livability, but there has to be the "right" balance. Again, I appreciate what you do and have done for our town. Thank you,

Sincerely,

JJ Twigg

Get [Outlook for iOS](#)

Archived: Tuesday, January 19, 2021 1:26:40 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:43:52
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Blasting zoning meeting
Importance: Normal

Neil

From: lee heller [<mailto:lee.heller@live.com>]
Sent: Monday, January 18, 2021 9:56 PM
To: Pade, Neil
Subject: Blasting zoning meeting

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello,

I wrote the attached letter to the state of Connecticut for a bill that was coming up for consideration. It never made it, as the blasters sent in their high-powered lobbyists and it was killed. Blasting laws have not changed since 1973 and they will tell you they are highly regulated which is far from the truth. [2015HB-06494-R000219-Lee Heller-TMY.PDF \(ct.gov\)](#)

I plan on calling in to your meeting on Tuesday evening at 7PM.

Thank you, Lee Heller

Sent from [Outlook](#)

Archived: Tuesday, January 19, 2021 1:26:36 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:45:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Against proposed development at 9-15 Albany Turnpike
Importance: Normal

Neil

-----Original Message-----

From: Lise Bosman [<mailto:tangollb@att.net>]
Sent: Monday, January 18, 2021 10:34 PM
To: Pade, Neil
Subject: Against proposed development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

To: Mr. Neil Pade, Town Planner, Canton, CT
From: Lise Bosman
26 Camille Ln, Canton, CT

Dear Mr Pade—

I'm a Canton resident and, I'm against the proposed development at 9-15 Albany Turnpike.

Key reasons I am against this specific proposal—

- 1) It appears an excessive number of special exceptions will be required to implement this plan. Why are all these exceptions required? What would the proposal be if the exceptions weren't granted? The extensive number of these exceptions seems to indicate a conflict with the Plan of Development for this area.
- 2) Who can guarantee there will be zero impact to the aquifer (affecting water levels or pollution)?
- 3) Who can guarantee there will be no airborne chemical-based pollutants from the former Swift Chemicals site, now an approved superfund site.
- 4) Traffic —I've personally driven past, almost been in accidents, and know of two people who have been in accidents on route 44 near the proposed development site. What will be done to ensure no increased risk of an accidents on this stretch of RT 44?
- 5) Significant destruction of trap rock —this part, my understanding will take over a year, with blasting up to 6 days a week —6 days a week for over a year? That seems extensive and significant. Has the potential impact of this destructive activity on neighboring businesses and residents fully been assessed? Has the full environmental impact been assessed?

I believe any time there are special exception permits being requested for a proposal, they should be

considered very carefully. Or, the proposal be modified to fit without exceptions. And any time there's a potential risk to residents' well water or there's a real risk of stirring up dormant chemicals from an abandoned chemicals site, which if stirred up could cause an airborne risk to the nearby community, that risk should be considered very seriously.

For the above reasons. I'm against this specific development plan for 9-15 Albany Turnpike.

Thank you.

—Lise Bosman

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:26:32 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:46:48
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Public Hearing: File 475; Apln 2000; 9 and 15 Albany Turnpike
Importance: Normal

(I just checked the link to the recording and it is working.)

Please add to the file

Neil

-----Original Message-----

From: M-E Baer [<mailto:BaerFeat@aol.com>]
Sent: Tuesday, January 19, 2021 6:53 AM
To: Pade, Neil
Subject: Public Hearing: File 475; Apln 2000; 9 and 15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade and members of the Planning and Zoning Commission,

Thank you for your time, service, and consideration on this matter.

I have tried several times since Saturday morning to review the audio file from the 12/16/2020 P&Z meeting to no avail, though I have no problem accessing any other file on the menu of minutes. Having attended that virtual meeting, I know there were some points made that I would likely reference now. If others are experiencing the same issue, I question is there may be some obligation the town has failed to meet in these proceedings.

In any event, I trust the concerns expressed in writing by the MDC and Connecticut Water Company will be addressed and fully satisfied, along with those of local residential homeowners before any plan that includes blasting is allowed to proceed. Beyond that, it troubles me that as available land becomes increasingly scarce and our ability to move mountains ever more practical, the town of Canton is at risk of losing physical features that make it unique and contribute to our collective sense of place.

I have no issue with this area of town being developed commercially in accordance with the town's Plan of Conservation and Development, but I feel the scale of this project does not suit the location.

Sincerely,

Mary-Ellen Baer
42 Mohawk Drive
Canton, CT

Archived: Tuesday, January 19, 2021 1:26:28 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:47:46
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Concerns about 9/15 Albany Turnpike Development
Importance: Normal

Neil

-----Original Message-----

From: John Mason [<mailto:jmason242@comcast.net>]
Sent: Tuesday, January 19, 2021 6:55 AM
To: Pade, Neil
Subject: Concerns about 9/15 Albany Turnpike Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I'm writing to express my concern about the proposed 9/15 Albany Turnpike development. From what I have read about the proposed development, this project would significantly alter the character of this portion of Canton, create a loud industrial site close to several residential areas, and permanently alter the hilly landscape that characterizes our town.

Having worked in the sand and gravel industry, I am aware first hand of the noise and pollution associated with blasting, drilling, excavating, and trucking rock. This is an essential industry, but one better suited for remote or industrial areas, not in areas bordering neighborhoods.

Please reject any zoning changes or special permits for this project.

Sincerely,

John Mason
690 Cherry Brook Road

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:26:24 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:45:42
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed development on Rt. 44. 📧
Importance: Normal

Neil

-----Original Message-----

From: [Jannelson@comcast.net](mailto:jannelson@comcast.net) [<mailto:jannelson@comcast.net>]
Sent: Tuesday, January 19, 2021 1:31 AM
To: Pade, Neil
Subject: Proposed development on Rt. 44. 📧

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pada,

I am a member of NextDoor.com. Numerous posts have been made lately against this development for whatever reason they can think of — some just say it is a stupid idea.

I think the idea is forward thinking and definitely a good idea. The main sticking point for the opposing side is the blasting and fear of what they think will poison their wells.. One post even compared it to Flint, Michigan! To be clear, I live on the west side of town, so have no fear for my own property value or of contaminated water in my well.

I heard on the news yesterday that Massachusetts will stop allowing the sale of new gasoline powered cars by 2035. I'm glad that Canton is thinking forward to having an electric charging station well ahead of that.

Sincerely,

Janet Nelson
3 Daynard Drive
Canton, CT. 06019

Archived: Tuesday, January 19, 2021 1:26:16 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:45:20
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Oppose the Proposed Development at 9-15 Albany Turnpike
Importance: Normal

Neil

From: Alex Kawa [mailto:alexkawa20@gmail.com]
Sent: Monday, January 18, 2021 11:44 PM
To: Pade, Neil
Subject: Oppose the Proposed Development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Director Pade,

My name is Alex Kawa, I am 18 years old, and I am a resident of Avon. I am writing to you tonight to encourage the Canton Planning and Zoning Commission to reject developer Mark Greenberg's proposed electric vehicle showroom and adjacent 20-pump gas station at 9-15 Albany Turnpike during tomorrow's (January 19) meeting.

This proposal from Greenberg could have a disastrous impact on the health and well-being of Canton residents, as well as those in the surrounding area, including in my hometown of Avon. Geologists predict that the proposed blasting may release toxic chemicals into the nearby aquifer, which could cause permanent damage and contamination to wells in the area, ruining the water for residents of Canton, Simsbury, and Avon, and making it unsafe for them to drink.

The public health risks of this proposal are too great to ignore, and it is why I, once again, urge the commission to reject Greenberg's proposed development at 9-15 Albany Turnpike.

Thank you,
Alex Kawa

Archived: Tuesday, January 19, 2021 1:26:07 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:44:14
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Mark Greenberg
Importance: Normal

Neil

From: Shirley Barisal [mailto:sbarisano@att.net]
Sent: Monday, January 18, 2021 10:08 PM
To: Pade, Neil
Subject: Fwd: Mark Greenberg

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Sent from my iPhone

Subject: Mark Greenberg

\u-257 ?I live in Secret Lake & am opposed to the possible approval of the blasting Trap Rock Ridge since it will affect my well water & I will not be able to safely drink it or wash my dishes & clothes. If Mr. Greenberg would pay to have myself & everyone else that would be affected by this hooked up to the town's water supply prior to starting this, I would change my mind. I used to work as a commercial lending assistant for a bank & one thing I learned was that banks would not lend money to gas stations or dry cleaners due the fact that they used chemicals that are harmful to people but also the environment. In this time of COVID, I find hard to believe people can be so uncaring about other people. The fact that I just heard about this project tonight 1/18/21 proves that point. Have a heart & do not approve this project.

Thank you,

Shirley Barisano

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:24:46 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:41:35

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: Canton Blasting Project

Importance: Normal

Neil

From: Debbie Rindge [mailto:debbierindge@yahoo.com]

Sent: Monday, January 18, 2021 8:21 PM

To: Pade, Neil

Cc: Robert Bessel; Timothy Tharau; Eleni Kavros DeGraw; Kevin Witkos; Caroline Simmons

Subject: Canton Blasting Project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please read this letter at the Canton Planning and Zoning Commission Meeting Tuesday January 19,2021

Deborah F. Rindge

P.O. Box 199

Cobalt CT 06414

debbierindge@yahoo.com

January 18, 2021

To the Town of Canton, Connecticut,

My name is Deborah F. Rindge, and I am a whistle blower activist on a mission to reveal the truth of an unfair situation set up against the citizens of Connecticut. I lost my well during a construction blasting event, suffered a 15,000 bill to get my water back, and never received compensation for a loss caused by a powerful and protected industry. My property was damaged and the property of many others throughout the State and we are told nothing happened. Blasting laws and regulations do not exist to protect us but do help the industry make money and walk away with no consequences for their negligent actions. Anything that is written about blasting is in a time warp going back to 1972 and no one will revisit this to make a positive change in favor of the people damaged by construction and quarry blasting. I have attempted two times to create legislation on this issue. My second attempt to make a protective law was moved out of Hartford to the Town Hall in West Hartford. The evening meeting was attended by a handful of legislators and no press coverage was provided .I had very little support from people with damage because of their fear of reprisal from this powerful group who are involved with blasting and other connected business throughout the state. My Channel 8 investigative story and other editorials were hacked from the internet to quiet me and others who showed concern. My attempts over these past years to expose corruption and rectify what has been done wrong for so long , has resulted in people loosing employment, people “jumping ship” in order not to get caught, people loosing State contracts, and others even being threatened and accused falsely and unfairly. Some blasters closed down quarries, some blasters backed off on the heavy use of fire power during

a blast. One Quarry owner was made to back off the fight to blast a protected aquifer area and land swap deal. One blasting company left the state to do business elsewhere. The Fire Marshall's are only required to know the location of the explosives and how they are transported. The blasters have free reign and are well aware no one is monitoring the job sites, and they can walk away free. Insurance says it didn't happen and the damaged party has to prove the damage. I have contacted twenty or more agencies in Connecticut, Washington DC, and other states. I have contacted Legislators and four responded and nothing came of it. I am enclosing a copy of a letter sent to Governor Malloy and Senators Blumenthal and Murphy, who never bothered to reply.

Sincerely,

Deborah F. Rindge

June 5, 2015

Dear Senator Blumenthal

I am writing to inform you about Legislation for An Act Concerning Blasting that was neglected during this session. Three legislators brought forth Bills to try to change things when property is damaged due to blasting. I contacted Senator Art Linares of the 33rd District last year to help me create Legislation after I lost my well and now owe a bill for fifteen thousand dollars. Last year's date for a CGA hearing for 2014 was dropped; a powerful lobby group had my date cancelled. We have a lack of protection and payment for those of us whose property has been destroyed and damaged from blasting due to construction or continual quarry and industrial blasting. When I lost my well 3 years ago I went to find out what to do and how to get paid. After a long investigation what I found was that no one gets paid. What I found instead was the insurance company of the blaster says nothing happened...they say we have old wells and weak houses...they tell us it is our job to prove that blasting caused the destruction by hiring paid professionals. These pros work for the blasters and the insurance companies to give expert testimony that says blasting did not cause the damage. I was amazed and disgusted to find that so many conflicts of interests exist concerning this subject. Everyone is connected and protecting the people who are doing the damage. I wrote to every agency in the State of Connecticut and no one got back to me except the DEEP who was of no help. There are many people with damage who tried to bring a lawsuit only to find out they wasted lots of money and they could not win. In 2014, I attempted to bring attention to this problem by joining a group of about 30 people in Thompson CT. They have been continually blasted with cracked foundations, broken roofs, brown water and foul smelling air. I went to many Planning and Zoning meetings in Thompson and we had media coverage with a story filmed by the Channel 8 Investigators. We had a great article exposing the Thompson Quarry and the damage to Thompson property owners with our stories published in the Reminder News. The Channel 8 piece was mysteriously removed shortly after it ran and the Reminder News was purchased by The Hartford Courant and the stories stopped. There is presently nothing on the internet about the Thompson blasting damages or other stories except 3 letters to the editor that I wrote last year. Someone took us down and after being damaged we were not allowed the freedom of the press our stories were squelched. This is why I am contacting you Senator Blumenthal, so that you are aware of the need for all people in Ct. to have their property protected and to be paid for damage without fighting in litigation. I also want to see updated regulation, inspection and documentation for all blasting situations. If these businesses want to blast they should be made to pay they carry insurance that we never see. We are entitled to be protected against people damaging our property. We pay very high taxes. We are citizens who should be included in protection and payment when our property rights are infringed upon. There needs to be retro payment for as many years as possible seeing this industry has not paid any money for damages they created. Blasting is an Ultra Hazardous Activity....You Blast You Pay. We should not be made to prove the blasting damage. Geology is not an exact science

and blasting is the cause of all our damage... we were fine... they blasted... and now we are destroyed...from the integrity of our property to our peace of mind. In the case of quarry blasting this destruction happens daily. There needs to be many changes and they need to be made now. I am hoping that you will read the testimony submitted during the Public Safety Committee Hearing that took place on February 19, 2015. I am enclosing it with this letter. Many people are afraid to come forward concerned about retaliation from living next door to the powerful owners of the businesses that have been allowed to hurt them for so long. The people we elect who are supposed to represent us have taken oaths to protect all property owners. After all ... Property is the Foundation of All Rights. Those who represent us must try to imagine this situation happening in their life living with daily destruction to their homes... the value of their property diminished...terribly damaged air, soil and water... or paying for a well that someone ruined.

I am petitioning you Senator Blumenthal as the Senator representing the State of Connecticut, to uphold the rights of the people of this State who have been destroyed financially and otherwise by the effects of blasting. They have no peace or protection. Where can you go in this State or any other and destroy someone's property and get away with it? We are property owners and our rights have been neglected. Can we call this discrimination? Can this continue as it is leaving taxpaying citizens out of the loop of payment and protection? Can this big business with power money and influence be favored ahead of those they hurt and get away with it? Something is very wrong with the picture and it has to be fixed. I hope you will consider what I am asking and help those of us who need you.

Many Thanks for your time and consideration.

I am waiting to hear your reply.

Sincerely,

Deborah Fijal Rindge

PO Box 71 Chester CT.06412

debbierindge@yahoo.com

Archived: Tuesday, January 19, 2021 1:24:38 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:59
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Development
Importance: Normal

Neil

From: carol corry [mailto:carolcorry1956@hotmail.com]
Sent: Monday, January 18, 2021 7:40 PM
To: Pade, Neil
Subject: Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

To Whom It May Concern,

We are deeply disturbed and totally against the development of the land on Rt 44 Albany Turnpike to be used as a car dealership along with a gas station and other designated businesses. This development would require extensive blasting that would create contamination of our water supply since we have a well. This construction plan is against zoning regulations, would be an eyesore, and would be out of character with the existing community. Please reconsider downsizing or eliminating this application since it will destroy our environment and pose a safety hazard in polluting our ground water supply.

Sincerely,
Carol and Douglas Corry
7 Birch Rd.
Avon, CT 06001

Archived: Tuesday, January 19, 2021 1:24:27 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:52
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Trap Rock Ridge
Importance: Normal

Neil

From: Stacy Kurtz [mailto:stacy.kurtz@gmail.com]
Sent: Monday, January 18, 2021 7:30 PM
To: Pade, Neil
Subject: Trap Rock Ridge

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

\u-257 ?
\u-257 ?
Hello,

I live at 10 Fernwood Drive in Simsbury. I oppose this proposed development as I am concerned with my well water being contaminated. A public water connection does not run through my neighborhood so if our wells are contaminated we will not have access to potable water, an essential for living. As a local Realtor, this proposed development is also a concern for me and the resale of homes that may be impacted by this development. Thank you for your time.

Best regards,
Stacy Kurtz

Licensed CT Realtor
Keller Williams Realty
524 Hopmeadow St.
Simsbury, CT 06070

Cell: 860-573-2727
Direct fax: 860-727-5634
Email: stacykurtz@kw.com
Website: www.stacysellsct.com
Facebook: <https://www.facebook.com/stacykurtzrealtor/>

Your move is my mission.

--

Best regards,

Stacy Kurtz

Licensed CT Realtor
Keller Williams Realty
524 Hopmeadow St
Simsbury, CT 06070

Cell: 860-573-2727

Fax: 860-727-5364

Email: stacykurtz@kw.com

Website: www.stacysellsct.com

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(Be sure to enter my agent code: KW2KGBYFI)



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Archived: Tuesday, January 19, 2021 1:24:18 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:41:08
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposition to Mark Greenberg Development
Importance: Normal

Neil

From: James [mailto:jimmathews517@gmail.com]
Sent: Monday, January 18, 2021 8:03 PM
To: Pade, Neil
Subject: Opposition to Mark Greenberg Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

Our family has lived in the north side of Avon, near Canton, for over thirty-one years. The proposed project by developer Mark Greenberg on the land located at 9 – 15 Albany Turnpike in Canton will adversely impact our family. We are greatly concerned about the environmental impacts of the trap rock mining and the effect on our well water. In addition to changing the character of Canton and its adjoining towns from rural to industrial. Do we really need another gas station on Route 44?

We urge you to say no to the development plans.

James, Hollis, Daniel, Reid, and Bryn Mathews
160 West Avon Road
Avon, CT

Sent from [Mail](#) for Windows 10

Archived: Tuesday, January 19, 2021 1:24:14 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:42:07
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: New development 9-15 Albany turnpike concerns
Importance: Normal

Neil

-----Original Message-----

From: Jerry Franceschetti [<mailto:jerryfranceschetti@gmail.com>]
Sent: Monday, January 18, 2021 8:44 PM
To: Pade, Neil
Subject: New development 9-15 Albany turnpike concerns

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

I want to start by saying thank you for listening to our concerns about this project.

Here is a little bit about myself I have a wife and two beautiful boys 4 and 1 years of age. We moved to this great town that we love about 2 years ago. We are very concerned about this project cause we use our well water for showering, bathing, drinking, etc. I am reading that this project could contaminate our wells which would impact our life's. We love our well water and could not imagine not having it. I can't imagine the town would move forward with this just knowing that it could impact there residents way of living.

We live on Lawton road which we love but the cars already drive way to fast on. There has been multiple incidents where I was traveling north on Lawton and got passed right before I turned into my driveway with my boys in the car. Which is total unacceptable! The reason I am bring this up is I was reading and it says this route could be used as a detour. I think it is another bad idea. There are way to many house with small children on this road plus a lot of people riding bikes and people jogging or walking. This will just make it very dangerous for everybody.

I really hope you are taking all of the canton residence in consideration before making your decision about this project. I don't see one beneficial think about this. I really hope the town does not go through with this project.

Thank you Jerry

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:24:05 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:42:42
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9/15 Albany Turnpike Development - Concerned residents
Importance: Normal

Neil

From: Francesca Pra [mailto:pra.francesca@gmail.com]
Sent: Monday, January 18, 2021 8:57 PM
To: Pade, Neil
Subject: 9/15 Albany Turnpike Development - Concerned residents

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

We are writing to express our strong opposition to the proposed development at 9-15 Albany Turnpike. While we are not opposed to bringing new business to our beloved town, we oppose a development that will be extremely detrimental to the area and town at large with virtually nothing to gain (an estimated .3% of the town's budget in tax revenue). This plan has the potential to create years of traffic headaches, road safety problems, environmental hazards, as well as infringing on residents' rights to access clean air and water. Instead, please approve the land to be used for a plan in accordance with the Town Plan which protects health and property values of residents.

We urge you to reject the proposed development that so many residents are fighting against and kindly ask you to provide us with the Zoom meeting details to join tomorrow's public hearing.

Thank you for your continued service and support of our communities.

Jeffrey & Francesca Morisano

P.S.

We can't count the number of times we've seen turkeys grazing on this land over the decades which has always been such a nice and iconic welcome into town.

Archived: Tuesday, January 19, 2021 1:23:58 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:42:47
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike Development Opposition
Importance: Normal

Neil

From: Mike LAST_NAME [mailto:soccerpromaz@comcast.net]
Sent: Monday, January 18, 2021 9:09 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike Development Opposition

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

I am a longtime resident of Canton and I am strongly against the proposed development of the property in question on route 44. My concerns are the amount of rock being removed, constant traffic on 44, the possible damage to wells in the area and the current number of gas stations in the area.

Thank you for your time,
Michael Ziemba
111 Dowd Ave
Canton CT

Archived: Tuesday, January 19, 2021 1:23:54 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:42:27
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Ridge
Importance: Normal

Neil

-----Original Message-----

From: Elaine Morisano [<mailto:ermorisano@gmail.com>]
Sent: Monday, January 18, 2021 8:54 PM
To: Pade, Neil
Subject: Ridge

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil— it is beyond conceivable for me that the people of the town of Canton would allow the destruction of that beautiful ridge that is the gateway to Canton!!!— For 20 gas pumps and a fancy convenience store? How beyond absurd! The electric vehicle idea is also ludicrous considering there are 5 dealerships within walking distance. I assume all of them will be selling electric vehicles in the next five years and they all have showrooms!!! The environmental impact will be disastrous with the constant blasting - not only for the animal habitats but also the possible disruption to the toxic waste site that is so close, or disruption to all the local wells and the impairment to the air quality for many local residents for years!! I am profoundly against this idea! There have to be better plans available for this area. I hope the people of Canton can unite against this horrible plan!!!
Elaine Morisano

Archived: Tuesday, January 19, 2021 1:23:50 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:42:15
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Rt 44 proposal
Importance: Normal

Neil

-----Original Message-----

From: GERARD CASALE [<mailto:gncasale@snet.net>]
Sent: Monday, January 18, 2021 8:46 PM
To: Pade, Neil
Subject: Rt 44 proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade and Whomever else this may concern,
How can town officials even THINK about approving a project potential so disastrous! The plans and almost Carter's Blanche permits will seriously degrade the nature and quality of life of the entire area of 3 towns not to mention the possible toxic effects. Please think of all the ramifications carefully. Thank you for the opportunity to give my opinion.
Rosemary Casale
77 Tyler Ct
Avon, CT 06001

Sent from Rosemary. Casale

Archived: Tuesday, January 19, 2021 1:23:42 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:41:57
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Tpke. Development
Importance: Normal

Neil

From: Mary T. Pakulski [mailto:marytpakulski@hotmail.com]
Sent: Monday, January 18, 2021 8:42 PM
To: Pade, Neil
Subject: 9-15 Albany Tpke. Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Canton Zoning Commissioners,

I am writing to strongly oppose the special permits for the proposed development at 9-15 Albany Turnpike in Canton.

The blasting, excavating, drilling and crushing mega volumes of 118,450 cubic yards carries many risks for Canton, Avon and Simsbury. Dump trucks can carry about 10-14 cubic yards. That would be approximately 9,800 to 11,000 dump truck removals and runs!! That would be a huge impact on our traffic, destruction of our natural countryside, and pollution with risks for the residents' health. The leaching, breakdown, and excursion of unknown harmful chemicals to our aquifers' will pollute our drinking water. These rocks have been there for thousands of years and as previous residents mentioned, can release radon, arsenic and other unknown geological minerals and chemicals into our water.

There have been well documented contaminated wells from chemicals released from a dry-cleaning business in Canton. Also, when a housing development was built on Canton Springs Rd. several years ago, I had dirt pollution from the digging and

blasting to my well water. I have a water neutralizer which could not keep up with the dirt, micro stones and sand in the filter.

Also, from a personal perspective, I almost bought a house in a nearby town and asked for a water test as part of the inspection. The findings were MTBE!! The owners never knew it was in their water and were never told their water was contaminated from a gas spill in town. The house was condemned and I lost my whole deposit.

These are all possibilities with a 20-gas station service and this proposed development.

Water is the essence of our lives. Contaminated water would affect our health, damage the value of our homes, our hard-earned savings and could become a litigious matter. The Canton zoning regulations must support the rights of its residents for clean, potable water. We cannot take unforeseen risks. Contaminated aquifers cannot be reversed.


We rely on clean, non-polluted, chemical free water. Many of us are vigilant in using green products for our lawns so our wells will have clean water. Wouldn't you want the same thing where you live?

Please remove the development permits proposal for our town and the surrounding towns. Our residents work hard to conserve our natural, bucolic countryside for future generations and to live in a safe environment. We need practical boundaries and view this proposal as having no forward vision for generations to come. It is out of place for Canton.

We are all trying to live safely with the Covid-19 pandemic. Please help us live safely with our families with clean, pure water. Thank you and all the residents involved for their hard work, research, analysis and forethought.

Sincerely,

Mary Pakulski
Pond View Drive
Canton

Archived: Tuesday, January 19, 2021 1:22:26 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:44:42
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Petition, public hearing Tuesday night, re: rock blasting on Rte. 44
Importance: Normal
Attachments:
[Public Hearing speaking tips.docx](#); 

Neil

From: SouthWest Homeowners Assoc. [<mailto:swha@snet.net>]
Sent: Monday, January 18, 2021 9:46 PM
Subject: Petition, public hearing Tuesday night, re: rock blasting on Rte. 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

South West Homeowners Association

Pass this information to a neighbor to keep them aware of the activities in the South West.

Be part of our e-mail list by sending us your name, address, phone and e-mail.

Dear Neighbors,

There is now a petition against this application. [Sign online here](#) or in person at the Bagel Deli in Canton Village before 9 a.m. Tuesday, 1/19. (You can join by phone or Zoom.)

At tomorrow's public hearing, be prepared to **hang in there**: public comment may not begin for a couple of hours after the meeting starts. Developers count on the public tiring and giving up.

If you're new to how land use public hearings work, see the attached so you'll know what to expect. The Commissioners are volunteers and legally obligated to listen to everyone. Please focus comments on what they legally can rule on -- whether to grant the special permits requested.

For more info see <https://bit.ly/3ibOtv3>

The hearing starts **Tues, Jan. 19** at 7 p.m.

Link: <https://us02web.zoom.us/j/89428448680?pwd=WmQ5eWFienluYjZ0WndoVEZkOUZSdz09>
Passcode: 8C48jL

Call In: +1 929 436 2866
Webinar ID: 894 2844 8680
Passcode: 403453

We have hired an expert hydrogeologist and licensed environmental professional who will present the case for why this plan puts groundwater in grave danger. If you can chip in \$5 for his fee, we'd appreciate it. Info on [Canton Cares](#) website for how to donate.

If you still want to write a letter, please send it to the Commission via Town Planner Neil Pade at npade@townofcantonct.org. The sooner the better so that the Commissioners have time to read it.

Thanks, and please share this email with friends.

Theresa

--

Theresa Sullivan Barger
8 Pond Road
Canton, CT
860-805-4404

Tips on speaking at Planning & Zoning Commission public hearings

State law dictates how land use public hearings are conducted, and what criteria commissions can use when approving or denying an application.

Therefore, there are a few rules to follow when speaking at a hearing, and what may be important to YOU about a proposed development may be legally irrelevant to commissioners.

In Canton, residents don't elect land use commissioners. They are volunteers and are appointed by the Board of Selectmen, who are elected.

Therefore, you can't (and shouldn't even if you could, if you want your comments to be taken seriously) tell land use commissioners you will "vote them off" the commission if they approve a development you oppose.

Some tips:

- When recognized to speak, state your name and address, so the chair doesn't have to ask you.
- Direct your comments and questions to the commission, not to the applicant.
- Be aware that the hearing is being recorded.
- The chair usually gives speakers a time limit, typically 5 minutes.
- Be as concise as possible.
- Don't be repetitious of others' points. Feel free to simply say, "I agree with the speaker before me."
- Keep to the relevant points, which include the specifics of this particular application, and how they align with town zoning regulations and the town Plan of Conservation and Development.
- The chair will listen to all speakers before addressing their comments and questions; don't expect an immediate response.
- The commission cannot legally take into consideration irrelevant factors like: we already have enough car dealers, what we really need is more bed and breakfasts; there are other parts of town that should be developed first; I don't like this particular store; I want that other store.
- The applicant's track record, reputation and town of residence are irrelevant to this decision.
- Be respectful of all participants, including town staff, commissioners, and the applicant and their team.
- Bringing up issues not relevant to the application wastes commissioners' time and will only serve to annoy them.
- Hang in there: hearings last for many hours. Developers hope you will tire and give up.

Canton Advocates for Responsible Expansion, Inc.
C.A.R.E. ... It's your town, too.
P.O. Box 196, Canton CT 06019

Jan. 18, 2021

To: Canton Planning and Zoning Commission
4 Market St.
Collinsville, CT 06022

Re: File 475; Apln 2000; 9 and 15 Albany Turnpike

Dear Commissioners:

Canton's Zoning Regulations state that "[i]n approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility." In our opinion, the special permits that this applicant seeks are inconsistent with every one of these aspects of Canton's condition and character.

As to the potential economic impact of the proposed project, we sought the input of Fred Carstensen, Director of the Connecticut Center for Economic Analysis at UConn's School of Business and one of the state's foremost economic experts. As you can see from his observations (attached), Mr. Carstensen is "very skeptical of the commercial sense this [project] makes," and is of the opinion that it may in fact "be in large measure cover for a quarrying operation." He also questions whether the project would deliver any net economic benefit to Canton.

We urge Commissioners to keep the following concerns in mind when considering these special permits:

- A 20-pump gas station. While Route 44 may be a busy thoroughfare, it is certainly no interstate highway, which is where gas stations of this size are typically located. The Commission needs to consider what the town would be left with if this particular business were not successful.
- A 23,500 square-foot car showroom. This almost approaches the combined size of two nearby auto dealerships: the Mitchell Subaru and VW showrooms (total of 26,700 sq. ft.).
- The excavation of nearly 147,000 cubic yards of trap rock from the site. The magnitude of this undertaking - in term of both duration and volume of material - is so colossal that the special permit request itself borders on the astonishing.
- Retaining walls higher than 8 feet. A project that necessitates the building of a retaining wall whose height across much of its length would vary from 4 to 32 feet (exclusive of the stabilized rock face) is inconsistent with the topography of the subject parcel and the surrounding area.

The requested special permits are inadvisable from an economic sense, and unacceptable from a regulatory sense. We urge you to deny them.

Regards,
Jane Latus
President

Via email - NPade@TownofCantonCT.org

January 18, 2021

Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
P.O. Box 168
4 Market Street
Canton, CT 06022

RE: Application for 9-15 Albany Turnpike, Canton

Dear Mr. Pade,

I am writing to voice my support for the application of the proposed development of 9-15 Albany Turnpike. I am a Canton resident and the owner of Suburban Sanitation. My parcel at 15 Colonial Road is adjacent to 9-15 Albany Turnpike. I strongly support the redevelopment of this parcel.

Respectfully,

A handwritten signature in cursive script that reads "Frank Zacchera".

Frank Zacchera
33 Old Canton Road

January 18, 2021

Dear Canton Planning & Zoning Commissioners,

I am writing to express strong opposition to the special permit requests sought by the developer of 9-15 Albany Tnpk., Canton to, in part, blast and remove at least 118,450 cubic yards of rock from the site. As a resident on West Mountain Road near the site, I am concerned about the negative impact approving these requests will have on area residents, specifically with respect to well water pollution/flow and noise pollution.

First, given the proximity of the blasting site to the Swift Chemical Superfund, there is a particularly high risk of releasing toxins into areas that provide water to hundreds of homes in Canton, Avon, and Simsbury. Once groundwater is contaminated with naturally occurring materials such as radon, arsenic, nitrates, and magnesium, it can't be undone. Residents will be left with the negative health and financial consequences of this pollution. I am also concerned about the impact on well water flow, as I am aware that blasting can decrease pump yield.

Second, the developer is seeking a special permit to allow 16 months of blasting and related rock mining activity in a location adjacent to residential areas. Approval of this permit will subject hundreds of residents to excessive and grating noise pollution (e.g., blasting, crushing excavating, drilling) 6 days a week for an extended period of time. As a clinical psychologist I am aware of the negative impact noise pollution can have on mental health and overall quality of life. For example, noise pollution, particularly but not exclusively among those with sensory sensitivities, can be associated with an excessive stress response leading to both physical and psychiatric symptoms (e.g., increased blood pressure, anxiety, irritability, fatigue). A mining operation as proposed by this petition does not belong in the middle of a commercial strip surrounded by homes.

I am requesting that you please enforce the current zoning regulations and deny the applicants requests for special permits that would allow, in part, the above-mentioned blasting/mining. Please protect the health and quality of life of area residents by holding firm to current zoning regulations and alternatively supporting projects which conform to the space and zoning requirements already in place.

In addition to pollution concerns highlighted above, I also want to emphasize that I concur with the letters on file written by Attorney Michael Pendell and Jane Latus, president of C.A.R.E which outline numerous other community concerns about this proposal.

Thank you for your time and thoughtful consideration.

Sincerely,

Gretchen Diefenbach Slater
377 West Mountain Road
West Simsbury, CT

January 18, 2021

Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
P.O. Box 168
4 Market Street
Canton, CT 06022

RE: Application for 9-15 Albany Turnpike, Canton

Dear Mr. Pade,

I am writing to voice my support for the application of the proposed development of 9-15 Albany Turnpike. I am a Canton resident and part of the entity that owns the former La Trattoria restaurant at 21 Albany Turnpike. This new proposal is vital to the redevelopment of our parcel. The owners have provided us with access to their proposed traffic light which will allow for safer access to Route 44 for our future customers.

Respectfully,



Kei Lam
68 Ellsworth Lane

January 18, 2021

Canton Planning and Zoning Commission
P.O. Box 168
4 Market Street
Canton, CT 06022

Dear Members of the Commission,

As residents of 40 Forest Lane, we have been listening to the last several public hearings in order to learn more about the proposed project at 9-15 Albany Turnpike. While we are not opposed to development on the property, we do have concerns about the current proposed project. The fact that 9 special permits are being requested goes to show that the project is too large for the given location. We believe any project at that location should abide by the town regulations and not need special permits. Furthermore, we are concerned about the environmental effect that the excavation and removal of rock. We are on a well and worry that our well will negatively impacted. The proposed blasting schedule would impact our quality of life with the excessive noise and traffic disruption as we regularly travel by the proposed site.

We oppose this project and request that the commission deny the 9 special permits. Thank you for the important work you do and for taking these serious issues into account during your discussions.

Sincerely,
Ryan and Jessica Fisher
40 Forest Lane

Archived: Tuesday, January 19, 2021 1:18:10 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:37
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposed
Importance: Normal

Neil

From: Helena Adorno [mailto:adornoh7@gmail.com]
Sent: Monday, January 18, 2021 7:24 PM
To: Pade, Neil
Subject: Opposed

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I would like to be on the record as apposing the development of the Trattoria property.
I live on Birch Road!
I believe it will have a major negative impact on our properties andthe lake!!

Helena Adorno
Birch Road
Avon, CT 06001

Archived: Tuesday, January 19, 2021 1:18:02 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:28
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: opposition to 9-15 Albany Turnpike in canton - La Trattoria restaurant site
Importance: Normal

Neil

From: April Roy [mailto:abarthuly@gmail.com]
Sent: Monday, January 18, 2021 7:24 PM
To: Pade, Neil
Subject: opposition to 9-15 Albany Turnpike in canton - La Trattoria restaurant site

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi,

I strongly oppose more projects to be built at the Albany Turnpike location due to it already being crowded and taking away from the scenic beauty of this area.

Thanks,

April Roy
Avon, CT

Archived: Tuesday, January 19, 2021 1:17:53 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: RT 44 Developement Opposition
Importance: Normal

Neil

From: JULIUS ZIEMBA [mailto:jaziemba@comcast.net]
Sent: Monday, January 18, 2021 6:52 PM
To: Pade, Neil
Subject: RT 44 Developement Opposition

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Sir,
I am writing to you to express my opposition to the proposed development of the former LaTrattoria property. The danger is too great for damage to this area and Canton can not win but could surely lose if this moves forward. Please accept a very strong NO from myself.
Thank You
Julius A Ziemba
111 Dowd Ave
Canton CT

Archived: Tuesday, January 19, 2021 1:17:46 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:10
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Route 44 Development Proposed Jan 19, 2021 Opposition
Importance: Normal

Neil

From: abzinct@comcast.net [mailto:abzinct@comcast.net]
Sent: Monday, January 18, 2021 7:08 PM
To: Pade, Neil
Subject: Route 44 Development Proposed Jan 19, 2021 Opposition

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I live on Dowd Avenue near 44 and am voicing my opposition to the RT 44 development plan. The blasting would be very disruptive and the site placement seems very ill-advised. I feel that the effects of this proposal would be destructive to the landscape and could adversely affect the groundwater. We have already had chemical contamination to the water and I would not want to risk this happening again.

Please do not let this development go forward.

Sincerely,

Anne Ziemba
111 Dowd Ave,
Canton, CT

Archived: Tuesday, January 19, 2021 1:17:38 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:40:18
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Neighbor
Importance: Normal

Neil

From: Helena Adorno [mailto:adornoh7@gmail.com]
Sent: Monday, January 18, 2021 7:09 PM
To: Pade, Neil
Subject: Neighbor

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am concerned about having a gas station located at the former Tratoria!
I plan to attend the meeting on 1/19.

Helena Adorno

Archived: Tuesday, January 19, 2021 1:16:41 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:33:53

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: 9-15 Albany Turnpike

Importance: Normal

Neil

From: Rosemary Brennan [mailto:rosemarybren1@gmail.com]

Sent: Monday, January 18, 2021 5:15 PM

To: Pade, Neil

Subject: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello,

Please make sure that the developer will be responsible for the remediation of the property and has the bonding/funding to do so. If in fact he does, I have no objection.

Rosemary Brennan

59 Secret Lake Rd

Canton

Archived: Tuesday, January 19, 2021 1:16:37 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:34:21
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Tap Rock Ridge Development
Importance: Normal

Neil

-----Original Message-----

From: Sarah Vukalovic [<mailto:sarah.vukalovic@gmail.com>]
Sent: Monday, January 18, 2021 6:13 PM
To: Pade, Neil
Subject: Tap Rock Ridge Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil,

As a resident of Parkview Drive, I heartily oppose the proposed development at Tap Rock Ridge. We have owned our home for 6 years, moving in shortly before the birth of our first child. Today we have 3 little ones, and we love our location more than ever for their sake, given everything the Farmington Valley has to offer our young family.

In the last 6 years we have made significant improvements to our property, and intend on making many more. This is our "forever home," where we hope one day our grandchildren will visit us to canoe from our back yard that backs up to Secret Lake. I know of many families in our neighborhood who feel similarly. I ask that you please consider the collective investment we have all made in our own properties before accepting the proposed development.

Best,
Sarah Vukalovic
138 Parkview Drive
Avon CT 06001

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:16:29 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:39:36
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: EV Showroom/fueling station--comments for record of mtg on Jan 19, 2021
Importance: Normal

Neil

From: Dawn Cohen [<mailto:DawnCohen@hotmail.com>]
Sent: Monday, January 18, 2021 6:35 PM
To: Pade, Neil
Cc: Cohen, Daniel W.
Subject: EV Showroom/fueling station--comments for record of mtg on Jan 19, 2021

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello,

It recently came to my attention that a developer is petitioning to create a complex (EV showroom, fueling station, eateries, etc.) on a site to the east of the former La Trattoria restaurant in Canton. I hope it is not too late to submit comments for the record of tomorrow's (1/19/21) meeting.

My name is Dawn Cohen. I live with my husband and 2 children on Drumlin Rd in West Simsbury. Drumlin Rd is located adjacent to this site of proposed development, right off of Mountain Rd on the West Simsbury/Canton line.

I have significant concerns about the development of this site. To be very direct, it scares me. I have read the article in the Valley Press and reviewed documents available on the Canton website. I share the concern of other nearby homeowners about the potential noise pollution, possible traffic congestion and probable negative impact on the quality of life of nearby homeowners during the 2 years of construction. However, those are only mild worries from my perspective. As far as I'm concerned, those are not reasons to ultimately object to the site's development.

My major fears are related to the potential pollution of my well water, possible disturbance to the foundation of my home and the impact that these effects would have on the health and wellbeing of myself and my family. It is my understanding that the construction would occur adjacent to the old Swift Chemical site and would involve blasting tap rock to create the development. I have read about the Swift Chemical site and understand that there are dangerous chemicals that have been left underground in that location. I find it terrifying to think that those chemicals could find their way into the drinking water of my family and my neighbors. I know that there have been reports saying that the potential for water contamination is low. However, I have seen other cases where this has been said to protect the interests of those with money/power and then the contamination does happen. I don't understand how our towns (Canton and Simsbury) would allow for this type of development to occur unless they could guarantee that water pollution would definitely not happen. And to date, I have seen no guarantees.

In summary, I am not opposed to development on Rt 44, or even to the development of the land in question. My concerns are about HOW the developer plans to build this structure (ie, blasting the trap rock) and the potential devastation that would result if our drinking water became contaminated and my home lost its worth. Please help me to protect the health, safety and property value/financial health of my family and my neighbors/friends by considering these concerns.

Thank you,
Dawn Cohen
2 Drumlin Rd.
West Simbury, CT 06092
703-403-0589

Sent from [Mail](#) for Windows 10

Archived: Tuesday, January 19, 2021 1:16:21 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:34:14
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike, Canton
Importance: Normal

Neil

From: CHRISTINE COMEN [mailto:comen00070@sbcglobal.net]
Sent: Monday, January 18, 2021 5:50 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike, Canton

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am writing to plead with you and all other reasonable, involved individuals with regard to the proposed project, to cancel this potentially catastrophic plan.

This development involves blasting of the site's rock ridge for 1.25 years, 6 days a week over our shared aquifer. This acquirer feeds our wells that we are totally dependent on day and night. How could such a project be allowed when it has a very real and serious potential to harm us and our families?? Who could, with any clear conscious and basic human decency, allow this to happen? The sound of blasting alone is frightening, disruptive and harmful to each of us and the environment. How did it ever get THIS far? One may equate this potential environmental event to that in Flint, Michigan. Exactly WHO benefits from this project?

I plan to attend the virtual town meeting tomorrow.

Respectfully,
Christine Comen
10 Ridge Drive
Canton, CT 06019

Archived: Tuesday, January 19, 2021 1:16:13 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:34:05
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Against Current Plans for 44 Development
Importance: Normal

Neil

From: K Mc [mailto:kbkm70@gmail.com]
Sent: Monday, January 18, 2021 5:38 PM
To: Pade, Neil
Subject: Against Current Plans for 44 Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade,

Like many others, we are writing to you regarding the proposed plans for 9-15 Albany Turnpike.

First and foremost, we are NOT against developing our town. We believe we need the benefits of expanding our tax base but done SMARTLY and with regard to the people of Canton (and neighboring towns) and the character of our special town.

The proposed plan does nothing to enhance the character of the town and results in a meager 0.3% tax result for the described inconveniences, **HEALTH RISK**, and detriment to local businesses.

Why is the town even considering...

1. An electric vehicle **SHOWROOM** for unknown manufacturers, which will result in NO purchases as EV manufacturers are forbidden to sell in the state -- not to mention that **just 2% of the state's residents drive EVs.**(CT.gov, April 2020)

2. Another Gas Station?? When two others are less than a half mile down the road? This alone is maddening particularly given the proposed location and the already high traffic volume that results in major back ups and frustrated drivers. Those hampered by the cadence of the lights already use the backroads to circumvent the traffic load...this will only grow worse if yet **ANOTHER TRAFFIC LIGHT** is added in a very risky part of Route 44. **Further detracting from the peace and pace of life we aim to preserve on our residential backroads.**

3. Another Ice Cream store? Another fast food joint? Have mercy. **If you want to enhance the lives, character and bottom lines of Canton businesses -- can we get more creative with what we allow to cause such disruption?** Let it pay off more for the people who live here but also those who would like to visit! Let's diversify -- for goodness sake. How about a performing arts center? This fits the flavor of Canton. Perhaps flanked with some more eat-in establishments of different cuisines and price points? A true farm-to-table restaurant? A NY style deli with high-end food offerings? A microbrewery? A luxury home retailer like West Elm, CB2, Crate and Barrel, Pottery Barn? These are suggestions for development -- but not at the risky site under protest. How about directing the developer to buy the land that Mitchell Subaru/Land Rover resides on across for the Farmington Valley Shoppes? Less work for them. Less risk for the residents of Canton, Simsbury, Avon.

To close our comments, we ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents. One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes. Canton would only be making a very wealthy man, even wealthier at the expense of so many. Mark Greenberg's empire is big enough and spans multiple states. No doubt he'd like this project as a feather in his cap before he moves on to somewhere else. Please let's develop in a smart and thoughtful way without taking the first offer.

Thank you for your time.

Sincerely,
Kara and Pete McConville
1 Tanglewood Drive
Canton CT 06019

January 12, 2021

Neil Pade AICP
Director of Planning and Community Development
Canton Town Hall
P.O. Box 168
4 Market Street
Canton, CT 06022

**Re: 9-15 Albany Design
Electric Vehicle Show Room**

Dear Mr. Neil Pade,

Our office has received comments and participated in conversations discussing the architectural design of the proposed Electric Vehicle Show Room at 9-15 Albany Ave in Canton, CT. It is understood that the Town of Canton Planning and Zoning Commission is requesting modifications of said design to incorporate design features referenced within the Canton Village District Form-Based Design Code, most specifically section 6. It was further discussed that Phase Zero Design would provide efforts to revise the architectural design reflecting changes to the exterior finishes, however, the proposed building form and footprint would remain as previously submitted.

Please find the attached drawings which include revised architectural designs reflection alternate exterior finishes and minor changes to the second floor car displays. Within these drawings, changes have been made to incorporate comments and the Canton Village District Form-Based Design Code as follows:

- The proposed 2nd floor car displays have been redesigned as an exterior balcony with straight, vertical supporting columns. The glass box enclosures have been eliminated and replaced with a guardrail. Both of these changes have been implemented to create a less “futuristic” appearance with a traditional second story balcony and structural design as referenced within Canton Village District Form-Based Design Code, Section 603,A
- Metal paneling materials have been removed from the building design and replaced with ledgestone, split-face block, painted PVC trim, and increase usage of simulated wood siding.
 - The allowed use of both horizontal and vertical simulated wood materials are referenced within the Canton Village District Form-Based Design Code, section 603,B,4,b
 - The allowed use of ledgestone is referenced within the Canton Village District Form-Based Design Code, section 603,B,1,b
 - The allowed use of Split-face block is referenced within the Canton Village District Form-Based Design Code, section 603,B,2,e
 - The allowed use of PVC trim is referenced within the Canton Village District Form-Based Design Code, section 603,B,2,h



These design changes have been completed with diligence to appease the Town of Canton Planning and Zoning Commission. Should additional comments or questions arise, please feel free to contact me.

Sincerely,

Phase Zero Design INC

Christopher T. Milliard, AIA, NCARB
Senior Associate/Project Manager

Archived: Tuesday, January 19, 2021 1:14:50 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:33:44
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike project
Importance: Normal

Neil

-----Original Message-----

From: Candis Harper [<mailto:chuharper31@gmail.com>]
Sent: Monday, January 18, 2021 4:46 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi: I own a home on Pond Road and I'm very concerned with the possibility of well contamination due to this development. I am opposed to its approval for development.

Candis Harper
15 Pond Road
Canton CT
860-747-3032

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:14:42 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:32:59
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Objection to proposed development by Mark Greenberg
Importance: Normal

Neil

From: Bridget Dunn [mailto:bridie817@gmail.com]
Sent: Monday, January 18, 2021 4:29 PM
To: Pade, Neil
Subject: Objection to proposed development by Mark Greenberg

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

As a resident of Canton (11 Saddle Ridge), I strongly object to the proposed development (La Trattoria) by Mark Greenberg. I believe this excavation and blasting for the development will cause a risk to public safety and health. Please do not let this get approved.

Thank you.
Bridget Dunn

Archived: Tuesday, January 19, 2021 1:14:33 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:30:08
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9 - 15 Albany Turnpike development
Importance: Normal

Neil

From: Joe Dawkins [mailto:josed1987@sbcglobal.net]
Sent: Monday, January 18, 2021 3:15 PM
To: Pade, Neil
Subject: 9 - 15 Albany Turnpike development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am opposed to the proposed development at the La Trattoria Restaurant site. The site is especially attractive visually and presents many environmental challenges. Surely the developer and the Town of Canton can find a more desirable location.

Additionally, several recent developments along Rt 44 in Canton have turned the highway into a duplicate of the 'Berlin Turnpike'. Is this what Canton wants or needs ?

As a local resident I am opposed to this project.

Joe W. Dawkins
Avon, CT

Archived: Tuesday, January 19, 2021 1:14:26 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:31:17
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: I strongly oppose
Importance: Normal

Neil

From: Lisa Weiss [<mailto:lisa@lisaweissconsulting.com>]
Sent: Monday, January 18, 2021 3:21 PM
To: Pade, Neil
Cc: Lisa Weiss
Subject: I strongly oppose

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

The Canton expansion. Environmentally unfriendly and wholly unnecessary from a community NEED front.

Best regards,

Lisa Weiss
[\(860\) 673-1535](tel:(860)673-1535) (o)
[\(860\) 961-8860](tel:(860)961-8860) (m)
lisa@lisaweissconsulting.com

Archived: Tuesday, January 19, 2021 1:14:17 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:33:05
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: EV Showroom
Importance: Normal

Neil

From: Sue Eccleston [mailto:sue.eccleston@sbcglobal.net]
Sent: Monday, January 18, 2021 4:32 PM
To: Pade, Neil
Subject: EV Showroom

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am writing to express significant concerns with the proposal for the EV showroom. As an electric vehicle owner, I support the promotion of electric vehicles but not at the cost of blasting away the rock ledge and stripping away more of the town's natural character. As a resident in the area, I also have significant concerns about the impact on the aquifer and my well.

The thought of proceeding with a project that would require the removal of over 110,000 cubic yards of material with 7,570 truckloads of material to be removed for up to 600 days over a 2-year period is insane – surely there are more suitable sites that do not require the destruction of the natural traprock and that would blend in better with the community. As a resident of Ridge Drive, it has always saddened me that the character of Collinsville is preserved at all costs but our side of Canton is the one where we freely (and repeatedly) sacrifice aesthetics in the pursuit of additional tax revenue.

I have no doubt that there are equally suitable locations where we do not risk our wells and strip away the natural beauty of Canton. I urge you to reject this proposal.

Sincerely,

Susan Eccleston
11 Ridge Drive
Canton, CT



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Margaret M. Lynch
42 Bart Drive Canton,
CT 06017
January 18, 2021

Neil Pade
Planning and Zoning
Connecticut 4 Market Street
PO Box 168
Collinsville, CT 06022-0168

Dear Town of Canton Planning and Zoning Commission;

This letter is written in reference to File 475; Apln 2000.

I am strongly opposed to the development of an electric car recharging station and showroom on route 44 and ask the Commission to vote 'NO' on its approval.

The idea that a business wants to destroy one of Canton's Trap Rock Ridges is appalling. The ridges are an essence of beauty for our small town and it would go against Canton's PoCD. There are massive environmental damages from watershed and habitat disruption, but also loss of the natural visual beauty the Ridge provides. Businesses and our government do not have the right to take away geographical features from Earth and its residents. Many people choose to live in this town because of its aesthetic qualities. Chopping down Nature's ridge to put in another building makes for an eyesore and is completely disrespectful to people who live, work, and travel through the area. Please do Not approve of this proposal.

Thank you for your time and consideration,
Margaret Lynch

25 Dyer Avenue
Collinsville, CT 06019
January 18, 2021

Dear Chairman Thiesse, Planning and Zoning Commissioners, and Neil Pade,

Thank you for the many sessions and hours you have spent listening to the developer's plans and public comments about the proposal for 9-15 Albany Turnpike.

I urge you to deny this application for many reasons which have been articulated by many residents, experts, and myself over the months. Rather than repeat any of these, I'm writing to ask for you to consider these in your deliberations:

- 1) Ensure that the proposal aligns with the Town Plan of Conservation and Development. This document was developed over many months in a collaboration with other town boards and residents, and represents the long-term goals of the town. Any development of this scope and longevity should align with town plans.
- 2) Heavily weigh the comments of residents in your deliberations. It is the residents of the town, now and in the future, who will be living with this development. Please remember that you are appointed to the commission for a few years only, and your decisions will outlast your terms by decades.
- 3) Scrutinize the special exceptions: these should only be used when they are in concert with the long-term plans for the town, make sense for the holistic development, and are safe. They are special exceptions and not permitted by right for a reason.
- 4) Do not be swayed by the developer's "green" plans or claims of tax benefits to the town. There is absolutely no guarantee that the development will ever show electric cars nor offer recharging pumps. The current proposal is for an oversized gas station, and their usage for the showroom, convenience store, and restaurant can change. And the developer's ownership can change, as we've seen repeatedly in Canton. The projected tax revenue for the proposed development is only 0.3% of the town budget, so it will not have an overall significant impact. Further, costs for the town to support the development might outweigh the revenue.
- 5) Be cognizant that, should blasting cause dry wells or aquifer contamination, it is possible the town might bear fiscal repercussions. This risk seems too high, to me, to take.

On balance, please ensure that this specific development plan is one we can be proud of for the long term benefit of the town. I'm not opposed to developing the site, but want that development to fit our plans, landscape, traffic/residential uses, and the image we want Canton to project.

Thank you,

Sarah Faulkner

Archived: Tuesday, January 19, 2021 1:12:23 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:29:59
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: No for 9-15 Albany Turnpike Development Proposal
Importance: Normal

Neil

From: CHRISTINE DELANO [mailto:tinadoxie@comcast.net]
Sent: Monday, January 18, 2021 3:02 PM
To: Pade, Neil
Subject: No for 9-15 Albany Turnpike Development Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am vehemently against Mark Greenberg's application pending before the Canton Planning & Zoning Commission for development at 9-15 Albany Turnpike.

I live on Ridge Drive and fear for my well and drinking water. I also do not want all the blasting which would result in noise, air and water pollution and increased traffic along Route 44 going to Avon.

I urge the Commission to vote NO on his proposal.

I will be on the meeting tomorrow night.

Christine S. Delano
9 Ridge Drive
Canton

Archived: Tuesday, January 19, 2021 1:12:15 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:29:22

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: La Trattoria site

Importance: Normal

Neil

From: lynnmhunter@comcast.net [mailto:lynnmhunter@comcast.net]

Sent: Monday, January 18, 2021 2:04 PM

To: Pade, Neil

Subject: La Trattoria site

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I oppose the proposed development at the LaTrattoria site for the following reasons.

1. It is way too large a project which will clog up Route 44 for the thousands of people travelling daily to and from work and going about their daily business. There is not an easy alternative route to take.
2. I don't believe that it will bring customers into existing Canton businesses. I think it will bring people from all over the state who are interested mainly in the electric car showroom. Others who can avoid the area would, because of the congestion brought in by the development.
3. There is no reason to build an additional gas station. There are two in the Staples area just a stone's throw away and two nearby in Canton. An additional one will just result in an existing one closing, leaving another empty building on Route 44.
4. Can it be done without taking down the rock ridge? Certainly, customers would be able to get to the area by driving around it? Our town has already been defiled by the building of town utilities along what might have been a beautiful park/concert area along the Farmington River in Collinsville. Now we can only see the river through the bars of the bike route. Taking the natural ridge down is moving us one step closer to looking like a shopping mecca rather than the beautiful, scenic, and rural town we moved here for.
5. On the Canton side of this project, from Lawton Road to Secret Lake is 0.4 miles and we have 4 traffic lights. On the eastern side there is a traffic light into Best Buy, just 0.2 miles away from the proposed project and one at the junction of 44 and Bushy Hill Road. There would need to be one at the proposed project due to continuous traffic especially with a gas station possibly open for most hours of the day and night.

Please take my comments into consideration.

Thank you,

Archived: Tuesday, January 19, 2021 1:12:07 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:29:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Allyson Mulligan email of concern regarding the Route 44 Project
Importance: Normal

Neil

From: Barbara Koontz [<mailto:bkwylic@yahoo.com>]
Sent: Monday, January 18, 2021 1:39 PM
To: Pade, Neil
Subject: Allyson Mulligan email of concern regarding the Route 44 Project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

My name is Allyson Mulligan and I live at 82 Secret Lake Road in Avon, Ct. I do not own a computer so I have asked my friend, Barbara Koontz, to send you this email on my behalf.

I have lived in Secret Lake for 60+ years. I grew up on Goodwill Trail and now live on Secret Lake Road in Avon, only 2 houses from the Canton town line.

I would like to enumerate my concerns with the new project on Route 44 in Canton.

1. I am concerned about contamination to my well;
2. I am concerned about pollution to Secret Lake itself; and
3. I am concerned about the traffic on Route 44

In regard to item #1 I am retired and on a fixed income. The expenditure for city water would be financially difficult, if not impossible, for me. Also, to my knowledge, the John Swift Chemical company pollution site has never been cleaned up. Therefore, the blasting and the moving of the land is of significant concern.

In regard to item #2 I am concerned about the run-off from this project that eventually will end up in Secret Lake. What assurances are there that this will not happen?

In regard to item #3, to my knowledge, there has not been a study in regard to the effect of the traffic on an already crowded Route 44.

Since I cannot attend the meeting I would appreciate it if the concerns in this email are brought to your attention and the attention of the decision makers.

Respectfully,

Allyson Mulligan
860-673-4890

Archived: Tuesday, January 19, 2021 1:11:59 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:29:34
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: La Trattoria site Approval
Importance: Normal

Neil

From: John Boullie [<mailto:john.boullie@yahoo.com>]
Sent: Monday, January 18, 2021 2:16 PM
To: Pade, Neil
Subject: La Trattoria site Approval

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please count me as a supporter of the plan submitted to Canton for the La Trattoria site.

John Boullie
101 Old Mill Rd
Avon, CT 06001

[Sent from Yahoo Mail for iPhone](#)

Archived: Tuesday, January 19, 2021 1:11:51 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:29:51

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: Concerns regarding the proposed blasting and development of 9-15 Albany Turnpike

Importance: Normal

Neil

From: Pamela Shapiro [<mailto:dr.pamdvm@gmail.com>]

Sent: Monday, January 18, 2021 2:58 PM

To: Pade, Neil

Subject: Concerns regarding the proposed blasting and development of 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am writing as a concerned home owner on Sunset Trail, in the Secret Lake community. I just today heard of the plans to blast the taprock on Albany Turnpike and have serious concerns about how this project will affect both my personal well, property and our community which is centered on the health and viability of Secret Lake. Since I am just now hearing of this project I assure you that there are many other community members that would be just as concerned about how this project may endanger the health of our families and damage our property values. Although I have no doubt that prolonged blasting of the area would result in serious noise pollution my main concern is the as yet not remediated John Swift Chemical Company Superfund site, which is currently being isolated by that rock formation and could cause permanent contamination of the area if it is disturbed. Please hold off on approval of this project until concerns regarding the safety of the community's water supply have been assuaged and a plan to either remediate the toxic spill or avoid its disturbance is determined.

Thank you,
Pamela Shapiro

Archived: Tuesday, January 19, 2021 1:10:42 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:28:01
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Public hearing (and 15 Albany Turnpike
Importance: Normal

Neil

From: Holly [mailto:hollyhamb@comcast.net]
Sent: Monday, January 18, 2021 12:08 PM
To: Pade, Neil
Subject: Public hearing (and 15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear P&Z.

I am in opposition to the special exceptions that are being proposed for Number 9 and 15 Albany Turnpike.

Rocks. What are they good for? Rocks and gravel filter the rain and snow that falls from the sky and make it possible to have clean and safe underground aquifers. They are the bedrock of our society and what lofty mountains are made of. Connecticut's traprock ridge's started forming 200,000 years ago when volcanic activity overspread the Connecticut river valley with lava flows that cooled into basalt (traprock). Subsequent cycles of uplift and erosion left Connecticut with its distinctive north/south traprock ridges. The thin soils, rocky outcrops, talus, boulder fields and steep slopes of a traprock ridge host a unique community of plants and animals that have adapted to a this tough life. These ecological communities are unique and have been designated as "critical habitats" by CTDEEP.

Our gateway traprock ridge on Rt 44 may not be an Everest but it is ours. Once it's leveled it can never be replaced. We cannot manufacture another mountain or move one from Simsbury. Which is more valuable - the traprock underneath or the irreplaceable ridgeline habitat that exists here. It should be possible to work with this site without destroying it. Let's not replace our traprock ridge with asphalt.

I question what came first - the search for a site to accommodate a bold concept to take advantage of a green car market in an affluent area? Or an opportunity to acquire a resource that just so happens to be in the way of developing an important commercial property on Canton's eastern border? Would this project be viable if the developer didn't need to move mountains? Should the land dictate what is feasible or can we bulldoze it into submission for our own selfish purposes? What assurances do we have that the lofty project will ever come to full fruition? (Reminder - Canton Industrial Park and Canton Golf Course) . What safeguards are in place to guarantee that we don't blast our way into an expanded superfund site? Are the exceptions they are asking for in the best interests of our town, and its residents? In simpler terms, who stands to benefit the most? Or who ultimately is harmed?

Holly Hambleton
18 Dyer Ave.
Collinsville, CT

Archived: Tuesday, January 19, 2021 1:10:34 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:28:41
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: proposed development at 9-15 Albany turnpike
Importance: Normal

Neil

From: karyn lancaster [mailto:klancaster651@yahoo.com]
Sent: Monday, January 18, 2021 12:48 PM
To: Pade, Neil
Subject: proposed development at 9-15 Albany turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

My name is Karyn Lancaster and I have recently been made aware of the proposed development at 9-15 Albany turnpike. I live at 396 west mountain road, west Simsbury, Ct and the creation of this development will directly impact me and my family as well as our community. While I am not opposed to developing the site, I am opposed to this plan. This could have horrific effects on the air, water and wells among other things to our community. It is important for the Canton Zoning Commission to approve a plan that is appropriate to the land and does not require special permits and protects our communities health, water, property values and quality of life that we have all come to treasure about our community. One development should not come over the rights of thousands of residents and our health and well being. Additionally, the tax revenue for the town of canton will only increase .03% which is nothing! I am sure all residents that this will effect will be happy to supplement the tax cost. I will be on tomorrow nights zoom meeting and hope that you listen to the residents voices and how this will negatively effect everyone.

Sincerely,

Karyn Lancaster
396 west mountain road
west simsbury, ct 06092
860-930-2874

Archived: Tuesday, January 19, 2021 1:10:29 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:29:03
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Albany Turnpike Development
Importance: Normal

Neil

-----Original Message-----

From: Biff [<mailto:biffella@comcast.net>]
Sent: Monday, January 18, 2021 1:28 PM
To: Pade, Neil
Subject: Proposed Albany Turnpike Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am not a resident of Canton but I do live in the Secret Lake area only 100 yards from the Canton Town Line. I am writing to you to express my serious concern about the proposed development on the Rt. 44 parcel coming up for final public Hearing tomorrow evening (1/19/21).

As I'm sure you know, our well water in the Secret Lake area has already been seriously threatened by contamination perpetrated in Canton. This development further threatens that same water source. As I understand it, this development requires up to 9 special permits. With the potential threat to a source of water for hundreds of Canton and Avon residents I do not see how there can be justification for such a project.

Flint Michigan has been in the news now for many years and is a horrid example of government officials shirking their responsible for providing safe water to their constituents. Please seriously consider the decisions that you may make that could have long and serious consequences for the citizens of Canton and Avon and do not let us down by approving this development.

Thank you for your time.

Michael Emery

11 Sunset Trail

Avon, CT 06001

Archived: Tuesday, January 19, 2021 1:10:21 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:28:25
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Ave
Importance: Normal

Neil

From: Scott Engels [mailto:sengels8@comcast.net]
Sent: Monday, January 18, 2021 12:39 PM
To: Pade, Neil
Subject: 9-15 Albany Ave

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Neil Pade,
I am writing you to voice my disapproval for the development plan on 9 though 15 Albany; proposed gas station and auto store. I'm concerned about the health safety impact of developing on this site.

I am a resident of 8 Sunset Trail in Avon. We have enjoyed clean and safe drinking water in our home for many years and oppose the development on the basis of unnecessary risks to our drinking water.

Scott Engels
8 Sunset trail
Avon CT

Sent from my Verizon, Samsung Galaxy smartphone

Archived: Tuesday, January 19, 2021 1:10:17 PM

From: Pade, Neil

Sent: Tue, 19 Jan 2021 12:28:15

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Impacted resident opposed to the development of Albany Avenue site

Importance: Normal

Neil

-----Original Message-----

From: Leeanne Engels [<mailto:leeanne17@comcast.net>]

Sent: Monday, January 18, 2021 12:36 PM

To: Pade, Neil

Subject: Impacted resident opposed to the development of Albany Avenue site

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr Pade,

As a long time resident of 8 Sunset Trail in Avon, I am writing to oppose the proposed blasting and development of the site on 9/15 Albany Turnpike. I am very concerned about the potential for significant negative impacts to our well and ability to have safe water in our home and neighborhood.

This concern must be addressed and completely mitigated for there to be any serious consideration for development of this land. The health and safety of residents must always come before those of commercial interests.

Thank you for hearing our voice in this important matter.

Sincerely,
Leeanne Engels
8 Sunset Trail
Avon, CT 06001
860.200.5162

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:09:35 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:27:52
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Greenberg development project
Importance: Normal

Neil

From: Helen Thomas [mailto:hthomas@comcast.net]
Sent: Monday, January 18, 2021 12:06 PM
To: Pade, Neil
Subject: Greenberg development project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I vehemently oppose the proposed E/V car showroom and adjacent 20-pump gas station by developer Mark Greenberg. I live on Secret Lake Road and feel this project will have a negative impact on the safety of my well water and the habitat of much of the wildlife that exists on Secret Lake, including several Bald Eagles. I plan to attend the virtual town hall meeting tomorrow, but wanted to make my concerns known ahead of time.

Sincerely,

Helen Thomas

Archived: Tuesday, January 19, 2021 1:09:10 PM

From: Pade, Neil

Sent: Tue, 19 Jan 2021 12:27:38

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Substantial Health Issues Related to the 9-15 Albany Tpk Proposal

Importance: Normal

Neil

-----Original Message-----

From: Rich [<mailto:richjudy@comcast.net>]

Sent: Monday, January 18, 2021 11:18 AM

To: Pade, Neil

Cc: CollinsvilleFarmersMarket@gmail.com

Subject: Substantial Health Issues Related to the 9-15 Albany Tpk Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil Pade
Town Planner
Canton, CT

Dear Mr Pade:

My name is Richard Abraham,MD.

I have lived and worked in Canton since 1976. I have been the primary (internal medicine) physician for many of my neighbors in Canton and the Farmington Valley over the past 45 years in private practice on The Green in Canton and, currently, at The UConn Health Office in Canton. My home and water well are on the aquifer underlying the proposed development site at 9-15 Albany Tpk.

After a careful review of the development proposal, I wish to share two serious public health related concerns:

1. The proposed blasting/mining of rock over 1.25 years will unavoidably release large quantities of stone dust into the air over Canton, Avon and Simsbury.

Exposure to stone dust can and will provoke flares of asthma and increased shortness of breath in those with chronic lung disease. This is a serious matter for susceptible individuals. Such exposure can and will cause increased suffering, hospitalizations and death.

2. The Swift Company Superfund Site dumped large quantities of organic solvents into the soil over the aquifer from which I and many of my neighbors draw well water. Sadly, the proposed blasting is a threat to both the integrity of the aquifer and to the purity of the water contained in the aquifer. Organic solvents are carcinogenic. Blasting near the Superfund Site, unfortunately, is a threat to the health of those who live over and draw their water from the aquifer.

I ask you to seriously consider the above noted issues.

Sincerely
Richard Abraham,MD

January 17, 2021

Dear Canton Planning & Zoning Commissioners,

Please deny the special permit requests sought by the developer of 9-15 Albany Tnpk., Canton. As someone who lives nearby on West Mountain Road, I worry about the damage 16 months of blasting and related rock mining activity will have on our well water's potability and flow, as well as the excessive noise that will be created by such a project. I also agree with the additional concerns outlined in letters on file written by Attorney Michael Pendell and Jane Latus, president of C.A.R.E.

The applicant's request for nine special permits and the overwhelming opposition shows that this plan is wrong for Canton in every way. Please enforce the zoning regulations and deny these special permit requests.

Thank you for your time.

Sincerely,

Patrick Slater

377 West Mountain Road

West Simsbury, CT

Archived: Tuesday, January 19, 2021 1:07:54 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:27:10
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Concern
Importance: Normal

Neil

-----Original Message-----

From: Min Fang [<mailto:professorfang@icloud.com>]
Sent: Monday, January 18, 2021 10:45 AM
To: Pade, Neil
Subject: Concern

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please take a moment to consider these many people who live in area will drink that contaminated water for their life time n get sick. Not to mention how many seniors n kids live in this area. There are many flat field around. Why we continue to destroy the nature setting? We against this project not only for us but for future generation who still do not know what they will face to. It is human lives not business needs. Please find other place if you want to run that business. --- residents of Goodwill Trail, Avon/ Peiyuan Zhang & Min Fang

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:07:22 PM

From: [Pade, Neil](#)

Sent: Tue, 19 Jan 2021 12:27:02

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: Against Development

Importance: Normal

Neil

From: Sarah Blanchard [mailto:sarahthesinger@hotmail.com]

Sent: Monday, January 18, 2021 10:33 AM

To: Pade, Neil

Subject: Against Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

To whom it may concern;

I very, very, very rarely write letters of a political nature, but I am extremely concerned about the proposed development of the car showroom/ gas station/ extravaganza on the Canton and Simsbury border. It just seems fundamentally wrong in that location. I live in the area, and the beauty of the rocks and cliffs there is irreplaceable. I am not a crazy environmentalist, just an ordinary person, but it seems wrong to destroy, blast, and mine for 2 years and permanently alter the geography of the Canton town entrance for this business. I am not against all development. I supported the Aldi and Whole Foods development, which was basically clearing trees and moving a bit of dirt on legitimate lots. This other idea just seems crazy. Add to it other concerns about nearby drinking water possibly getting contaminated, etc., and this sounds like a nightmare. I don't know if anyone is going to read this or care what I think, but I tried. If you're reading this, thank you.

Sincerely,

Sarah Blanchard

Sent from [Outlook](#)

Archived: Tuesday, January 19, 2021 1:06:58 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:26:30
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposal for 9-15 Albany Tpke
Importance: Normal

Neil

From: aaron maitz [mailto:maitz@sbcglobal.net]
Sent: Monday, January 18, 2021 10:14 AM
To: Pade, Neil
Subject: Proposal for 9-15 Albany Tpke

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am a resident on Cliff Dr., and I am AGAINST this proposal from Mark Greenberg to blast rock and contaminate my DRINKING WATER. I will hold anyone accountable for whoever allows this to happen. AARON MAITZ

[Sent from AT&T Yahoo Mail on Android](#)

Archived: Tuesday, January 19, 2021 1:06:34 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:26:15
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Avon resident
Importance: Normal

Neil

-----Original Message-----

From: Jennifer Gero [<mailto:pilot72@comcast.net>]
Sent: Monday, January 18, 2021 10:11 AM
To: Pade, Neil
Subject: Avon resident

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi,

I'm writing in regard to the possible terror that could take place by destroying our beautiful landscape on route 44.

One month ago I Purchased our dream house on Secret Lake rd Avon I'm a single mom and this would be greatly disturbing and devastating to know that this could affect the health of the other residents myself and my child. We all love our area and we obviously need clean drinking and bathing water from our wells.

Please Please consider our families

Kind regards,
Jennifer

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:06:01 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:25:34
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Failure Notice
Importance: Normal

Neil

From: Terry Kilduff [mailto:terrykd53@yahoo.com]
Sent: Sunday, January 17, 2021 1:24 PM
To: Pade, Neil
Subject: Fw: Failure Notice

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

----- Forwarded Message -----

From: "mailer-daemon@yahoo.com" <mailer-daemon@yahoo.com>
To: "terrykd53@yahoo.com" <terrykd53@yahoo.com>
Sent: Saturday, January 16, 2021, 05:56:43 PM EST
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<NPADE@Townofcanton.org>:

Unable to deliver message after multiple retries, giving up.

--- Below this line is a copy of the message.

We are writing to voice our opinion of disagreement to passing the proposal of the site on RT 44 for an E/V car showroom and adjacent 20 pump gas station.

We are aware that is a deep water filtration system below this land, also that blasting rock on this land could disrupt wells and water to many outlying roads in the area that have wells and may also affect lines that connect to water in this area. Well # 5 underground falls mostly in the land below Canton and into Burlington, these areas service 1000 people per the website and are regulated, how can you approve something that is regulated by letting someone apply for special proposals that go against regulation set up for clean water which is a basic right of all people. We have the right to have clean water without chemicals or cancer-causing agents or contaminants. We live on one of those streets-Lovely St.

We were affected when houses we built behind us up the hill/mountain creating Sunrise Dr.

We lost our well pressure and worried about continuation from well blasting then. We ended up spending money for this and having well testing done.

We do not want to run into problems with our well or the risks of finding out we were contaminated and developed cancer years from now due to this blasting and ruining the system that is in place to protect the water supply.
Why is the protection THERE if it can be MESSED with.?????

Also just down the road is a very expensive site that has been ridden with chemical waste and in and out of the court system for years and not cleaned up or paid for the fines it was suppose to be taken care.
Environmental engineers have researched all of this information and presented this to the town, yet you want to go ahead and put more people in the town at potential risk because you have an investor with money. What about the welfare of the people on all these streets that could be comprised.
We should be concerned with keeping Canton the way it is without disrupting something that was put in place to protect us.
Perhaps this investor could look at other sites that don't need blasting.

We know that Simsbury has signed off, however Aquifer protection area well #5 is in the Ground below Canton and extending into Burlington and the roads listed would impact Canton Roads and households.

We urge you to think of the Canton residents and their health and well being.
VOTE NO.

The Kilduffs
53 Lovely St
Canton

Archived: Tuesday, January 19, 2021 1:05:36 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 12:25:16
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Opposition to the pending 9-25 Albany Turnpike application
Importance: Normal

Neil

From: Comcast 2017 [mailto:jcasio2@comcast.net]
Sent: Sunday, January 17, 2021 11:52 AM
To: Pade, Neil
Subject: Opposition to the pending 9-25 Albany Turnpike application

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Planning & Zoning Commissioners,

Please deny the special permits requested for the proposed Rt. 44 development near the Canton-Simsbury town line.

I support C.A.R.E.'s position on this issue.

Though I may sometimes oppose development, I understand that it is inevitable and often good for our communities. However, if this project requires almost two (2!) years of site development and erases our natural history, then I believe these developers have chosen the wrong site. Let them find a more suitable one or scale back their project to fit the site. They're asking for nine special permits, which is a sign that the plan doesn't fit the town's regulations or the space.

With the Swift Chemical Superfund site nearby, the potential for ground water contamination is real. The potential pollution of drinking water for surrounding neighbors is not easily remedied. If wells are destroyed, who will pay to connect people to public water? The promise to hold the blasting company liable is weak at best. Story after story has been published in newspapers about homeowners whose water was ruined or whose foundation, chimneys and driveways were cracked and the blasting company's insurer denied the claims. What guarantees do the surrounding neighbors have that the developers and blasting company have sufficient monetary resources to remediate any potential disaster? Insurance companies deny claims, even when blasting damages property. What experience do the blasting companies have in blasting near a Superfund site, where the toxic chemicals are still in the ground?

A New Haven Register story (<https://www.nhregister.com/news/article/Neighbors-claim-blasts-damaged-homes-11626106.php>) quotes a Seymour Fire Marshall saying that existing laws "offer very little protection" to surrounding property owners:

Fire Marshal Paul “Wetowitz, who is responsible for enforcing blasting regulations in Seymour, said Vet's Explosives followed all guidelines in the Connecticut Explosives Code and almost always kept blasting levels at or below 50 percent of the maximum allowed. Vet's also did a pre-blast survey -- inspecting surrounding homes and recording the existing conditions -- it was not required to do, he said.

“Because Vet's followed all the regulations, Wetowitz said there's nothing he can do to help those homeowners who claim there was damage as a result of the blasting.

“ ‘Local fire marshals can only enforce what's in law. We don't have the ability to do anything else,’ he said. But Wetowitz said the current regulations, which were adopted in 1972, ‘offer very little protection for surrounding property owners.’ ”

Canton’s Plan of Conservation and Development recommends protecting ridgelines and names them as a natural characteristic that gives the town some of its character. Canton must also protect the aesthetic of our town. We should preserve the natural history – including the ridgelines – that help define our town. Unlike the farmlands of Farmington, Simsbury and Avon, our town is a town of hills and valleys, basalt ridges and the gateway to the western highlands. When friends and family come to visit my family in Canton for the first time, I like to point out to them the ‘gateways’ to our town, including the basalt rock at the entryway from Simsbury, in what the POCD calls the Eastern Gateway District. Unless our goal as a town is to let developers come in and quarry our natural history, ultimately turning Canton into the flat plain that defines our neighboring towns, we must embrace a stronger vision. Stronger than the ‘vision’ of developers who choose to scar the landscape for profit after claiming that this is ‘good’ for the community. The developer says the plan will bring in an additional \$103,000. That’s just 0.3% of the annual budget.

The zoning regulations and Plan of Conservation & Development exist to balance the interest of developers with existing residents and businesses. One property owner’s right to maximize their investment should not obliterate the rights of hundreds of property owners to have potable water, proper water pressure, and a peaceful existence in their home.

Sincerely,

Joseph Casioppo
Dyer Avenue
Collinsville, CT

Archived: Tuesday, January 19, 2021 1:04:39 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:24:40
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposition to Development Proposal at 15 Albany Turnpike in Canton
Importance: Normal

Neil

-----Original Message-----

From: Peggy [<mailto:pegconnoy@comcast.net>]
Sent: Sunday, January 17, 2021 9:52 AM
To: Pade, Neil
Subject: Opposition to Development Proposal at 15 Albany Turnpike in Canton

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am a homeowner at 95 Secret Lake Road in Avon, CT. My husband and I built our home here in 2010 and have lived on Secret Lake Road in two other homes since 1985. We love our home and living here in Avon and close to Canton. We are both very concerned about the proposed project at 9 - 15 Albany Turnpike. We feel that the blasting and expansion of that area has great potential to negatively affect our health because we have a well that we depend upon for our drinking water. This project will also adversely impact the value of all the homes in this area and degrade the quality of life we all enjoy here in this neighborhood. Please remember the contamination caused by the John Swift Chemical Company and the potential for more groundwater contamination, pollution, increased traffic and noise pollution if this project is allowed to move ahead.

We ask that the Canton, CT Planning & Zoning Commission vote "NO" to this proposal this coming Tuesday, January 19, 2021. It is up to you, the members of the Canton, CT Planning & Zoning Commission to vote responsibly in order to help ensure the health and safety of our community and yours. We appeal to your sense of community as you make your decision. Please vote down this proposed project.

Respectfully,

Margaret R. Connoy
95 Secret Lake Road
Avon, CT
860-673-8841

Archived: Tuesday, January 19, 2021 1:03:47 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:24:25
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Tnpk. Proposed Project. E-V Car Showroom + 20 Pump Gas Station.
Importance: Normal

Neil

From: PATRICIA SOTIS [mailto:psotis@comcast.net]
Sent: Sunday, January 17, 2021 12:35 AM
To: Pade, Neil
Subject: 9-15 Albany Tnpk. Proposed Project. E-V Car Showroom + 20 Pump Gas Station.

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Neil Pade
Canton Zoning Commission
Canton, Ct.06019

I grew up in this area and I can state without any hesitation, that this would be a very bad idea to let this development go thru!!

There are many neighbors that have private water wells, there used to be a former gas station (Atlantic) formerly located in the area of Key Bank, which leaked gas over the years and caused contamination issues for a number of wells along Bushy Hill Rd. They had pumps working for years to try and clean up site. Eventually to try to rectify drinking water to some of the homes; Avon Water Company I believe had to run water pipes along there. Also I believe it affected the Farmington Valley Mall area too.

The enormous blasting that would be required to attempt a project this size, would be a nightmare!! I'm sure there are not many members on the zoning commission that is familiar with the great blasting of mountain rock done in New Britain on New Britain Ave. for years. It was like a quarry excavation for years on end. Not to mention the potential damage to foundations, potential structural damages to adjacent and nearby businesses and homes.

This is no place for this type of project. There are two gas stations in close proximity already providing 16 gas pumps. Traveling to Canton, there are two more gas stations and one that has been closed since the owner passed away.

Finally, Rt 44 is very heavily traveled and the disruption in this area at any time of day, will adversely affect businesses and customers alike, school buses, there are enough traffic lights up and down Rt. 44 to make matters worst.

I implore you to **VOTE NO - ON THIS PROJECT**. I truly can't justify any need to destroy **this geological vista, history and character of the area, which dates back over 100 years or more.**

Thank you for your consideration in this matter.

Sincerely,
Pat Sotis
PO Box 445
West Simsbury, Ct. 06092-0445

Archived: Tuesday, January 19, 2021 1:03:21 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 12:23:47
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposition to EV Showroom development
Importance: Normal

Neil

From: Jeremy P [mailto:jspilver@gmail.com]
Sent: Saturday, January 16, 2021 10:57 AM
To: Pade, Neil
Subject: Opposition to EV Showroom development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good Morning Neil,

I am writing to follow up on concerns I raised back in November about the proposed EV Showroom to be built along Rt.44.

\u2014257 ?For a diverse set of environmental, cultural, historical, logistical, practical, economical and health/safety concerns, this project should not move forward. It is difficult to conceive of any benefit the town receives from this project besides a small increase in the grand list, and that does not come close to outweighing the overwhelming number of drawbacks to this development.

There are many examples of empty lots and sprawling blight along rt. 44 that could benefit from redevelopment and that would be appropriate for this project. And none of these would result in a potential environmental catastrophe or horrific blight, as may result from thIs current site proposal.

In fact, there exists already on Rt.44 an abandoned or derelict example of every component of this development (including a former car dealership, gas station, and drive thru restaurant). And the developer wouldn't need to conduct 2 years of blasting in order to reduce the preexisting blight in our town.

We live in Canton in order to enjoy the quiet and beauty of its natural setting. This project as proposed would disrupt that both in the short and long-term, and would become a permanent and everlasting blemish on our town. Please do what is in the long-term best interests of the town and its residents, and vote down this proposal.

Kind Regards,

January 16, 2021

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
npade@townofcantonct.org

Re: File 475 Application 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; proposed retail/service and personal services business application

Dear Mr. Pade and Town Zoning & Planning Commissioners,

I am writing on behalf of the Connecticut Botanical Society (CBS) to express our opposition to the proposed development at 9-15 Albany Turnpike. This proposal calls for the destruction of a natural area which includes critical wildlife habitat, a trap rock summit, a steep, long east-facing talus slope, and a scenic south-facing cliff - a landmark for the many thousands who travel Route 44 daily. The proposed development would represent an irreplaceable loss to the Town of Canton's ecological richness and natural beauty.

Connecticut's trap rock ridges have long been recognized as unique elements of our state's environmental heritage. By 1995, the State Legislature saw fit to pass "An Act Concerning Protection of Ridgelines" (Public Act 95-239), and many municipalities have since enacted protections of local ridge sections. Among the many values of the ridges and their associated slopes are critical habitats that "are home to a number of rare plants and animals that are found nowhere else in Connecticut."¹ A thorough botanical survey of the site should have been conducted during the growing season, when potentially rare flowering plants can be detected. I attach herewith a list of rare and uncommon species of Connecticut's trap rock ridges compiled by CBS.

This property in particular contains multiple habitat types defined by the CT Department of Energy and Environmental Protection as "key habitats of greatest conservation need" in the Connecticut Comprehensive Wildlife Conservation Strategy (CWCS).² These include Subacidic Rocky Summit

¹ Sharp, Penelope C., Ralph S. Lewis, David L. Wagner, and Cara Lee. 2013. Trap Rock Ridges of Connecticut: Natural History & Land Use. Connecticut College Arboretum; State Geological and Natural History Survey of Connecticut. Page 1. <https://digitalcommons.conncoll.edu/cgi/viewcontent.cgi?article=1041&context=arbulletins>

² Connecticut Department of Energy and Environmental Protection. 2015. Connecticut Comprehensive Wildlife Conservation Strategy (CWCS). <https://portal.ct.gov/DEEP/Wildlife/CT-Wildlife-Action-Plan/CT-WAP-Current-Status#Revision>

Outcrop, Subacidic Cold Talus Forest/Woodland, and Dry Subacidic Forest habitats³--and all of the plant and animal species that depend on them.

The science of conservation biology recognizes habitat reduction as a serious threat to biodiversity. As shown in the surveyor's maps for the proposed development, the project would eliminate some 3.6 acres of mostly-forested site representing three critical habitats. The reduction of habitat size "may precipitate population decline and extinction" because when population sizes are reduced, they are then vulnerable to accelerated decline due to "inbreeding depression, genetic drift, and other problems."⁴

We recognize the environmentalist appeal of constructing an electric car dealership in Canton, as electric vehicles contribute to the reduction of net emissions of greenhouse gases. However, the site at 9-15 Albany Turnpike is hardly an efficacious choice for such a dealership: the development would require blasting the trap rock, removing over 181,664 tons of material,⁵ and clearcutting the carbon-sequestering forest that covers the ridge. We therefore encourage the applicants to seek out more appropriate locations, such as previously developed sites and other biologically degraded areas, rather than siting the development in relatively pristine trap rock and forest areas. CBS supports the findings of the Governor's Council on Climate Change (GC3),⁶ whose 2020 Forests Sub-Group Final Report, submitted last November, recommends as high-priority policy goals: "1) Keeping forests as forests to retain the multiple benefits of carbon storage, biodiversity, public health, green infrastructure, etc. (2) Protecting healthy, intact forests to ensure that impacts upon forests, sensitive habitats, and other natural climate solutions are considered at every level of planning." For all of these reasons, we respectfully urge you to deny the application for the proposed development at 9-15 Albany Turnpike.

Respectfully submitted,



David Yih, Ph.D.
President, Connecticut Botanical Society

³ These habitat types are defined in the on-line overview of Critical Habitats (2011) by Ken Metzler, head botanist at CTDEEP for several decades, at https://cteco.uconn.edu/guides/resource/CT_ECO_Resource_Guide_Critical_Habitat.pdf

⁴ Primack, Richard B. & Anna A. Sher. 2018. An Introduction to Conservation Biology. Oxford University Press. Page 108-109.

⁵ Narrative for Earth Excavation in Connection with Special Permit Activity 9-15 Albany Turnpike. Memorandum from Solli Engineering to Neil S. Pade. Nov. 24, 2020.

⁶ Governor's Council on Climate Change. 2020. Forests Sub-Group Final Report. Page 4. https://portal.ct.gov/-/media/DEEP/climatechange/GC3/GC3-working-group-reports/GC3_WNL_Forests_Final_Report_110620.pdf

Connecticut Endangered, Threatened, & Special Concern Plant Species (August 2016 legal list), Flora Conservanda 2012 species, and Uncommon species of Traprock Habitats. By William Moorhead and Sigrun Gadwa and edited by Glenn Dreyer and David Yih.

<i>Conservation Status</i>	<i>Scientific name</i>	<i>Common name</i>	<i>Preferred habitat</i>	<i>USACE Wetland Indicator Status</i>
	Ferns			
UC	<i>Asplenium rhizophyllum</i>	walking fern	Usually upland, shaded, high pH cliffs, tree bases	NI
T	<i>Asplenium ruta-muraria</i>	wall-rue spleenwort	Moist ledges	NI
E	<i>Cheilanthes lanosa</i>	hairy lip fern	Dry ledges	UPL
UC	<i>Cystopteris bulbifera</i>	bulbil fragile fern	Cliffs, balds, ledges, ridges, talus and rocky slopes	FACW
E	<i>Diplazium pycnocarpon</i>	narrow-leaved glade fern	Rich moist soil, shade, toe of slope	FACW
SC	<i>Dryopteris goldiana</i>	Goldie's wood fern	Rich, moist soils	FAC
UC	<i>Gymnocarpium dryopteris</i>	northern oak fern	Cliffs, balds, or ledges, forests, talus and rocky slopes	FACU
SC	<i>Lygodium palmatum</i>	climbing fern	Forests, forest edges and swamp margins, mainly on peaty, acidic, sandy soils	FACW
UC	<i>Pellaea atropurpurea</i>	purple cliff-brake	Rock crevices on high-pH cliffs	UPL
UC	<i>Woodsia ilvensis</i>	rusty cliff fern	Cliffs, balds, ridges or ledges, talus and rocky slopes	UPL
UC	<i>Woodsia obtusa</i>	blunt-lobed cliff fern	Cliffs and rocky slopes, predominantly on high-pH substrate	UPL
	Orchids			
SC(H)	<i>Aplectrum hyemale</i>	putty root	Moist to wet deciduous forests, often rocky Mesic to wet-mesic deciduous and evergreen-deciduous forests, fens, swamps, meadows	NI
E	<i>Coeloglossum viride</i>	long-bracted green orchid		FAC
UC	<i>Corallorhiza odontorhiza</i>	fall coral-root	Moist upland forests, usu. open understory	NI
SC	<i>Cypripedium parviflorum</i>	yellow lady's-slipper	Wooded swamps, moist deciduous woods	FAC
E	<i>Cypripedium reginae</i>	showy lady's-slipper	Wooded swamps	FACW
UC	<i>Galearis spectabilis</i>	showy orchid	Moist deciduous forest, high pH, leafmold, wetland or upland	NI

Rare and Uncommon Vascular Plant Species of Traprock Habitats

E	<i>Liparis liliifolia</i>	lily-leaved wide-lipped orchid	Rich, moist to dry soils Woodlands with <i>Pinus</i> and <i>Quercus</i> , dry, sandy fields, and among heaths in well- drained soils	FACU
SC(H)	<i>Malaxis bayardii</i>	Bayard's adder's-mouth		NI
E	<i>Malaxis unifolia</i>	green adder's-mouth	Rich, moist, deciduous woods and wetlands	FAC
SC	<i>Plantanthera hookeri</i>	Hooker's bog orchid	Rich moist or dry woods	FAC
Sedges				
SC	<i>Carex bushii</i>	Bush's sedge	Mesic to dry-mesic, often sandy, fields, meadows, and open, human-disturbed areas	FAC
SC(H)	<i>Carex crawfordii</i>	Crawford's sedge	Open, xeric to hydric soils, often in human- disturbed areas such as fields and roadsides. Woodlands, cliffs, sandy fields, and open, disturbed soil	FACW
SC	<i>Carex foenea</i>	straw sedge		UPL
Div. 2 Flora Cons. 2012	<i>Carex glaucoidea</i>	blue sedge	Dry woods	FAC
Div. 2 Flora Cons. 2012	<i>Carex gracilescens</i>	slender loose-flowered sedge	Edges of wetlands & forests	NI
(SC 98)	<i>Carex hirsutella</i>	hirsute sedge	Slightly to very moist soil, sometimes in wetlands	NI
SC	<i>Carex hitchcockiana</i>	Hitchcock's sedge	Rich, very moist to slightly moist, deciduous woods, often in wetlands	NI
(SC 2005)	<i>Carex lupuliformis</i>	false hop sedge	Wooded swamps, non-acidic	OBL
SC	<i>Carex molesta</i>	troublesome sedge		FAC
SC	<i>Carex oligocarpa</i>	rich woods sedge	Rich deciduous woodlands, slightly to very moist, rocky, sub-acidic, occ. in wetlands	NI,
UC	<i>Carex sparganioides</i>	bur-reed sedge		FACU
E	<i>Carex reznicekii</i>	Reznicek's sedge	Moist to slightly moist, subacidic, rocky, uplands	NI
UC	<i>Carex siccata</i>	dry land sedge	Dry, well-drained, often coarse soils of fields, balds, and oak-pine woodlands	UPL
(SC 98)	<i>Carex squarrosa</i>	squarrose sedge	Open wetlands with non-acidic soils	OBL
SC	<i>Carex typhina</i>	cattail sedge	Wet meadows & decid. woods, bottomlands	OBL
E	<i>Carex willdenowii</i>	Willdenow's sedge	Dry deciduous woods	UPL
UC	<i>Trichophorum planifolium</i>	bashful clubsedge	Dry to moist woodlands, usually under oak	NI
Grasses				
E	<i>Bouteloua curtipendula</i>	sideoats grama	Glades, open dry soil	NI

Rare and Uncommon Vascular Plant Species of Traprock Habitats

Div. 2 Flora Cons. 2012	<i>Elymus glabriflorus</i>	southeastern wild-rye	Dry-mesic, deciduous forests, usually on hills or ridges, including trap rock, in shallow soils, associated with <i>Quercus</i> and/or <i>Carya</i>	NI
UC	<i>Elymus trachycaulus</i>	slender wild-rye (wheat grass)	Thin, dry, rocky woods	FACU
E	<i>Milium effusum</i>	millet grass	Mesic, deciduous forests, often at mid-elevations and frequently associated with circumneutral or basic bedrock	FACU
E	<i>Muhlenbergia capillaris</i>	hair-awned muhly	Rocky forests and woodlands, on ridges and trap rock	FACU
E	<i>Piptatherum pungens</i>	short-awned mountain-rice grass	Deciduous or mixed evergreen-deciduous woodlands and barrens, dry-mesic to xeric openings	UPL
Div. 2 Flora Cons. 2012	<i>Poa saltuensis</i> ssp. <i>languida</i>	weak spear grass	Slightly moist to wet, cliff bases	NI
SC	<i>Schyzachne purpurascens</i>	false melic grass (purple oat grass)	Dry rocky woods	FACU
Div. 2(a) Flora Cons. 2012	<i>Sphenopholis nitida</i>	shiny wedgescale	Dry-mesic to mesic forests and woodlands, often on hillsides and rocky slopes, sometimes associated with cliff bases and outcrops	UPL
E	<i>Sporobolus clandestinus</i>	hidden dropseed	On ledges and thin soils, top of ridges and rocky slopes, usually on trap rock, but also occurring on limestone	UPL
(98 SC)	<i>Sporobolus compositus</i>	rough dropseed	dry roadsides, ledges, thin subacidic soil	NI
E	<i>Sporobolus heterolepis</i>	prairie dropseed	dry open soil	FACU
E	<i>Sporobolus neglectus</i>	small dropseed	Ledges, river shore outcrops, dry sandy soil of roadsides and fields, often in regions of high-pH bedrock and/or till	FACU
E	<i>Trisetum spicatum</i>	narrow false oat	River shore outcrops, ledges, often in regions of high-pH bedrock	FAC
Other herbaceous plants				
E	<i>Agastache nepetoides</i>	catnip giant-hyssop (yellow giant-hyssop)	Forest borders and fragments, shaded roadsides, rocky banks	FACU
E	<i>Agastache scrophulariifolia</i>	purple giant-hyssop	Forests, frequently dry-mesic, rocky types, forest fragments, roadsides, river banks, riparian forests	NI
UC	<i>Asclepias verticillata</i>	whorled milkweed	Rocky woodlands, open glades, balds, cliff bases	UPL
SC(H)	<i>Blephilia hirsuta</i>	hairy wood-mint	Glades, dry woods	FACU
UC	<i>Boechera stricta</i>	Canada rockcress	Rocky woodlands and forests, cliffs, and talus slopes in regions of moderate to high-pH bedrock	FACU
UC	<i>Boechera laevigata</i>	smooth rockcress	Rocky woodlands and forests, cliffs, and talus in regions of high-pH bedrock	NI

Rare and Uncommon Vascular Plant Species of Traprock Habitats

Div. 2(a) Flora Cons. 2012	<i>Boecheira missouriensis</i>	green rockcress	Rocky woodlands and forests, cliffs, and balds in regions of moderate to high-pH bedrock	NI
SC(H)	<i>Calystegia spithamea</i>	upright false bindweed	Upland fields, roadsides	NI
UC	<i>Cardamine concatenata</i>	cut-leaved toothwort	Rich, mesic, upland and riparian forests.	FACU
E	<i>Castilleja coccinea</i>	scarlet painted-cup (Indian paintbrush)	Wet-mesic to hydric meadows, often on higher pH substrates	FAC
Div. 2 Flora Cons. 2012	<i>Cerastium nutans</i>	nodding chickweed	Rocky woodlands and forests, outcrops and talus slopes	FACU
E	<i>Chamaelirium luteum</i>	devil's bit (fairy wand)	Dry-mesic to mesic soils of fields, forest openings, and deciduous and evergreen- deciduous woodlands and forests on trap rock, limestone, and other bedrock types	FACU
UC	<i>Clematis occidentalis</i>	purple virgin's-bower	Rich, moist slopes, sometimes wetlands	NI
UC	<i>Conopholis americana</i>	American squaw-root	Forested moist slopes, sometimes wetlands	NI
T	<i>Corydalis flavula</i>	yellow corydalis	Rocky woods	FACU
SC(H)	<i>Cynoglossum virginianum</i>	southern wild comfrey	Deciduous and mixed evergreen- deciduous forests, sometimes associated with disturbances such as trails and old logging roads	NI
UC	<i>Desmodium canescens</i>	hoary tick-trefoil	Mostly upland fields, edges	NI
E	<i>Desmodium cuspidatum</i>	large-bracted tick-trefoil	Dry to moist forested rocky slopes, sometimes wetlands	NI
SC	<i>Desmodium glabellum</i>	smooth tick-trefoil	Woodlands, roadsides, open powerline rights-of-way	NI
SC	<i>Dicentra canadensis</i>	squirrel-corn	Rich woods, moist forested rocky slopes, sometimes wetlands	NI
SC	<i>Draba reptans</i>	Carolina whitlow-mustard	Sandy and rocky fields, ledges, balds	NI
SC	<i>Drymocallis arguta</i>	tall wood-beauty (tall cinquefoil)	Rocky slopes, glades, dry fields	FACU
SC	<i>Endodeca serpentaria</i>	Virginia serpentaria (Virginia snakeroc)	Dry, rich, rocky, deciduous or mixed- deciduous forests	UPL
UC	<i>Eupatorium pubescens</i>	hairy thoroughwort	Dry-mesic, often sandy, woodlands, fields, and clearings	NI
UC	<i>Eupatorium sessilifolium</i>	upland thoroughwort	Rocky forests, usually wetlands	NI
UC	<i>Eutrochium purpureum</i>	purple (sweet-scented) Joe-Pye weed	Woodlands, forests, fields, pastures	FAC
UC	<i>Helianthus divaricatus</i>	Woodland sunflower	Wooded hillsides, often subacidic, sometimes wetlands	NI
T	<i>Houstonia longifolia</i>	Long-leaf bluet	Glades, river & lake shores, often in wetlands	NI

Rare and Uncommon Vascular Plant Species of Traprock Habitats

SC(H)	<i>Hybanthus concolor</i>	(eastern) green violet	Rich, deciduous forests and woodlands, rocky slopes	FACU
E	<i>Hydrastis canadensis</i>	goldenseal	Rich, mesic, often rocky forests, usually associated with limestone and trap bedrock	NI
SC	<i>Hydrophyllum virginianum</i>	eastern waterleaf (Virginia waterleaf)	Rich, moist soil, rocky subacidic hillsides, usually wetlands	FAC
SC	<i>Lespedeza repens</i>	creeping bush-clover	Dry glades, open upland areas	NI
SC	<i>Liatris novae-angliae</i>	northern blazing star	Open upland areas	NI
E	<i>Linnaea borealis</i> ssp. <i>americana</i>	American twinflower	Wetlands, forests - usually evergreen	NI
E	<i>Moehringia macrophylla</i>	Large-leaved grove-sandwort	Cliffs, talus, and thin soil over ledges and balds, usually associated with serpentine bedrock, but occasionally on limestone and trap rock	FACU
E	<i>Moneses uniflora</i>	one-flowered-shinleaf (single delight)	Dry-mesic to hydric, deciduous to evergreen forests and swamps	FAC
UC	<i>Myosotis verna</i>	spring forget-me-not	Ledges, pastures, woodlands, dry, open banks, waste areas	FACU
E	<i>Oligoneuron rigidum</i>	stiff flat-topped-goldenrod	Upland edges, subacidic soil	NI
SC	<i>Opuntia humifusa</i>	eastern prickly-pear	Open upland areas	NI
SC	<i>Oxalis violacea</i>	violet wood sorrel	Rich soil, moist - dry glades	NI
E	<i>Packera anonyma</i>	Small's ragwort or groundsel	Open fields, meadows, roadsides, disturbed sites, in drying or sandy soils	UPL
E	<i>Packera paupercula</i>	balsam groundsel (balsam ragwort)	Glades, thin soil	FAC
SC	<i>Panax quinquefolius</i>	American ginseng	Rich, moist forest, occasionally in wetlands	NI
SC(H)	<i>Phaseolus polystachios</i> var. <i>polystachios</i>	wild bean		NI
E	<i>Polymnia canadensis</i>	white-flowered leaf-cup	Subacidic, rocky soil, talus slopes, upland forest	NI
UC	<i>Polygonum tenue</i>	slender knotweed	Uplands roadsides, edges	NI
UC	<i>Pycnanthemum ×clinopodioides</i>	basil mountain-mint	Woods, thickets, hybrid not species per Haines 2011	NI
E	<i>Pycnanthemum torrei</i>	Torrey's mountain-mint	Dry woods, thickets	NI
UC	<i>Pyrola chlorantha</i>	green-flowered shinleaf	Dry-mesic to mesic forests and woodlands	FACU
Div. 2 Flora Cons. 2012	<i>Ranunculus micranthus</i>	small-flowered crowfoot (rock buttercup)	Deciduous forests and woodlands, ridges	FAC

Rare and Uncommon Vascular Plant Species of Traprock Habitats

SC	<i>Ribes rotundifolium</i>	Appalachian gooseberry	Mostly uplands, forests Woodlands, ledges, balds, river banks, meadows, fields, disturbed soil, often associated with thin soils over bedrock	NI
E	<i>Scutellaria parvula</i> var. <i>missouriensis</i>	little skullcap		NI
T	<i>Sibbaldiopsis tridentata</i>	three-toothed-cinquefoil	Summits, outcrops	FACU
UC	<i>Silene caroliniana</i>	wild campion (wild pink)	Well-drained, well-lit areas	NI
T	<i>Silene stellata</i>	starry campion	Deciduous forest & edges, usually upland	NI s
UC	<i>Solidago squarrosa</i>	squarrose goldenrod	Upland subacidic habitats	NI
UC	<i>Solidago ulmifolia</i>	elm-leaved goldenrod	Upland subacidic edge & partly open areas	NI
SC	<i>Stellaria borealis</i>	boreal stichwort	Wet woods	FACW
SC	<i>Trichostema brachiatum</i>	pennyroyal bluecurls (fluxweed)	Dry soil, upland ledges, hillsides	NI
E	<i>Triosteum angustifolium</i>	lesser horse-gentian	Rocky forests and woodlands, ledges, railroads	FAC
UC	<i>Triosteum aurantiacum</i>	orange-fruited horse-gentian	Dry-mesic to mesic forests, woodlands, and forest borders	NI
Div. 2 Flora Cons. 2012	<i>Triosteum perfoliatum</i>	perfoliate-leaved horse-gentian	Forests, woodlands, fields, pastures, often on ^[1] dry-mesic, sandy substrate	NI
E	<i>Uvularia grandiflora</i>	large-flowered bellwort	Moist, rich areas, sometimes wetlands	NI
SC(H)	<i>Verbena simplex</i>	narrow-leaved vervain	Dry or sandy uplands	NI
E	<i>Viola adunca</i>	hook-spurred violet	Woodlands, sandy fields, roadsides, open rights-of-way, sandplains, clearings	FACU
Woody plants				
UC	<i>Arctostaphylos uva-ursi</i>	red bearberry	Dry summits of hills and ridges, sand ^[1] plains, dry, open, often sandy, clearings and rights-of-way	UPL
SC	<i>Celastrus scandens</i>	American bittersweet	Forests and forest edges, rocky slopes, river banks	FACU
Div. 2 Flora Cons. 2012	<i>Morus rubra</i>	red mulberry	Rich, often calcareous woods	FACU
UC	<i>Pinus rigida</i> (in larger numbers)	pitch pine	Nutrient-poor, sandy and/or rocky soils	NI
T	<i>Populus heterophylla</i>	swamp cottonwood	Wooded swamps, bottomlands	OBL
UC	<i>Quercus prinoides</i>	dwarf chestnut oak	Dry, sandy fields and roadsides, woodlands, rocky hillsides and ridges	FACU

Rare and Uncommon Vascular Plant Species of Traprock Habitats

UC	<i>Quercus stellata</i>	post oak	Dry-mesic woodlands, fields, and barrens, often with rocky ridges and slopes	FACU
SC(H)	<i>Rhus aromatica</i>	fragrant sumac	Glades, shallow soil	UPL
SC	<i>Rubus cuneifolius</i>	sand blackberry	Fields, rocky pastures and hillsides, clearings	UPL
UC	<i>Sorbus americana</i>	American mountain-ash	Temperate, boreal, and subalpine forests, ridge tops, swamps	FAC
UC	<i>Taxus canadensis</i>	American yew	Forests, predominantly deciduous and mixed evergreen-deciduous types	FACU
UC	<i>Vaccinium stamineum</i>	deerberry	Rocky forests, woodlands, ridges, balds	FACU
UC	<i>Viburnum rafinesquianum</i>	downy arrowwood	NI upland forested slopes, subacidic soils	
SC(H)	<i>Vaccinium vitis-idaea</i> ssp. <i>minus</i>	mountain cranberry	Dry shallow, rocky soil, uplands	NI

NOTES:

Total E: 34

Total T: 5

Total SC: 27

Total SC(H): 11

Total CT listed: 77

Total Div. 2 Fl.Co: 10

Total UC: 43

(uncommon)

Total that may occur

in wetlands: 79

Appendix 1 - USACE Codes for Wetland Indicator Status

OBL = Obligate - occurs only in wetlands

FAC = Facultative species - equally likely to be found in wetlands and uplands.

UPL = occurs only in uplands

FACW = facultative wetland species - occurs in both wetlands and uplands. More often in wetlands

FACU = facultative upland species -

occurs in both wetlands and uplands, more often in upland

NI = Not an indicator species -

Not on official US Army Corps (USACE) Northcentral and Northeast 2016 Regional Wetland Plant List. Frequently, rare plants not on list. NI-uplands or NI-wetland: status herein based on personal observations and published accounts of species habitats.

Sources of Habitat & Nomenclature Information

- Haines, Arthur. 2013. *Flora Novae-Angliae*. New England Wildflower Society. Yale University Press. <https://gobotany.newenglandwild.org/>
- Arsenault, Matt et al. 2013. *The Sedges of Maine*. University of Maine Press
- Fernald, Merritt L. 1950. *Gray's Manual of Botany*. New York

Appendix 2 - State Endangerment Codes.

State of Connecticut Dept. of Energy & Environmental Protection, Bureau of Natural Resources 2016, Public Act 89-224.

E = Endangered - any native species documented by biological research and inventory to be in danger of extirpation throughout all or a significant portion of its range within Connecticut and to have no more than five occurrences in the state, and any species determined to be an "endangered species" pursuant to the federal Endangered Species Act.

T= Threatened - any native species documented by biological research and inventory to be likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range within Connecticut and to have no more than nine occurrences in the state, and any species determined to be a "threatened species" pursuant to the federal Endangered Species Act, except for such species determined to be endangered by the Commissioner in accordance with section 4 of **Public Act 89-**

SC = Special Concern - any native plant species or any native nonharvested wildlife species documented by scientific research and inventory to have a naturally restricted range or habitat in the state to be at a low population level, to be in such high demand by man that its unregulated taking would be detrimental to the conservation of its population.

Total #species in each color code

Total:	
	OBL FAC FACW
NI	wetland habitat 35

	FACU
NI	some wetland habitat 44

	UPL 55
	NI (upland habitat)

Total: species that may occur in wetlands: 79

Appendix 3. "Flora Cons. 2012" explanation.

From: BRUMBACK, W.E. and Jessica Gerke. 2013. *Flora Conservanda: New England 2012*. The New England Plant Conservation Program (NEPCoP) List of Plants in Need of Conservation. *Rhodora* 115, No.

Div. 2 = Regionally Rare 1 axa. Within New England these taxa have 20 or fewer current occurrences (observed within the last 20-25 years).

Rare and Uncommon Vascular Plant Species of Traprock Habitats

4. Graves et al., Committee of CT Botanical Society 'SC(H) = Special Concern (Historic) - species
1910. Bulletin #14. *Flowering Plants & Ferns...* not documented in CT in the last 20 years.
Connecticut Geology & Natural History Survey. probably no longer extant in the state,
5. Dreyer et al., Committee of CT Botanical Society, **UC (uncommon category)** is used for species
2014. *Native & Naturalized Vascular Plants of Connecticut Checklist*. Memoirs of CBS #5 infrequently encountered in Connecticut.
CT College Arboretum, New London. Flora Conservanda categories (Division 2 or
Division 1) included if plant is not otherwise listed.

NOTE that this is a "living" list, to be checked, modified/enlarged as additional rare or very uncommon plants are observed by members of CBS in trap rock habitats. If a species recovers it will be deleted.

Uncommon category
more than 20 occurrences in New England that is vulnerable to extirpation due to other important factors (population size and trends, area of occupancy, overall viability geographic distribution, habitat rarity and integrity, and/or degree

Archived: Tuesday, January 19, 2021 1:01:42 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 10:30:49
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Propose development at 9-15 Albany Turnpike
Importance: Normal

Neil

-----Original Message-----

From: Linda Peltier [<mailto:linda1norman@comcast.net>]
Sent: Sunday, January 17, 2021 5:08 PM
To: Pade, Neil
Subject: Propose development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil Pade,

We are writing to address our concerns and objections on the development proposal on the site at 9-15 Albany Typk.

In 1977 we moved to Canton from the city to raise our family. We wanted a rural setting with good schools and a town that cares about people and the environment. We found it in Canton. Over 43 years we have seen the town grow, develop, and improve. Some good, some not so good.

We live on Forest Lane, behind Cape Cod fence company, which is not far from the site of the John Swift chemical company. After John Swift company closed then it was discovered they illegally dumped toxic, cancer causing chemicals into the ground. We had well water at the time. We were not aware of this for years. After it was discovered that chemicals maybe in our well water, we had to hook into city water. We have been concerned for our health ever since.

- Concern: Blasting the trap rock ridge and excavation may possibly release the John Swift toxic chemicals into the air and into many water ways that feed into Secret Lake and area wells. Some wells could dry up. This could possibly affect people's health. We all want safe drinking water and air.

With the development of the area over years, and we have seen many changes, the traffic has increased, along with speeding, exponentially. Trying to take a left onto RT44 now is taking a huge risk, especially during peak hours.

- Concern: With years of removing tons of materials, trucks will be coming and going daily. We are looking at 6 days a week, 25 -35 dumps trucks daily. Not only will this cause major traffic issues but let us also consider the noise pollution. Additionally, keep in mind the diesel fuel from 25-35 trucks daily that will be release in the air. More pollution, not clean air.

When people enter Canton, they want to be welcome to a rural town. That is what we have now. Charming, attractive, enchanting, not an area that is turning Las Vegas style with a strip of car dealerships.

The ridge is a particularly important part of the environment, we will lose flora and animal life. As we have

lived here for 43 years this will have a huge impact on property value, and businesses.

Moving forward with this proposal will have a negative impact on Canton. The tax revenue the town would get is peanuts to what the long-term effects it will have on generations to come.

We do not oppose to a responsible development on the site, just not this.

We will be attending the zoom meeting on Wednesday, January 19.

Sincerely,
Norman and Linda Peltier
4 Forest Lane
Canton, Ct 06019
860-693-0475

Archived: Tuesday, January 19, 2021 1:01:23 PM
From: Pade, Neil
Sent: Tue, 19 Jan 2021 10:30:40
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Opposing trap rock ridge development
Importance: Normal

Neil

-----Original Message-----

From: Renee Cole [<mailto:renee.d.rheaume@gmail.com>]
Sent: Sunday, January 17, 2021 4:29 PM
To: Pade, Neil
Subject: Opposing trap rock ridge development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,
My family and I strongly oppose development and accompanying blasting of trap rock ridge. There must be further investigation into the affects this will have on well water in neighboring homes.
Also, as owner of bond pond, I would like to have a clear understanding on how this could affect the ecosystem of the pond.
Thank you for your consideration,
Renee and Matt Cole
21 Pond Road
Coles Fishing Hole

Sent from my iPhone

Archived: Tuesday, January 19, 2021 1:00:55 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 10:30:33
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: opposition to proposed development at 9-15 Albany Turnpike
Importance: Normal

Neil

From: riepoirier1@aol.com [mailto:riepoirier1@aol.com]
Sent: Sunday, January 17, 2021 4:18 PM
To: Pade, Neil
Subject: opposition to proposed development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neal and members of the Canton Planning and Zoning Commission,

I am writing in opposition to the current proposal to develop the site at 9-15 Albany Turnpike. My understanding is that this proposal would require at least 15 months of blasting, mining and rock crushing to remove more than 100,000 cubic yards of trap rock. This operation may release toxic chemicals into the aquifer which feeds my well and those of dozens, if not hundreds, of my my neighbors. According to geologists, it also could cause our wells to go dry.

There are many more problems with this particular proposal. But to keep this email short, I'll keep my main point to the health of our wells. If the wells in this part of town are damaged by this development, our homes become unlivable and our property values plummet. Canton would be the next Flint, Michigan, with its residents unable to use their water because of irresponsible action by their government.

I urge you to reject this proposal and find some other use for this land that won't be so destructive to our town.

Thank you for your consideration.

Rie Poirier-Campbell
9 Pond Road
Canton

Archived: Tuesday, January 19, 2021 1:00:35 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 10:24:28
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: File 475; Apln 2000; 9 and 15 Albany Turnpike
Importance: Normal

Neil

From: Kathleen Munroe [mailto:kdmunroe@comcast.net]
Sent: Sunday, January 17, 2021 3:06 PM
To: Pade, Neil
Subject: File 475; Apln 2000; 9 and 15 Albany Turnpike

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To: The Members of Canton's Planning and Zoning Commission:

I am writing to oppose the captioned Application submitted by developer Mark Greenberg and his associates. I agree with the numerous objections filed by a wide spectrum of residents and will try not to repeat them all here.

The first two principles of the Plan of Conservation and Development (POCD), which the PZC is obligated to prepare, adopt and **follow**, are: (1) the protection of Canton's "independent, artsy, small-town character"; and (2) the protection of Canton's natural resources. The Greenberg proposal is diametrically opposed to each of these principles. As the POCD further states, "[b]usiness development in suitable locations must happen in a manner that enhances the character of the community and reinforces strong property values." No one seriously questions that the site at issue is a suitable location for business development, but, as well-stated in the numerous objections on file, it cannot be said that this proposed development enhances the character of the community. Moreover, this development would forever destroy the unique natural resource that defines the entrance to Canton.

In considering this Application, I urge the Commissioners to look beneath the developers' presentations, particularly that of Michael Frisbie, who called this Application "a referendum on alternative energy" and who wishes, as he put it, to realize his "dream." No true environmentalist or land use proponent would blast away a significant natural resource to install a hulking single-use building and twenty gas pumps. This project, if approved, would be Canton's nightmare.

Ask yourselves two questions: Why this project, and why this site?

1. ***This Project:*** Is a glorified truck stop appropriate as the East Gateway to Canton? Does this comport with the principles set forth in the POCD? Is there any evidence that Canton, the Farmington Valley, Connecticut or anywhere else can sustain a showroom to display cars that aren't even for sale? This

question is relevant in light of Mr. Frisbee's comment that he is "excited" about the prospects for this building "for the next thirty years." Does anyone really believe that, given the extensive amount of automotive research available on-line and the technology that established vehicle manufacturers are devoting to electric vehicles, such a pipe-dream of Mr. Frisbee's will be sustainable for thirty years?

With the proliferation of charging stations in home garages and office parking lots (including the Canton Town Hall parking lot), does anyone really believe that in thirty (nay, ten) years, highway charging stations will be as necessary and ubiquitous as gas pumps are now? Mr. Frisbee's predictions of the future are as speculative as anyone else's, and they should be taken with a huge grain of salt. For that matter, to the best of my knowledge and information, there is no committed tenant and thus no assurance that this project actually will be built after two years of destructive excavation.

2. *This Site*: Why are the developers hell-bent on this particular site? Mr. Frisbee is rightfully proud of a "2019 Connecticut Main Street Center" award for a mixed-use development on Hudson Street in Hartford, in which a vacant corner gas station was replaced with a new gas station, convenience store and apartments. Situated on a blighted city block near Hartford Hospital and office buildings, that project improved an urban corner for the benefit of a commercial neighborhood. Yet, in contrast to that project, Mr. Frisbee and his partners have no interest in improving a vacant commercial site in Canton. Why do Mr. Frisbee and his partners instead seek to destroy the environmentally unique natural resource that is the defining entry to Canton (and, I would say, the "northwest hills")? At the December meeting, Mr. Frisbee freely admitted that "it's easier to take an old gas station, renovate it and try to make some money" So why isn't he interested in doing that in Canton?

The obvious answer to both questions is the profit value of the trap rock ridge these developers seek to obliterate. Make no mistake: this Application is a tissue-thin excuse to operate a quarry to the great financial benefit of the developers versus the great detriment of the residents of Canton (and, in general, the Farmington Valley). For some residents, those detriments extend well beyond noise, traffic congestion and aesthetics to include health and safety concerns about wells and foundation underpinnings.

This is not the right development for this site. I urge the Commission to reject this Application.

Respectfully submitted,

Kathy Munroe
17 Town Bridge Road
Collinsville, CT 06022

January 16, 2021

Neil Pade
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
npade@townofcantonct.org

Re: File 475 Application 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; proposed retail/service and personal services business application

Dear Mr. Pade and Town Zoning & Planning Commissioners,

I have lived in Canton for nineteen years. I raised my daughter here, volunteered at her Canton schools, and taught her to love her town. I continue to support Canton schools, Canton businesses, and town organizations. I am a member of the Canton Land Conservation Trust. The steady loyalty I have developed to Canton since moving here speaks to its character as a small, rural Connecticut town with natural beauty, charming commerce, and strong values. I am writing to oppose the proposed development at 9-15 Albany Turnpike, which runs counter to all of that.

I share the concerns of neighbors who have pointed out that the proposed development would require nine special permits, sharply indicating that it does not match our town values. Completely destroying the landscape that has so long marked the entrance to our beautiful town would send a message that we have compromised our local identity; it would betray a lack of respect for our natural environment; it would communicate a frantic grab for commercial investments, beginning the disastrous transformation from a prosperous center of small-town charm, to the sort of drive-through town where locally owned businesses cannot thrive.

On top of these concerns, the proposed development would also be bad news from a public health and wellness perspective. The application calls for the removal of 150,000 cubic yards of traprock, which is not necessary for the development of this site in general, but rather a destruction unique to this project. For at least two years, residents who live close to the project, and everyone shopping or driving nearby, would be subjected to the deafening sounds and offensive smells of the rock being blasted. Cantonites driving east for work, school, medical appointments, or any other daily travel would suffer from traffic slowdowns on our only major eastbound route. (The same inconveniences would likely deter out-of-towners from traveling to Canton for shopping, dining, and recreation.)

These quality of life issues are significant in their own right, and may end up paling in comparison to an even greater public health risk: the threat of water contamination. As the Farmington River Watershed Association, Inc. noted in its 12/16/20 letter, "the extensive blasting proposed for this project proximate to an ongoing and continuously-polluting superfund site presents unacceptable risk to groundwater, a public drinking water well, private wells and ultimately discharge to surface waters of Connecticut. This area

drains into the Jim Brook and Roaring Brook watersheds and these waters feed the wetlands of Secret Lake, before flowing into the Wild & Scenic Farmington River. The proposed development overlies a CT DEEP aquifer protection area, a public water supply area that requires special protection and consideration for the proposed development activities.” The example of Flint, MI has taught us that clean water is precious. I strongly oppose a development proposal that puts the purity and safety of our town’s wells and watersheds at risk.

We are lucky to live in a town whose carefully crafted zoning regulations reflect a shared commitment to small-town character, natural beauty, and public well-being. I urge you to deny the current application to develop 9-15 Albany Turnpike, which in demanding nine special permits has already shown us that it does not match our town priorities.

Sincerely,

Betty Kolding
203 Cherry Brook Road

January 16, 2021

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
npade@townofcantonct.org

Re: File 475 Application 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015; proposed retail/service and personal services business application

Dear Mr. Pade and Town Zoning & Planning Commissioners,

I have lived in Canton for nineteen years. I graduated from Canton schools, support Canton businesses, and volunteer with the Canton Land Conservation Trust. As someone who takes deep pride in our town identity, I am dismayed by the proposed destruction and developments at 9-15 Albany Turnpike. Awarding a developer no fewer than nine special permits to blast an iconic landmark and construct an unsightly behemoth at the very gateway to our town would fly in the face of the shared values reflected in our zoning regulations and Plan of Conservation and Development. I urge you to heed the concerns of Canton residents and deny this ill-conceived application.

The first thing that you see when you cross into Canton from Simsbury and Avon is the awesome beauty of the traprock ridge. This ridge provides a natural gateway between the big-box stores, fast food restaurants, and car dealerships of the busier stretch of 44, to the quieter, more inviting commerce of Canton, including quaint but thriving small businesses and the large but tastefully designed outdoor Shoppes that attract visitors from around the state. Driving by that ridge at 9-15 Albany, I always find myself letting out a breath of relief. It means that I'm coming home to somewhere with character. If we lose this natural gateway to our town, we chip away at our own identity. This is morally distressing to me--I hate the thought of stripping away the landmark that has sheltered us, preserved our privacy, and guarded our individuality. But I believe that it is also ill-considered from a pragmatic standpoint: approve a development that makes Canton thoroughly continuous with the loud, ugly businesses that dominate the stretch of 44 that runs east of us, and we take away that charm and appeal that makes a trip to Canton worth it for so many shoppers who could find similar retail opportunities closer to home, but value the experience of shopping in our quieter, quainter town.

Denying this development is also the right choice from an environmental standpoint. In the staff review of the proposal,¹ you note that “These properties were reviewed against the CTDEEP’s mapped inventory of Natural Diversity Database Areas and were found not to be included.” I would like to respectfully draw your attention to a letter from the Connecticut Botanical Society, on the Conservation & Ecology Committee of which I serve, regarding the site’s ecological importance.² The development application should have included a thorough botanical survey of the property during the growing season, when potentially rare ephemeral plants can be detected; in the absence of such a survey, we must place special importance on the knowledge that this site includes not one but *three* Critical Habitats for Connecticut wildlife.

The Farmington River Watershed Association has also expressed the ecological importance of the site.³ It’s no coincidence that this proposal is masked in a veil of environmentalism. The developer imagines that his dealership will sell electric vehicles, but the extensive blasting required, and the ensuing habitat destruction and potential watershed toxification, is hardly environmentally sound. Moreover, a building is a building and a parking lot is a parking lot: they could be used for anything else in the future. What if the electric cars don’t sell and he just starts selling regular cars? There goes the green sheen on this destructive proposal.

For that matter, the site--one that requires such a significant financial investment, such intensive reshaping of the landscape, and the arduous application for *nine special permits*--seems too inconvenient a choice for any developer who’s not specifically invested in quarrying the rock. A recent proposal for housing on a trap rock ridge in Hamden was really just a proposal for a quarry in disguise. Similarly, a property owner in Branford received approval to do a “little rock blasting” as part of preparing the site for a speculative development. Two years later it’s still a mining operation. The last thing our town needs is the cacophony and the eyesore of an open quarry operation on the pathway to the Shoppes and adjacent to residential areas.

Don’t be fooled by an associate of developer Rich Correia, and who bristles at town residents’ observation that this proposal appears likely to turn into a mining operation.⁴ In a long letter full of long paragraphs extolling the supposed merits of his business partners, his rebuttal to our concern is conspicuously brief. He writes only, “This is simply not the case. There is ample proof of this within the

¹ Email from Neil Pade to Canton Planning and Zoning Commission, dated 12/11/20.

² Letter from David Yih, President of the Connecticut Botanical Society, to Neil Pade, dated 1/16/21.

³ Letter from Alisa Phillip-Griggs of the Farmington River Watershed Association to Neil Pade regarding application review, dated 12/16/20.

⁴ Letter from Scott Macbeth to Neil Pade, dated 12/16/20.

submittal.” Apparently the proof is not ample enough for him to select even one or two details to share with us.

As residents, we share a love of Canton and a wish for a healthy and thriving town in which to live. These wishes are manifested in Canton’s zoning regulations and POCD, which serve to protect the character, image, and identity that derive from Canton’s natural and rural beauty and its small-town feel. That the proposed development at 9-15 would require nine special permits is ample evidence that it does not match our town priorities. To uphold the values enshrined in our regulations, to act in a way that is ecologically and environmentally sound, and to preserve Canton’s unique character and assets, I urge you to deny the application for development at 9-14 Albany Turnpike.

Sincerely,

Hayley Kolding
203 Cherry Brook Road
hayley.kolding@gmail.com

Archived: Tuesday, January 19, 2021 12:59:35 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 09:31:30
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: ev project
Importance: Normal

Neil

From: Marc [<mailto:comesatimepowerwashing@comcast.net>]
Sent: Saturday, January 16, 2021 8:23 AM
To: Pade, Neil
Subject: ev project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello my name is Marc Cournoyer, 35 Secret Lake RD Canton , in my 20 years in Canton working as a contractor I have seen many projects come and go , This project is one that is looking forward to the future with proper planning in place . Pumps that can be converted to electric as needed , GENIUS .

My concerns with this property have to do with the Clean water act , where will the storm drains on the property be directed ? What the Maintance schedule/and environmental plan for cleaning these areas are ? Specifically the pad area around the pumps that will have gas residue from spillage . I would like to see a water reclaim system in place as part of the plan (similar to car washes) to guarantee that NO waste water goes in the swamp on the west side of the property , this swamp drains under RT 44 travels west crosses secret lake RD adjacent to the Shoppes property and into Secret Lake a popular fishing spot . Please refer to the State DEP for guidance on these issues if needed , but they must be addressed .

Also , I have not seen anything referencing a Generator backup for this gas / electric station , we all remember the October 2011 snow storm that knocked out power everywhere In the aftermath of this historic storm, we saw long lines at gas stations as drivers traveled out of powerless towns to other communities in search of working gas pumps, milk , bread , and other essentials , by adding a generator you will add value to the community with the comfort of knowing you have back up power for emergency times . . Thank you . Marc Cournoyer

Archived: Tuesday, January 19, 2021 12:59:11 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 09:29:56
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: I oppose the proposed development on 9/15 Albany Turnpike
Importance: Normal

Neil

From: Andrew Lamb [mailto:andrew.r.lamb@gmail.com]
Sent: Friday, January 15, 2021 8:35 PM
To: Pade, Neil
Subject: I oppose the proposed development on 9/15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

This proposed development will likely cause environmental harm and does not make sense for residents. An electric vehicle showroom... with a 20 pump gas station?? How can that possibly fit into Canton's development strategy? We need fewer gas stations, not more. We need sustainable and environmentally friendly development.

--

Andrew Lamb

Archived: Tuesday, January 19, 2021 12:58:55 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 09:25:14
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: new development at la tratoria property!!!
Importance: Normal

Neil

From: jonathan sidrane [mailto:sidcanton@yahoo.com]
Sent: Friday, January 15, 2021 4:14 PM
To: Pade, Neil
Subject: new development at la tratoria property!!!

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil, hope your well, hopefully my team is getting as-built done to standards!!!!!! Just as a footnote, being in town for 29 +/- years (more than half my days on earth) thought i would give you my opinion on the development that is on the docket. I am all about business in town, and hope all have a fair shake but the renderings of this building certainly do NOT fit the character of our town, even though it is on RTE 44. During holidays/rush hour it could take as much as 20 minutes to get from canton to base of avon mountain on 44. Traffic alone would be a nightmare, and as a business owner(on 44), I usually would like any increase of traffic. Just thought id write and give my opinion, the building looks like it belongs on the berlin tnpke, not the entrance to canton.

thaxn for your time
Jonathan

Archived: Tuesday, January 19, 2021 12:58:19 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 09:24:51
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: I oppose the 20 pump gas station!!!
Importance: Normal

Neil

From: Jessica Maher [mailto:nestmotherbaby@gmail.com]
Sent: Friday, January 15, 2021 3:50 PM
To: Pade, Neil
Subject: I oppose the 20 pump gas station!!!

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello.

I just wanted to add my opinion on the proposed development of the car showroom and 20 pump gas station.

I have lived in Canton since 1982, and I've seen it change a lot since then. I think overall it has kept its charm that sets it apart from the rest of the Farmington Valley.

That beautiful rocky ridge on route 44 is like the gateway to our beautiful town.

If this atrocious development becomes approved, this will forever change that, and we can never gain it back.

Not only will it ruin the landscape of our town, I fear for the environmental damage it will cause.

My parents own a home on Michael drive, where I grew up. They have well water there. I am afraid of the possible impacts the blasting may cause to their property and their well water. They have lived in that home and have paid taxes in this town since 1982. An irresponsible development like this could damage their investment FOREVER.

We know that the ground around the Volkswagen dealership and beyond is toxic. Will those toxins be released further into our town if the ridge is blasted when the construction begins?
I am 100% against this project. I feel that it would be a huge mistake.

Thank you for considering my concerns.

Archived: Tuesday, January 19, 2021 12:57:35 PM
From: [Pade, Neil](#)
Sent: Tue, 19 Jan 2021 09:23:18
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: EV Showroom and blasting
Importance: Normal

Neil

-----Original Message-----

From: PAMELA BALI HOPPI [<mailto:obalihoppi@aol.com>]
Sent: Friday, January 15, 2021 2:47 PM
To: Pade, Neil
Subject: EV Showroom and blasting

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello,

I would just like to express my opposition to the EV Showroom development. I have no issues with the concept itself but am entirely against removing the rocky ledges. I hate the thought of losing their natural beauty. And since the MDC and FVRA have objections, I think the blasting should not be allowed to happen. I think Canton is a unique and desirable place to live because of its beauty and believe that helps maintain the value of our properties. Let the development go in and keep the ledges or let the company look at all the other options on Route 44.

Thank you for your time.

Respectfully,
Pam Bali Hoppi
126 Winterbourne Lane

Sent from my iPhone

January 19, 2021

Canton Planning & Zoning Commission

Dear Commissioners,

Thank you for your careful consideration of a great deal of information regarding the application to develop 9-15 Albany Turnpike. I appreciate the time you've volunteered to consider the rights of the applicant and the existing residents and businesses of Canton.

First, I want to address some of the testimony given by the applicant's team. During the Oct. 5, 2020 Simsbury Zoning Commission meeting, Kevin Solli, of Solli Engineering, said, "We do have some pretty extensive grading required to accomplish this project. ... There's a pretty steep hill. We're proposing some pretty extensive earthwork and removal of material to really accommodate this developed area."

During the Nov. 18, 2020 Canton Planning & Zoning Commission public hearing, Kevin Solli, of Solli Engineering said, "Blasting is highly regulated. DEEP has policies and procedures." Pre-blast surveys of wells are done.

In fact, the state regulations on blasting have not been updated since 1972. Efforts were made to do so, but the bill never got out of committee because, according to Lee Heller, of 34 George St., Seymour, whose home sustained \$15,000 worth of damage following blasting for a commercial development.

Mr. Solli and Michael W. Frisbie, co-owner of Noble Gas, said at the Dec. 16, 2020 Canton P&Z Commission meeting that the convenience store proposed was not going to be your run-of-the mill convenience store where people just come for lottery tickets. Mr. Frisbie said, "I think the town of Canton would be a perfect location for a higher-level fueling center that offers a higher-end food product." He repeatedly called it a "higher-level" project or "higher-end." He said he personally oversees all his other seven stations and that, "Our facilities are at a higher level." He refers to the Canton proposal buildings' designs in particular as, "In keeping with the town but at a nicer level."

Mr. Frisbie said his store will have "a coffee and breakfast program, a deli program and an ice cream program." All convenience stores sell all those things, except maybe cones.

Included in this letter, I'm including photos from Noble Gas station's websites that clearly show: a sandwich board sign outside the East Windsor gas station promoting Keno; multiple signs outside the Danbury gas station advertising cigarettes and lottery tickets; and neon lights in the window advertising KENO at the downtown Hartford station. As you will see in the photos, his stores sell Dunkin Donuts coffee and typical convenience store items. The website for one of the stores includes multiple photos of lottery tickets.

Mr. Solli said during the Dec. 16, 2020 public hearing, "We're excited because this project is based around the future of transportation. It's far more than a traditional gas station because the pumps can be converted to DC chargers."

- 1) As you will see from the photos, none of the gas stations, even those in Hartford and Danbury where populations are larger, or in East Windsor, where the gas station is located close to I-91, have anything close to 20 pumps.
- 2) During the Dec. 16, 2020 public hearing, in response to the question about when the gas pumps would convert to EV charging stations, Mr. Frisbie said, “One of the interesting factors that I take into account when designing a facility, you need to allow for peak times... You don’t want to undersize, traveling around the site trying to find a spot, while also allowing for future growth.We could go down the street, try to design in one site. So, what I try to do is design accordingly. As the time goes, maybe not in my lifetime but in my kids’ lifetime I would like to see those gas pumps all turn into EV chargers or whatever the future may bring.” According to public records, Mr. Frisbie is 52.

In response to the plan to install 20 gas pumps and underground storage tanks over rock, I want to bring your attention to the state of Connecticut Dept. of Energy and Environmental Protection [List of Contaminated or Potentially Contaminated Sites in Connecticut](#). Mr. Frisbie’s Noble gas station in East Windsor is included on that list. (See page from the list attached.) The entire list for the state, which includes underground storage tanks from gas stations, businesses, homes and municipalities, lists 10,323 underground storage tank leaks that have been reported, are being investigated, are being cleaned up or have been cleaned up. The point is that gas tanks leak through both human error, accidents, and over time. I’m attaching a photo from one of Noble gas station’s websites showing an underground storage tank being filled from a tanker without anyone close by watching.

As you know, the Canton zoning regulations are there to protect the health and safety of residents and businesses. The regulations state:

“4. Before approving a special permit, the Commission shall determine that any accompanying site plan application is in conformance with the applicable provisions of these regulations. In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote:

a. Public health, safety or welfare;

b. The environment;

c. Improved land use, site planning and land development, and sound planning and zoning principles;

d. Property values; or

e. Better overall neighborhood compatibility.”

As proposed, this project poses risks to public health, safety and welfare; the environment; property values; and the character of the overall neighborhood; we believe it does not represent improved land use, site planning, and land development and violates sound planning and zoning principles. It is incompatible with the Eastern Gateway District as defined in the Plan of Conservation and Development.

9.2.E. SPECIAL PERMIT CRITERIA

In considering any application for a special permit, the Commission shall, in addition to other standards in these Regulations, evaluate the merits of the application with respect to the following factors:

1. **Plan of Conservation and Development** – Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended. *[This proposed development contradicts the spirit and letter of the POCD. Because of the extent of the site work required, the design of the car showroom and the size of the gas station, this proposed development is out of balance with Canton. Here are just a few excerpts from the POCD]:*

“The Plan of Conservation & Development (POCD) represents a guide for:

- Nurturing and promoting the image and identity of Canton;
- Enhancing and sustaining the vitality of Canton; and,
- Securing a good quality of life for Canton.

Keeping in mind that there are many other important themes and topics presented in this POCD, two prominent themes of recurring significance emerged as a result of the public input process, the Committee deliberations, and the POCD document itself:

- Preserving community character, and
- Building and sustaining the economic vitality of Canton.

These two themes may “pull” in different directions, but are not incompatible. With a commitment to coordinated and balanced planning and management, both themes will work together to enhance the overall quality of life in Canton. Consequently, ‘balance’ is the paramount theme of the POCD.”

3. **Environmental Protection and Conservation** – Appropriate consideration shall be given to the protection, preservation, and/or enrichment of natural, scenic, historic, and unique and environmental resources and features which enhance the character of the community. *[Traprock ridges are a finite resource that, once gone, are gone. The rock at the entrance to Canton from the east is a signature landscape feature. The ridgeline creates a visual and symbolic barrier to the big box “Everytown, USA” feel of Rte. 44 to the east.]*

4. **Suitable Location for Use** – with respect to:

- a. The size of the lot;
- b. The nature and intensity of the activities involved in or conducted in connection with the use;
- c. The streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the neighborhood in which it is located; and,
- d. The impact on neighboring properties and residences or the development of the district.

[We contend that the intensity of the activities involved in site preparation in order to build as proposed make this location incompatible with the planned development. The two years of truck traffic onto and off the site, the rock blasting, excavating, drilling, scraping, crushing, and removal will have a negative impact on the neighboring properties and residents; it will negatively impact their quality of life and has the potential to lower property values if the wells are contaminated and the water becomes unpotable. Think of how annoying it would be to have to listen to those sounds six days a week for at least 15 months and possibly two years.]

5. Appropriate Improvements

a. The design elements shall be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future character of the neighborhood. *[The futurist car dealership's design and size is not suitable in relation to the site characteristics or the style of other buildings in the immediate area. A 20-pump gas station is not a suitable use in a town of 10,000 that is a 20-minute drive to the nearest highway.]*

b. The location, nature and height of buildings, walls, and fences, planned uses and the nature and extent of landscaping on the lot shall not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof. *[If these businesses fail, or if the developer doesn't complete development, this project could impair the value of the neighborhood. The nature and planned uses proposed put this plan at risk of becoming a 'white elephant.']*

c. The proposed use shall have no material adverse impact upon the neighborhood. *[The two-year excavation and construction project proposed, including the excavation of 146,688 cubic yards of basalt rock and the removal of 139,741 c.y. of rock, will have a significant material adverse impact on the neighborhood by virtue of the noise pollution, truck traffic, and its wear and tear on Canton roads, and the potential adverse impact on the neighborhood aquifer, wells, chimneys, and foundations.]*

6. Suitable Transportation Conditions

- a. The design, location, and specific details of the proposed use or activity shall not:
- i. adversely affect safety in the streets;
 - ii. unreasonably increase traffic congestion in the area;
 - iii. interfere with the pattern of vehicular circulation in such a manner as to create or increase unsafe traffic conditions.

7.5.E. ADDITIONAL SPECIAL PERMIT CONSIDERATIONS

1. In addition to the special permit criteria set forth in Section 9.2.E, the Commission may also consider the following when reviewing an application under this section:

- a. Potential soil erosion and sedimentation affecting all land, bodies of water and public works, both on-site and off-site;
- b. Effects on drainage and groundwater table;
- c. Lateral support slopes, grades and elevations of abutting streets and properties;
- d. Effect of the operation and any related traffic on circulation and road condition on streets serving the parcel under consideration;

g. The recommendation of the Commission's engineer, the Conservation Commission, and the Town Planner; and [Town Planner Neil Pade's 12/11/2020 letter states, "Page A-19 Item #25.29, Section 7.3 Signage—A special permit is requested to allow signage that does not comply with the current standards. The Commission is cautioned by staff to administer the published standards with little discretion."]

h. The scope and duration of the project and effects on neighboring properties. [The applicant's plan to conduct an excavation operation for 1 year and 3 months, with the total project projected to take two years, will have a considerable scope and duration for not only neighboring properties, but all those residents who have to take Rte. 44 to get to work, medical appointments, or errands. It will negatively impact those residents on secondary roads who will face increased traffic as motorists try to avoid the bottleneck caused by the construction project, similar to what has been happening further east on Rte. 44 in Avon, during the lengthy construction of a Whole Foods store, which did not require nearly as extensive a site-preparation plan.]

2. The operation of earth material processing, screening or crushing equipment is allowed as part of an approved subdivision or site plan on site by special permit. [As Neil Pade's 12-11-20 letter states, "Staff continues to recommend caution in the granting of the maximum 24-month permit. As stated two months ago, this is a site development plan that is preceded by a quarry operation. This may be [a] perfectly acceptable way to develop a site, however the site development plan is given primacy. Earthwork operations of a commercial nature are not permitted outside of a site plan or subdivision approval. It must be clear that the rock is being removed to accommodate the site development, not at the schedule and convenience of the sand and gravel company processing orders for materials to be filled from the site (reducing costs associated with transporting material more than once, or storing materials offsite.) Conditions to ensure this does not occur should be considered.]

3. The operation of earth material processing, screening or crushing equipment as a standalone operation/ not as part of an approved subdivision or site plan is allowed in the Industrial District by special permit. [9-15 Albany Ave. is not in an Industrial District, so while the applicant wants to excavate 146,688 cubic yards of trap rock and remove 139,741 c.y., the applicant proposes a development that requires far more site work than other commercial developments approved in the past 20+ years. Town Planner Neil Pade's letter to the Commission advises that the site work is the largest part of the project and requires careful scrutiny. Regarding Earthwork and Grading, his 12-11-20 letter states, "The Commission must consider the criteria of Section 7.5.E, Additional Special Permit Considerations, in addition to the criteria of Section 9.2.E. It is the responsibility of the Applicant to demonstrate that this criteria is met.]

4. In approving a special permit, the Commission may specify the overall time period within which a grading or processing activity shall be completed, but in no event shall that time period exceed two (2) years. [Living with the noise, disruption, traffic, dirt, etc. for two years puts the interests of the applicant ahead of the protections outlined in the zoning regulations and the goals outlined in the POCD.]

7. As a condition of any special permit, the Commission may require that the applicant furnish a performance and/or maintenance bond, acceptable to the Commission in form, amount, and surety, securing to the Town of Canton the faithful performance of the work proposed, pursuant to both the provisions of this or other applicable sections of these regulations and to the specific conditions of approval. [We urge the Commission to make, as a condition of any special permit, the performance bond as written above, to protect the Town in case the development doesn't proceed according to the approved plans and to cover the cost of extending public water and connecting homes to public water, should groundwater be contaminated. The developer should also be required to pay the water bills for residents for several years, since those with well water don't have to pay for it.]

9. In order to prevent activities which would be detrimental to the character of the Town and the value of adjacent properties, blasting, and grading shall be done in accordance with the following standards:

a. The use of jersey barriers or waste concrete blocks for retaining slopes is not permitted. Concrete or metal cribbing, rip-rap, or gabion wall systems used for retaining slopes shall not be visible from the street or adjoining properties. Decorative block, tinted, formed, concrete resembling stone or brick, or concrete covered by a course of brick or stone are recommended for retaining slopes in highly visible locations;

b. Earthen slopes shall contain a suitable ground cover of grass, ivy, creeping varieties of shrubs or similar treatment;

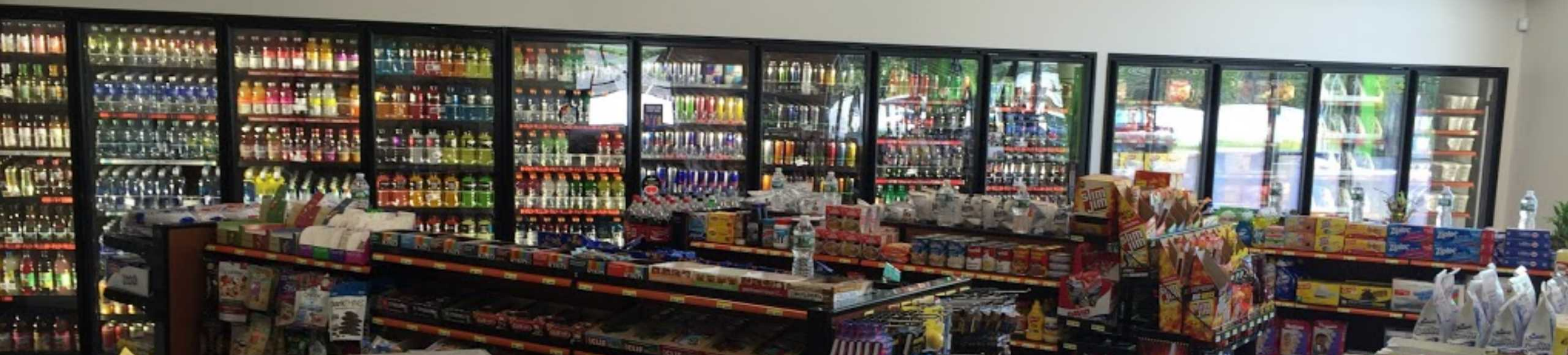
c. Ledge walls or retaining walls visible from the public street or adjoining properties are not recommended and shall be reduced through grading, terracing, or other means; and

d. to reduce the visual impact of tall, ledge walls or retaining walls, the Commission may require landscaping along the base of walls.

I submit that the entire blasting plan goes against the character of the town and the value of adjacent properties. The project does not fit the site. Canton has worked hard to develop a reputation as a bucolic town that respects and treasures natural resources and the environment. There's a reason this plan is so widely opposed by residents from all over town, while there is little to no opposition to the Mitchell Subaru plan for its site, which is also close to the Superfund site.

Sincerely,

Theresa Sullivan Barger
8 Pond Road
Canton, CT





Noble

REGULAR CASH	2.83 ⁹ / ₁₀
REGULAR CREDIT	2.89 ⁹ / ₁₀
DIESEL CASH	3.19 ⁹ / ₁₀
DIESEL CREDIT	3.25 ⁹ / ₁₀

DRIVE THRU
DUNKIN' DONUTS

Noble

REGULAR CASH <small>PER GALLON INCLUDES TAX</small>	2.69 ⁹ / ₁₀
REGULAR CREDIT <small>PER GALLON INCLUDES TAX</small>	2.75 ⁹ / ₁₀
DIESEL CASH <small>PER GALLON INCLUDES TAX</small>	3.19 ⁹ / ₁₀
DIESEL CREDIT <small>PER GALLON INCLUDES TAX</small>	3.25 ⁹ / ₁₀

DRIVE THRU
DUNKIN' DONUTS



58 Padanaram Rd
Danbury, Connecticut



Noble

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1034 1068 994 1072 922

58 Padanaram Rd
Danbury, Connecticut



Noble
REGULAR 2.59
MID GRADE 2.59
PREMIUM 2.99
DIESEL 2.99

LOTTERY
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Marlboro
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DUNKIN'
DONUTS

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3258 Main St
Hartford, Connecticut



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CASH	2.55
REGULAR	2.59
CREDIT	2.59
MID-LEVEL	3.05
CASH	3.05
DIESEL	3.09
CREDIT	3.09
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REGULAR CREDIT 233

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REGULAR 3.499
MID GRADE 3.699
PREMIUM 3.899
ELECTRIC 3.999
ELECTRIC 3.999
Kwik Trip

Noble

Noble

HEALTHY

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility. This project violates all five provisions.

CANTON TOWN HALL
LAND USE OFFICE
JAN 19 2021

DATE OF RECEIPT IN OFFICE

NAME	ADDRESS	TOWN
1. Matthew Kyria	24 Colony Rd	Canton
2. Rachel Case	42 Bristol Drive	Canton
3. Scott Maze	31 Crown Point	Canton
4. Steve Rubratin	106 Atwater Rd.	Canton
5. ED WELCOME	91 GHAISNEY LN	CANTON
6. ALAN MINO	8 BART DRIVE	CANTON
7. John Ash	6 Dees Run	Canton
8. Anthony Melloro	14 Canton Valley Cir	Canton
9. David Silver	3 Forest lane	Canton
10. Heather Sitar	3 Forest lane	Canton
11. James Gunk	260 WRIGHT RD	CANTON
12. Marisa Trina	74 Wright Rd	Canton
13. Matt DELBORRE	50 Maple Ave	Coll -
14. Pong Wisch	87 Wagoner Rd	Canton
15. Adam Reader	22 Ryer Ave	Canton
16. Randy Miller	66 High St	Canton
17. Jeffrey Wade	26 Knollwood Rd	Barnington (not Canton)
18. NATHAN miller	335 Cherry Brook rd	Canton
19. Josh LaCombe	27 East Hill Rd	Canton
20. Justin Carfano	54 Westmonte Dr	Canton
21. Chris Guenet	115 B Torrington Ave	Collinsville

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility." This project violates all five provisions.

22. Mark Herrera 24 Albany Turnpike Canton, CT 06019
23. Cindy Radon 33 old Albany Turnpike Canton CT 06019
24. Mary Keane 31 old Albany Tpk. Canton CT 06019
25. STEVE VINCZE 29 old ALBANY TPKE. CANTON CT 06019
26. Patricia Vinze 29 old Albany Tpk. Canton
27. Kristin Gentilcore 5 old Albany Tpk. Canton 06019
28. James Donnell 5 old Albany Tpk. Canton 06019
29. Kathleen Wood 23 Old Albany Tpk-e Canton 06019
30. Jake Wood 23 Old Albany Tpk. Canton 06019
31. Gravin Wood 23 old Albany Tpk. Canton 06019
32. Larry Wood 23 old Albany Tpk. Canton 06019
33. Noorman Peltier 4 Forest Lane Canton 06019
34. Linda Peltier 4 Forest Lane Canton ct 06019
35. Joanne Tommequer 12 Forest Lane Canton 06019
36. Mark Duboc 10 Forest Lane Canton 06019
37. Jennifer McCarty 6 Forest Lane Canton, CT 06019
38. Dave Dams 9 Forest Lane Canton CT 06019
39. John Gelfi 11 Forest Ln Canton CT 06019
40. John H. Gelfi 11 Forest Ln Canton CT 06019
41. Carol Hendry 18 Forest Lane Canton CT 06019
42. Paul Byrd 22 Forest LN, Canton CT 06019

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility. This project violates all five provisions.

- | | | | |
|-----|----------------------------|------------------------|-----------------------|
| 43. | <i>John Thur</i> | 25 Forest Lane | CANTON |
| 44. | <i>Walter Hill</i> | 25 FOREST LN | CANTON |
| 45. | <i>Ranul Hill</i> | 25 Forest Lane | Canton |
| 46. | <i>J</i> | 26 FOREST LANE | CANTON |
| 47. | <i>J</i> | 26 FOREST LANE | CANTON |
| 48. | <i>Lisa Wilcox</i> | 28 Forest Lane | Canton |
| 49. | <i>Laura Aub</i> | 28 Forest Lane | Canton |
| 50. | <i>Beth Wright</i> | 38 Forest Ln | Canton |
| 51. | <i>Robert Fry</i> | 37 FOREST LN | Canton |
| 52. | <i>Jim QA</i> | 40 Forest Ln | Canton |
| 53. | <i>Ryn Fisher</i> | 40 Forest Ln | Canton |
| 54. | <i>Harold Kay</i> | 44 Forest LN | Canton |
| 55. | <i>Barbara Kay</i> | 44 Forest LN | Canton |
| 56. | <i>Manny Pantano</i> | 43 Forest Ln | Canton |
| 57. | <i>Keeley Pantano</i> | 43 Forest Ln | Canton |
| 58. | <i>Paul J. Thun</i> | 12 Thayer Ave | Collinsville |
| 59. | <i>Annunzio</i> | 31 Ellsworth | Canton |
| 60. | <i>Anna Lee</i> | 50 EAST Hill Rd | Canton |
| 61. | <i>Chris Miller</i> | 20A Canton Springs Rd. | Canton |
| 62. | <i>Travis Abate</i> | 30 Center St | Canton / Collinsville |
| 63. | <i>Jessica Szczepanski</i> | 7 Mohawk Dr | Canton |

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility." This project violates all five provisions.

64. Candy Dziadz 10 Gildesleeve, Canton
65. Jessie Buckle 41 Trail and Dr. Canton CT
66. Paul Byde 6 Collins Road Collinsville Ct.
67. Sando Bordon 59 River Rd. Canton, CT
68. Elizabeth Bartola 59 River Rd. Canton, CT
69. Maria C. Soutabel 21 Dowd Ave. APT 22 Canton CT
70. Paul O'Neill 21 Dowd Ave APT 22 CANTON
71. Nancy Spohrer 48 Forest Ave. Canton
72. Andy Johnson 48 Forest Lane Canton Ct 06019
73. KEVIN MANSAN 45 FOREST LANE CANTON CT 06019
74. SILVANO MANSAN " "
75. David Aczakio 17 Elizabeth Rd Canton CT
76. Molly McGuigan 17 Elizabeth Rd Canton CT
77. Craig Levesque 20 Elizabeth Rd Canton CT
78. Nicole Levesque 20 Elizabeth Rd canton CT
79. William Corwin 10 Elizabeth Rd Canton, CT
80. Noël Anderson-Corwin 10 Elizabeth Rd, Canton, CT
81. Jason M. Gould 11 Elizabeth Rd Canton CT
82. A. Canton 11 Elizabeth Rd Canton CT
83. Julia Brown 8 Elizabeth Rd Canton CT
84. Carrie 73 Sweet Lake Rd.

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility. This project violates all five provisions.

- 85. James [Signature] 69 Secret Lake Rd Canton
- 86. [Signature] 64 Secret Lake Rd Canton
- 87. Mark [Signature] 64 Secret Lake Rd Canton
- 88. Alex Kerr 60 Secret Lake Rd Canton
- 89. Sandy Elwin 37 Secret Lake Rd Canton
- 90. David Duffey 74 Secret Lake Road Canton
- 91. Chris Maher 1 Birch Rd Canton
- 92. [Signature] 9 Birch Rd Canton
- 93. [Signature] 9 Birch Rd Canton CT.
- 94. [Signature] 2 Elizabeth Rd Canton CT
- 95. [Signature] 2 Elizabeth Rd Canton, CT
- 96. [Signature] 49 Forest Lane Canton, CT
- 97. [Signature] 8 Pond Road, Canton, CT
- 98. _____
- 99. _____
- 100. _____
- 101. _____
- 102. _____
- 103. _____
- 104. _____

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility. This project violates all five provisions.

NAME	ADDRESS	TOWN
1. Paige Omeara	17-7 mountainview fairrace	Winsted
2. Peter TIRADO	485 Lovely st	Avon
3. Stefan Muratori	16 Birchwood Rd	Avon
4. Bill BROAD	2 ESSEX CT	Avon
5. Dag Alexander	142 Hockley St	Avon
6. Rick Koenig	220 Main St	New Hartford
7. Julie [Signature]		Canton
8. Anthony Melluso		Canton
9. Michael [Signature]		Thompson
10. David [Signature]		New Hartford
11. [Signature]		
12. [Signature]		Avon
13. Tony [Signature]	Rt 182	COLEBROOK
14. [Signature]	15 SPARROW LN	UNIONVILLE
15. [Signature]		Avon
16. Wesleyhammer	105 South Main St	Unionville
17.		
18.		
19.		
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21.		

CANTON TOWN HALL
LAND USE OFFICE
JAN 19 2021
DATE OF RECEIPT IN OFFICE

We, the undersigned, urge Canton's Planning & Zoning Commission to deny the developer of 9-15 Albany Turnpike's request for nine special permits to: excavate and remove more than 2,000 cubic yards of rock; build retaining walls exceeding the 8-ft. height limit; a gasoline filling station for 20 gas pumps; exceed the number of permitted signs; have retail exceeding 2,500 square feet; a drive-thru restaurant; a car dealership; outdoor storage and display; and outdoor dining. The project is too large for the site and violates the letter and spirit of the Plan of Conservation & Development. We remind the Commission the town's zoning regulations state, "In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote: a. Public health, safety or welfare; b. The environment; c. Improved land use, site planning and land development, and sound planning and zoning principles; d. Property values; or e. Better overall neighborhood compatibility." This project violates all five provisions.

22. Allyson Mulligan, 82 Secret Lake Rd, Avon, CT

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List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: EAST WINDSOR

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
Cabral Oil	44 Windsorville Rd.	Leaking Underground Storage Tanks – Investigation						
Central Transport	43 Newberry Road	Leaking Underground Storage Tanks – Rem. Started						
Chesters Plaza	149 North Road	Property Transfer – Form IV Remediation Started	8/4/2003	8/4/2003				
Classic Motel	95 South Main Street	Leaking Underground Storage Tanks – Completed						
Ct Water Co.	25 North Rd.	Leaking Underground Storage Tanks – Completed						
Cumberland	Rt. 140	Leaking Underground Storage Tanks – Investigation						
Design Works Inc	59 Newberry Rd	CERCLIS						
East Windsor Citgo Service Station	11 South Main Street	Leaking Underground Storage Tanks – Completed						
East Windsor Industrial Park	23 Thompson Road	Leaking Underground Storage Tanks – Completed						
East Windsor Maintenance Facility	157 Prospect Hill Road	Leaking Underground Storage Tanks – Completed						
East Windsor Noble	76 North Road	Leaking Underground Storage Tanks – Pending						
East Windsor Oil Town Garage	27 Mill Street	Leaking Underground Storage Tanks – Completed						
East Windsor Police Department	25 School Street	Leaking Underground Storage Tanks – Completed						

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
Best Cleaners, Inc.	1 Lovely Street	Voluntary Remediation: CGS 22a.-133x Investigation started	5/22/2006					
Best Cleaners, Inc.	1 Lovely Street	Voluntary Remediation: CGS 22a.-133x Investigation started	5/22/2006					
Bridgman Residence	106 West Road	Leaking Underground Storage Tanks – Pending						
Canaan Residence	10 Deer Run Rd.	Leaking Underground Storage Tanks – Completed						
Canaan Residence	10 Deer Run Rd.	Leaking Underground Storage Tanks – Completed						
Canton Central Office (5221)	6 River Street	Leaking Underground Storage Tanks – Completed						
Canton Central Office (5221)	6 River Street	Leaking Underground Storage Tanks – Completed						
Canton Citgo #84635 (former Circle K)	232 Albany Turnpike (route 44)	Leaking Underground Storage Tanks – Rem. Started						
Canton Citgo #84635 (former Circle K)	232 Albany Turnpike (route 44)	Leaking Underground Storage Tanks – Rem. Started						
Canton Department Of Public Works	50 Old River Road	Leaking Underground Storage Tanks – Completed						
Canton Department Of Public Works	50 Old River Road	Leaking Underground Storage Tanks – Completed						
Canton Gulf (former Exxon Station #35670)	210 Albany Turnpike (route 44)	Leaking Underground Storage Tanks – Rem. Started						

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
Canton Gulf (former Exxon Station #35670)	210 Albany Turnpike (route 44)	Leaking Underground Storage Tanks – Rem. Started						
Canton Highway Department	50 River Road (old River Road)	Leaking Underground Storage Tanks – Completed						
Canton Highway Department	50 River Road (old River Road)	Leaking Underground Storage Tanks – Completed						
Canton Maintenance Garage	Route 179 River Road	Leaking Underground Storage Tanks – Completed						
Canton Maintenance Garage	Route 179 River Road	Leaking Underground Storage Tanks – Completed						
Canton Raquet Club	310 Albany Turnpike	Leaking Underground Storage Tanks – Rem. Started						
Canton Raquet Club	310 Albany Turnpike	Leaking Underground Storage Tanks – Rem. Started						
Collinsville Motors	30 Bridge Street	Leaking Underground Storage Tanks – Completed						
Collinsville New England Petroleum (former Riverside Gulf# 84625)	14 Maple Street	Leaking Underground Storage Tanks – Completed						
Collinsville New England Petroleum (former Riverside Gulf# 84625)	14 Maple Street	Leaking Underground Storage Tanks – Completed						
Collinsville, llc	10 Front Street	Leaking Underground Storage Tanks – Completed						
D'agata Auto Center	66 Albany Turnpike	Property Transfer – Form III						

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
D'agata Auto Center	66 Albany Turnpike	Property Transfer – Form III						
Fairway Chrysler Plymouth, Inc.	75 Albany Turnpike	Property Transfer – Form III						
Fairway Chrysler Plymouth, Inc.	75 Albany Turnpike	Property Transfer – Form III						
• Former Gasoline Station	198 Albany Turnpike	Leaking Underground Storage Tanks – Pending						
• Former Gasoline Station	198 Albany Turnpike	Leaking Underground Storage Tanks – Pending						
• Former Swift Chemical	Rt 44, 51 Albany Turnpike	Leaking Underground Storage Tanks – Pending						
• Former Swift Chemical	Rt 44, 51 Albany Turnpike	Leaking Underground Storage Tanks – Pending						
• Hinmans Flower Shop	175 Albany Turnpike	Leaking Underground Storage Tanks – Completed						
• Hinmans Flower Shop	175 Albany Turnpike	Leaking Underground Storage Tanks – Completed						
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III						
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III						
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III						
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III						
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III Investigation started	7/16/2003					
Inertia Dynamics, Inc.	146 Powder Mill Road	Property Transfer – Form III Investigation started	7/16/2003					
• J. Swift Chemical Co. Inc	51 Albany Turnpike	Inventory of Hazardous Waste Disposal Sites						

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
J. Swift Chemical Co. Inc	51 Albany Turnpike	Inventory of Hazardous Waste Disposal Sites						
John Rathbone	642 Cherry Brk. Rd.	Leaking Underground Storage Tanks – Completed						
John Rathbone	642 Cherry Brk. Rd.	Leaking Underground Storage Tanks – Completed						
Lithographics Inc.	5 Albany Turnpike	Property Transfer – Form III						
Lithographics Inc.	5 Albany Turnpike	Property Transfer – Form III						
Lithographics, Inc.	5 Albany Turnpike	Inventory of Hazardous Waste Disposal Sites						
Lithographics, Inc.	5 Albany Turnpike	Inventory of Hazardous Waste Disposal Sites						
Long's Automotive Inc. / Okay Auto & Muffler Inc.	20 Ramp Road	Property Transfer – Form III Remediation Complete	7/7/2005			10/5/2006	NO	
Long's Automotive Inc. / Okay Auto & Muffler Inc.	20 Ramp Road	Property Transfer – Form III Remediation Complete	7/7/2005			10/5/2006	NO	
Long's Automotive, Inc.	20 Ramp Road	Property Transfer – Form III Remediation Complete	1/26/2016			8/24/2017	NO	
Long's Automotive, Inc.	20 Ramp Road	Property Transfer – Form III Remediation Complete	1/26/2016			8/24/2017	NO	
M. Swift & Sons Inc.	Canton Springs Road	Inventory of Hazardous Waste Disposal Sites						
M. Swift & Sons Inc.	Canton Springs Road	Inventory of Hazardous Waste Disposal Sites						
M. Swift & Sons, Inc.	20 Canton Springs Road	Property Transfer – Form III Investigation started	5/6/2008					

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
M. Swift & Sons, Inc.	20 Canton Springs Road	Property Transfer – Form III Investigation started	5/6/2008					
Macdonald Plaza Unit B	95b Albany Turnpike	Property Transfer – Form III						
Macdonald Plaza Unit B	95b Albany Turnpike	Property Transfer – Form III						
Mdc Collinsville Water Treatment Facility	150 Torrington Avenue	Leaking Underground Storage Tanks – Completed						
* Mitchell Subaru	71 Albany Turnpike	Voluntary Remediation: CGS 22a.-133x Investigation started	2/7/2005					
* Mitchell Subaru	71 Albany Turnpike	Voluntary Remediation: CGS 22a.-133x Investigation started	2/7/2005					
* Mitchell Subaru	Rt. 44	Leaking Underground Storage Tanks – Completed						
* Mitchell Subaru	Rt. 44	Leaking Underground Storage Tanks – Completed						
* Mobil Service Station No. 01-qqd	306 Albany Turnpike	Leaking Underground Storage Tanks – Rem. Started						
* Mobil Service Station No. 01-qqd	306 Albany Turnpike	Leaking Underground Storage Tanks – Rem. Started						
* Premco Well And Pump Co., Inc.	321 Albany Turnpike	Leaking Underground Storage Tanks – Completed						
* Premco Well And Pump Co., Inc.	321 Albany Turnpike	Leaking Underground Storage Tanks – Completed						
* S&s	51 Bristol Road	Leaking Underground Storage Tanks – Completed						

List of Contaminated or Potentially Contaminated Sites

“Hazardous Waste Facilities” as defined by Section 22a-134f of the Connecticut General Statutes

TOWN OF: CANTON

<u>Name</u>	<u>Address</u>	<u>Site Definition</u>	<u>Investigation Started</u>	<u>Remediation Started</u>	<u>Post Remedial Monitoring Started</u>	<u>Remediation Completed</u>	<u>ELUR</u>	<u>ELUR Type</u>
S&s	51 Bristol Road	Leaking Underground Storage Tanks – Completed						
Swift J. Chemical Company	51 Albany Turnpike	CERCLIS						
Swift J. Chemical Company	51 Albany Turnpike	CERCLIS						
Talcott View Development Company, Inc.	5 Old Albany Turnpike (5 Albany Turnpike)	Leaking Underground Storage Tanks – Completed						
Talcott View Development Company, Inc.	5 Old Albany Turnpike (5 Albany Turnpike)	Leaking Underground Storage Tanks – Completed						
The Collinsville Company	Bridge Street & Main Street	Property Transfer – Form III Investigation started	12/5/2002					
The Collinsville Company	Bridge Street & Main Street	Property Transfer – Form III Investigation started	12/5/2002					
Unknown	81 Morgan Road	Leaking Underground Storage Tanks – Completed						
Unknown	81 Morgan Road	Leaking Underground Storage Tanks – Completed						
Vaneck Residence	127 Wright Rd.	Leaking Underground Storage Tanks – Investigation						
Vaneck Residence	127 Wright Rd.	Leaking Underground Storage Tanks – Investigation						
Whaleco-colonial-curtiss	12 Colonial Road	Property Transfer – Form III						
Whaleco-colonial-curtiss	12 Colonial Road	Property Transfer – Form III						



ALTA Environmental Corp.
121 Broadway, Colchester, Connecticut 06415
Phone: (860) 537-2582, Fax: (860) 537-8374

19 January 2021
File No. 1799-01

VIA E-MAIL

Planning & Zoning Commission
Town of Canton
4 Market Street - PO Box 168
Canton, CT 06022

Attention: Mr. Neil Pade, AICP, Director of Planning and Community Development

Subject: Site Plan & Special Permit Application
9 - 15 Albany Turnpike (Route 44 & Route 202)
Canton, Connecticut

Ladies and Gentlemen:

For the record, my name is Evan Glass. I am a hydrogeologist and Licensed Environmental Professional (LEP) with ALTA Environmental Corporation in Colchester, CT. Ms. Kelly Meloy who is also an LEP at ALTA has assisted with this assessment. We are writing to the Commission on behalf of the Canton Advocates for Responsible Expansion (C.A.R.E) regarding the subject application. The application pertains to the proposed development of the property located at 9 – 15 Albany Turnpike, herein referred to as the “Property” or “subject Property.”

EXECUTIVE SUMMARY

The application before you is for a project that involves a significant amount of blasting of bedrock and construction of a large gasoline filling station and a new vehicle showroom at the subject Property. The Property is located within approximately 1,500 feet of the Swift Chemical Company State Superfund site and in an area with relatively shallow bedrock where private drinking-water supply wells are in use.

From hydrogeologic and planning and zoning perspectives, our evaluation of this proposal has primarily focused on the following environmental issues that could adversely impact nearby drinking water supplies or the indoor air quality of nearby buildings and structures:

- Whether the planned blasting could increase the rate or distance of migration, or change the direction(s) of migration, of groundwater or soil vapor contamination emanating from the nearby Superfund Site potentially impacting the above receptors;

- The likelihood that proposed petroleum handling and storage at the Property could cause significant releases to the environment potentially impacting the above receptors; and
- Whether enough information has been provided by the applicant to adequately address the above items.

There are also potential adverse impacts to nearby wetlands or surface water bodies that could occur in connection with changes to the hydraulic, physical (e.g., temperature) or chemical characteristics of the zones containing groundwater which discharge or will discharge to such water bodies.

Groundwater flow patterns and any associated contaminant migration in bedrock aquifers is complex and very difficult to delineate and reliably predict. Existing remedial technologies for impacted bedrock aquifers are relatively limited in number and effectiveness, and therefore bedrock groundwater contamination often remains unmitigated for decades or more. Accordingly, it is prudent to err on the side of caution before making decisions regarding activities that could possibly spread groundwater or soil vapor contamination in bedrock aquifers or within the overburden soil. In a case such as this, it would be advisable to obtain and evaluate more detailed information on the site and area hydrogeologic and environmental setting and contaminant characterization, thoroughly analyze the potential adverse impacts to existing conditions (e.g., through focused monitoring) and take more protective design precautions than would otherwise be warranted.

In this regard we recommend that the following actions be completed prior to considering approval of this project:

- Obtain and evaluate additional information on the nature, degree and extent of the residual contamination at and migrating from the Swift Chemical State Superfund site, and actual or potential migration pathways;
- Evaluate in more detail the significance of the drainage basin divide that separates the subject Property from the State Superfund site, in light of the mapped bedrock fault that runs across this divide and may connect the two areas from a hydrogeologic perspective and in light of the proposed changes in topography;
- Complete a well survey within a 2,500-foot radius of the planned blasting area, with direct canvass of property owners regarding their drinking water supply sources where needed to obtain definitive information;
- Develop the blasting plan, inclusive of the pre-blast and post-blast surveys which should include testing for contaminants of concern at and from the State Superfund site, naturally-occurring substances that may be released as a result of the blasting, as well as for blasting-related substances;

- Evaluate of the potential for contaminant vapor migration to impact area properties within at least a 1,500-foot radius from volatile organic compound (VOC)-impacted area on and from the State Superfund site (e.g., by obtaining sufficient pre-blast and post-blast data for selected properties);
- Provide for secondary containment of the Underground Storage Tank (UST) system and dispenser components and the portions of the stormwater management system that could receive discharges of petroleum constituents, blasting constituents, or naturally-occurring substances from the blasted rock; and
- Commission your LEP consultant (GZA GeoEnvironmental) to review and evaluate the additional information and design.

GROUNDWATER FLOW IN BEDROCK AQUIFERS

In Connecticut's bedrock aquifers, groundwater flows almost entirely within a network of fractures in the rock and not within the solid zones of rock. This type of flow is often referred to as "pipe flow." Such fractures occur along layered bedding planes in sedimentary rock such as the New Haven Arkose, along columnar joints developed as magma cooled in igneous rock such as the Buttress Dolerite, along foliation joints in metamorphic rock, along other sets of joints, and along faults caused by plate tectonic forces. Various types of these fractures occur together in bedrock to form a rather complex network that is difficult or nearly impossible to delineate with certainty. For example, a contaminant source can impact a distant bedrock well, yet not impact closer bedrock wells.

The State geologic map of Connecticut shows that the Buttress Dolerite is displaced along the southern Property boundary by a fault, striking northwest-southeast. The fault appears to extend onto or near both the applicant's Property and the State Superfund property, and to the northeast connects to another north-south trending fault. Fault zones can be zones of increased fracture density and therefore these faults can potentially represent a hydrogeologic connection between the applicant's property and the State Superfund property, and/or be particularly susceptible to alteration by blasting.

The point to be mindful of for this application is that bedrock flow patterns are complex and rarely, if ever, delineated to a high degree of certainty. Hence, in ALTA's opinion, it is prudent to err on the side of caution when making decisions that involve bedrock aquifers, for example by using a larger rather than smaller radius for the drinking water well survey area and by testing more rather than fewer wells within a specified distance from the blasting disturbance area.

AREA DRINKING WATER SUPPLY WELLS

In its letter dated 15 December 2020, the applicant's environmental consultant, WSP, summarized the findings from its well inventory survey, which identified the following seven properties as using or possibly using on-site drinking water supply wells:

- 5 Albany Turnpike in Canton, located approximately 450 feet south of the subject property; and
- 389, 393, 396, 398, 402, and 406 West Mountain Road in Simsbury, located between approximately 875 to 1,000 feet east and northeast of the subject property.

However, in an email dated 30 November 2020, Dianne Harding, the Chief Sanitarian of Farmington Valley Health District (FVHD), stated that, "After a cursory review I found at least 10 wells located within the area of concern, most were found on West Mountain Road in Simsbury and a few on Albany Turnpike in Canton."

The Connecticut Water Company public drinking water supply well is reportedly located approximately 4,700 feet from the Property. Ms. Jessica Demar, Environmental & Regulatory Compliance Coordinator for The Connecticut Water Company has stated in an email dated 8 January 2021 to the Commission: "Even though our public drinking water well is greater than 1500 ft from the blasting site, we still strongly recommend that, for the safety of those utilizing the public drinking water supply, that well is still included in the pre and post blast survey group. This echoes our recommendation stated in our letter dated 11/9/2020."

ALTA notes the following in connection with the well survey:

- It is not clear whether the presented findings of the well survey are for a 1,000-foot or 1,500-foot radius from the Property. WSP indicates that a 1,500-foot radius was initially used, but later refers to findings within a 1,000-foot radius. ALTA recommends a well survey radius of 2,500 feet from the planned blasting area as a prudent yet manageable distance, in light of the large amount of proposed blasting, the proximate location of the State Superfund site, and a bedrock fault location nearby the blasting area.
- WSP noted that the FVHD records indicate that properties located at 18 and 24 Albany Turnpike in Canton, within the 500-foot search radius, had private well records but *appear* to have been connected to public water circa 1998. Given the uncertainty and importance of the information, canvassing residents directly or otherwise confirming the source of drinking water supply to such properties should be done at a minimum.
- Connecticut Water Company indicated to WSP that they do not provide public water to properties at 11 Forest Lane and 31 and 33 Old Albany Turnpike in Canton, approximately 730 to 900 feet west of the Property, but a septic permit on file at FVHD indicates 11 Forest Lane is connected to public water. WSP did not encounter well records or associated documents for the other two properties, and noted that neighboring homes in that area are connected to public water (seemingly inferring that the properties

at 31 and 33 Old Albany Turnpike in Canton are also connected to public water). Given the uncertainty and importance of the drinking water supply source information, canvassing residents directly or otherwise confirming the source of drinking water supply to such properties should be done at a minimum.

- WSP noted that Aquarian Water Company refused to provide service connection information, and that WSP made a windshield tour along all streets within the search radius to identify visual evidence of public water (i.e., hydrants, shutoff valves, etc.) and water supply wells (i.e., well casing stick-ups) and then cross-referenced the remaining addresses against the well records on file at the FVHD. It is not clear whether this resulted in a significant data gap that should be filled, for example, by canvassing residents directly about their water supply sources or otherwise confirming such sources of water supply to such properties.
- WSP noted that the block of residential properties along Bushy Hill Road, Bushy Hill Lane and West Mountain Road, approximately 830 to 1,100 feet east of the Property, have private well records on file but *appear* to have been connected to public water circa 1998. Canvassing such residents or otherwise confirming the sources of water supply to such properties should be done at a minimum.
- WSP qualified its findings by stating, “The survey results rely, in part, on readily available information provided by others and, therefore, may be subject to revision if more information becomes available.” In ALTA’s opinion, the applicant should be required to obtain and provide additional information to reduce or eliminate the uncertainty associated with the existing information, and to confirm the sources of drinking water supply to the properties within a specified radius (e.g., 2,500 feet) of the planned blasting area.

SUPERFUND SITE

The J. Swift Chemical Company property in Canton is one of only 15 State of Connecticut Superfund sites. The following information is largely excerpted or paraphrased from the DEEP website. The J. Swift Chemical Company recycled solvents in the 1950s and 1960s and buried waste solvent sludges at the site that caused contamination by a variety of chlorinated and non-chlorinated solvents which are still present on the site. In the early 1980s, the Department of Environmental Protection (DEP) [now the Connecticut Department of Energy & Environmental Protection (DEEP)] coordinated the extension of a public water main to serve affected and potentially affected properties, along with a limited emergency removal of impacted soil and drums, with State expenditures of over \$1 million.

The J. Swift Chemical Company is no longer a viable entity. Despite a 2000 court judgment for enforcement of a DEP order issued to the present property owner, the owner has not remediated the property, has not paid taxes on the property, and has indicated that it has no assets. The current property owner is Cadle Company, a large out-of-state land holding company. The 2000

court action against Cadle resulted in judgment of over \$2.1 million to the State. To date, less than \$200,000 has been recovered. In 1997, a similar Judgment against the former owner, Gianfranco Galluzzo, granted injunctive relief and about \$9 million in penalties, with no money collected. The site is currently leased by Mitchell Volkswagen.

Site assessments were performed under DEP State Superfund contracting in 1990 and 2000, to characterize and update information on site conditions. Total expenditures for those studies were \$700,000. Potential risks to neighboring properties from off-gassing of the contaminated groundwater were identified. In August 2004, off-site soil vapor and groundwater samples were collected from neighboring commercial and residential properties by DEP to further evaluate the potential risks. In January 2006, bids were received for the installation of venting systems at six downgradient commercial properties determined to be at long-term risk. The contract was not awarded due to lack of funds.

In 2007, a sub-slab depressurization system was installed at an impacted residence on Old Albany Turnpike. In 2009, residential wells located beyond the municipal water service on Secret Lake Road were sampled by DEP and found to be potable. Recently, vapor intrusion measures have been installed on neighboring properties, the cost of which has been borne by the developers of those properties. In 2013, the Superfund site was reassessed. [ALTA notes that the drinking water standard for trichloroethylene (TCE), one of the contaminants at the Superfund site) was reduced from 5 ug/l to 1 ug/l in 2014; hence, the potability of the current drinking water supplies in the area should be reevaluated.] The remediation of the remaining contamination at the site will be dependent on pending bond funding. It has been estimated that \$4.4 million will be needed to proceed with remediation of solvent contamination.

ALTA notes that concentrated waste source material such as chlorinated solvent sludges are likely to contain dense non-aqueous phase liquids (DNAPL). DNAPL is heavier than water and sinks vertically downward through soil below the water table and can (and often does) migrate into and through bedrock fractures in uncertain directions and distances. ALTA also notes that WSP stated that it “contacted the CTDEEP file room to review relevant environmental records for the superfund site but was told we could not gain access to what was reported to be many records until January 21, 2021.” Based on this statement and on the DEEP synopsis above, it would seem prudent that the applicant obtain and thoroughly review the existing records regarding this State Superfund site and identify pertinent information to this proposed project, including but not limited to, the following:

- Waste disposal and removal action history;
- Estimates of the types and amounts and locations of wastes and impacted materials remaining;
- Locations, well construction, and water quality information for the documented drinking water receptors and any monitoring wells within a specified radius of the Property and/or the planned blasting area);

- Locations and soil vapor quality information for nearby properties with known or suspected soil vapor impacts from the Superfund Site within a specified radius (e.g., 1,500 ft. of the VOC-impacted areas on and from the State Superfund site); and
- Known or estimated area and extent of the groundwater contaminant plume(s) in the overburden and bedrock aquifers, and monitoring locations, depths, and data supporting such determinations.

Based on this information, the applicant can then evaluate, verify, modify, and/or supplement its preliminary conclusions regarding the following matters at a minimum:

- Locations where pre-blast and post-blast groundwater and/or soil vapor monitoring will be completed (e.g., to provide sufficient focused and areal coverage);
- Analytes of concern and sampling and analytical methods to be used with respect to sampling and testing of drinking water wells and other nearby monitoring wells (if available), and with respect to proposed sampling and testing of soil vapor quality for nearby existing or proposed buildings or structures;
- The significance of the faults running near the Property and the State Superfund site and of the drainage basin divide between these sites; and
- Whether sub-slab depressurization systems are warranted or prudent to install and operate beneath the proposed or other existing buildings.

RELEASES FROM PETROLEUM UST SYSTEMS

Releases from petroleum UST systems are very common. Many of ALTA's projects over the past 26 years have involved investigation and remediation of spills occurring during filling activities, releases from leaking piping and USTs, and quite commonly during the UST system removal and/or replacement work. Reportedly, DEEP lists over 10,000 UST-related releases on its [List of Contaminated or Potentially Contaminated Sites](#).

In contrast to DNAPL which sinks below the water table, petroleum products such as gasoline and diesel fuel are light non-aqueous phase liquids (LNAPL) that are lighter than water and do not migrate far below the seasonal low water table. Where leaking UST systems occur in areas underlain by relatively deep soil, the impacted soil can often be feasibly removed by excavation and disposal (or otherwise remediated) to mitigate the environmental impacts of the release. Here, however, we understand that such soil layer will not exist, and that the UST systems are planned to be installed in processed stone material atop the blasted bedrock in a relatively sensitive groundwater use setting (a GA classified area). UST system releases in such a setting would almost certainly migrate into the bedrock fractures and be very difficult and/or nearly impossible to remediate for a very long time (e.g., decades). Hence, we recommend that the UST systems be installed with a sufficient secondary containment system (e.g., within a

concrete vault, within which the exterior of the UST can be thoroughly inspected on a routine frequency) and with appropriate monitoring devices and scheduled inspections designed to detect and prevent migration of any releases, and ensure prompt cleanup if any releases do occur to the secondary containment. Since spills can also occur during UST system filling and while filling up individual vehicle tanks, we also recommend that the stormwater management system be designed with sufficient secondary containment. Because this is such an important matter, we recommend that these designs be completed and favorably reviewed by the Commission and its LEP consultant prior to approval of the application.

UNCERTAINTIES IDENTIFIED BY THE HYDROGEOLOGIC IMPACT ASSESSMENT

While ALTA does not disagree with the preliminary findings and conclusions in the Hydrogeologic Impact Assessment prepared by WSP dated 15 December 2020, in ALTA's opinion, there are number of important matters for which the assessment is incomplete and/or relies on significant qualifications to its findings or conclusions, as follows:

- The significant uncertainties regarding the drinking water well survey and the limitations regarding access to the DEEP file room as related to the State Superfund site have been discussed previously above, and hence are not reiterated here.
- The assessment states that (emphasis added) “The basin and detention chambers will be constructed on the blasted bedrock surface with geotextile liners and piped outlets to a drainage swale or level spreader along the southern edge of the development area. *Some of the stormwater will likely infiltrate into the bedrock*, like existing conditions. Stormwater will *likely* not be in *significant* contact with the blasted rock fill material.” ALTA recommends that the applicant design (or verify that it has already designed) sufficient secondary containment system(s) to be used for the portions of the stormwater management system that could plausibly receive any petroleum or blasting-related constituents or naturally-occurring substances released in connection with the proposed blasting and development of the Property.
- The assessment notes that the Swift Chemical Company State Superfund site is located in a separate drainage basin than the applicant's Property, and that the drainage basin divide and mapped bedrock fault are nearby both properties. In ALTA's opinion, further assessment is warranted regarding the significance of the divide, nearby bedrock faulting and planned changes in ground surface topography with respect to the potential for migration and mobilization of contamination from the Superfund site.
- Citing limited sampling completed in 1978 and 1979 and additional data from 2004, the WSP assessment states that (emphasis added) “the groundwater plume [from the State Superfund site] *appears* to be concentrated in the shallow overburden groundwater and to a significantly lower degree in the bedrock aquifer, migrating in a groundwater plume to the southwest. The contaminant plume is located more than 1,500 feet from the Property, outside of the *likely* radius of influence from blasting. It appears that *most properties*

within the zone-of-influence of the superfund contaminant plume are connected to public water.” Given the importance of this matter, in ALTA’s opinion, a more thorough and complete assessment and presentation of the pertinent information associated with the Superfund Site is warranted, as discussed previously in the Superfund Site section of this letter. Such detail would serve to further support or modify WSP’s conclusion that “there *should* be no adverse impact to neighboring water-supply wells resulting from the proposed blasting and rock removal.”

- The assessment does not address the potential for vapor intrusion into the proposed buildings or to other nearby buildings as potentially exacerbated by the proposed blasting and development activities (e.g., as may be pertinent to the Swift Chemical State Superfund site).

CONCLUSIONS

In conclusion, it seems that judicious application of Town governance through agencies such as yours – the Town of Canton Planning and Zoning Commission – is required to make sure that this property, in your town, is managed responsibly and does not become a problem for future generations and nearby property owners and residents.

If all the information that you deem necessary to make a decision is not available to you, then we would recommend that the Town reject the application without prejudice, and the applicant be required to obtain the additional information and re-submit a new application for your consideration once sufficient information is available.

Thank you for your consideration of this letter.

Sincerely yours,
ALTA Environmental Corporation



Evan J. Glass LEP
President



Kelly L. Meloy
Vice President

c: Ms. Jane Latus, C.A.R.E.

To: Neil Pade, Town Planner
From: Jenny Abel, Canton Resident
Date: 1/15/21
RE: File 475; Apln 2000; 9 and 15 Albany Turnpike

Dear P&Z Commissioners,

I am gravely concerned about your upcoming vote on File 475; Apln 2000; 9 and 15 Albany Turnpike and the potential ramifications of granting 9 special permits for the applicant to proceed as planned.

Does the “future of transportation” justify destroying our coveted landscape to build an extraordinary gas station and office building/showroom that may or may not ever actually house electric vehicles?

It is egregious that more expense will go into destroying something in order to create something else, with nebulously ill-defined and grossly exaggerated benefits, only to discover after the blasting that this was all a mistake.

There is a term many might not be familiar with and it's called greenwashing. Consumers buy a product that they feel good about, but without any concept of how much energy and waste went into actually creating that product. Or something is labeled “environmentally friendly” but actually makes a larger more damaging carbon footprint in the long-term.

The proposed blasting and partial removal of the ridge is a permanent change that is irreversible. Once the blasting begins, there is no way to undo irreparable damage, whether known or unknown.

This Aquifer Protection Area is named for a reason, and Well 5 is a critical aquifer to protect. The quality of water and life for all Canton residents depends on you. If MDC, Connecticut Water Company and Farmington River Watershed Association have all expressed concern, Commissioners should proceed with caution. This is a public health situation and your decision in favor of this plan means that you will be held publicly accountable.

The current 2014-2024 Plan of Conservation and Development, a document that guides your Commission, says (on page 90):

East Gateway District

Conservation

“An existing trap rock ridge towards the east side of this district (near the Town Line) is a defining scenic quality of this gateway. Jims Brook and Roaring Brook run through this area feeding the wetlands systems associated with Secret Lake. This area also contains a CT DEEP aquifer protection area – a natural resource (as well as a public water

supply area) that requires consideration for certain proposed development activities. Past industrial activities and discharges resulted in groundwater contamination associated with the Swift superfund site near the intersection of Route 44 and Colonial Road.”

The intensive site preparation component of this application will not only adversely impact Canton residents on the eastern gateway, but neighboring residents in Simsbury, Avon as well.

The following QUOTES are from the Valley Press (12/28/20):

< <https://www.valleypressextra.com/post/those-behind-development-tout-vision-for-electric-vehicle-infrastructure> >

Applicant stated... the Swift site, which is 1,500 to the west is “outside of the **likely** radius of influence from blasting...”

Applicant stated... “We **believe** that our proposed activity can take place without any adverse impact to any of the surrounding wells or properties.”

Is there doubt? Or is this definitive? Who will guarantee safety to the people?

I understand this property is zoned for commercial development and that commercial development is inevitable on this parcel and adjacent. Simsbury Planning and Zoning approved a zone change (R-40 to B-3) on 11/19/18 for the Simsbury side of this property and approved of the Greenberg/Frisbie site plan for development on 10/5/20.

In the Simsbury P&Z minutes from 10/5/20, it is mentioned that people’s wells were impacted by the blasting to expand parking at Hoffman < <https://www.simsbury-ct.gov/zoning-commission/minutes/10052020-zoning-commission-minutes> >.

Some communities continue to fight for clean water due to nearby blasting/quarrying: < https://www.timeswv.com/news/local_news/sweeps-run-road-residents-amid-two-year-battle-for-clean-water/article_07cb2678-2a09-11eb-b019-df0b0e422ec2.html >

If P&Z Commissioners green light this application, they are blatantly disregarding the POCD, failing to protect our natural resources and putting residents’ well water and public water supply at risk.

Thousands of residents are counting on you to protect our town and SAY NO to this plan. Don’t be fooled by the applicants’ attempt to paint a utopian vision for our future when it means compromising the public health, environment, safety and quality of life of Canton residents.

Sincerely,
Jennifer Abel
Collinsville, CT



January 15, 2021

Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
4 Market Street
PO Box 168
Canton, CT 06022

**RE: Site Plan & Special Permit Application
9-15 Albany Turnpike (Route 44 & Route 202)
Canton, Connecticut
Project Number: 1904501**

Dear Mr. Pade:

In response to additional discussions with town staff, we are pleased to submit the following additional information in support of our application.

- Updated architectural plans for the proposed Gas Station / Convenience Store from MDA
- Updated renderings for the project from Phase Zero Architects
- Updated lighting plan reflecting reduced lighting levels beneath the fueling canopy
- A figure identifying a Potential Conservation Easement for future ridgeline protection on the balance of the property

Please let us know if you have any questions or comments regarding the above items and associated submitted materials. We look forward to continuing to work with you in the processing of this application.

Respectfully,

Solli Engineering, LLC

A handwritten signature in black ink that reads 'K Solli'.

Kevin Solli, PE
Principal

Enclosures:

CC: David Markowitz
Mark Greenberg
Michael Frisbie

X:\SE Files\Project Data\2019\1904501 - Albany Turnpike, Simsbury\Office Data\Correspondence\2021-01-15 - Town of Canton - Additional Information.docx

Archived: Sunday, January 17, 2021 1:12:49 PM
From: [Pade, Neil](#)
Sent: Fri, 15 Jan 2021 11:50:25
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Tpke.-Canton, CT
Importance: Normal

Neil

From: WILLIAM WARZECHA [mailto:wwarzecha@snet.net]
Sent: Friday, January 15, 2021 11:37 AM
To: Pade, Neil; Michael Pendell; Theresa Barger
Subject: 9-15 Albany Tpke.-Canton, CT

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning Neil: As a follow up to my November 18, 2020 email to the town regarding the above captioned site, I want to share with you and the Planning Commission the following comments/recommendations in light of my review of the WSP, GZA, and CT Water Company documents as well as other documents/letters/emails included in the Planning Department's exhibit list. I have also shared this email with Theresa Barger and Attorney Michael Pendell:

1. Given the proposed site work including the removal of 188,000 cy of rock and overburden material, it appears that the proposed gasoline storage tanks would require the tank installations in either fill material (processed dolerite rock) or an excavation blasted out in the underlying bedrock. Both scenarios would pose a significant risk to ground water quality should a release of petroleum product occur from the tanks or distribution piping.
2. The ground water classification for the site is GA which means it is "suitable for drinking without treatment." The installation of a stormwater detention basin that does not include a fail safe impermeable bottom also poses the same significant risk to ground water quality as the gas storage tanks, if constructed in rock fill over the bedrock surface. There is significant risk that concentrated levels of de-icing agents and/or petroleum products will directly recharge the fractured bedrock aquifer. While there is public water in the vicinity, extending the water line to impacted properties is expensive especially in view of the shallow to bedrock soils characterizing the area, which will undoubtedly require blasting. It is very difficult to remediate pollution that is impacting the bedrock aquifer. If the remaining land on the ridgeline is developed residentially and those properties need to rely on ground water for domestic

purposes, the proposed gas station development and the accompanying stormwater detention basin will certainly pose a significant future risk to ground water quality.

3. Overall, I agree with the findings and recommendations provided by WSP. If the application is approved, it would be prudent to require the following:
 - Have a geologist who is knowledgeable enough to visually recognize in the field potential zones in the bedrock that may contain mafic/iron sulfide bearing minerals potentially causing acid rock drainage (ARD). If any such bedrock zones or rock materials are uncovered or identified during the site work, rock samples should be collected and tested for the potential to cause (ARD). As reported by GZA, that work should be halted until measures can be implemented to stop ARD.
 - Any adjacent drinking water wells to the Swift site should be included in pre- and post-blasting testing. All constituents of concern associated with the Swift site should be included in the testing. The concern here is that if the blasting is not controlled sufficiently at the site to prevent the release or mobilization of chemical constituents occupying bedrock fractures or overburden ground water. At greatest risk would be drinking water wells located on the topographically downgradient side of the Swift site. A well receptor survey for that area should be conducted to determine if there are wells that need to be tested.
 - All wells identified by WSP in its well receptor survey should be included as part of the pre- and post blasting testing. The test parameters should include bacteria, physical quality, chemical constituents as identified by WSP including volatile organic compounds given the proposed dispensing of gasoline/diesel fuel at the site and, depending on the blasting agent/formulation used at the site, any chemical constituent contained in the blasting agent that may pose a risk to drinking water quality, i.e., perchlorate, ammonium nitrate/fuel oil mixture (ANFO), etc.
 - CWC has requested that its well #5 located 4700 feet from the site will be included in the pre-blast survey and, among other things, tested for all constituents of concern. Why not then test any drinking water well within the same distance as part of a pre-blast survey. That testing would probably allay most fears of well owners of the potential impact from preparing the site for the proposed development and eliminate the question of “burden of proof” should there be any adverse impacts.
 - As recommended by the Farmington Valley Health District, use the services of the state Department of Public Health’s epidemiologist/toxicologist (Meg Harvey) to review and analyze the pre- and post-blasting well water results for domestic potability.
 - Require the developer acquire the services of an independent, third party pre-blast contractor to ensure the finally approved blasting plan is properly adhered to and that there is thorough review of all seismic monitoring and vibration records and that the blasting is compliant with the blasting permit and all state and local blasting regulations.

- The smaller diameter/surface area of rock that is crushed and stockpiled at the site will have a greater potential to leach minerals that may be present in the rock. A detailed plan for blasting, processing, storing, and handling of the rock material is prudent in order to avoid any degrading of surface or ground water on or off site.

As reported by the GZA report and given MDC's overall concern of blasting near its water/sewer lines, it is prudent to include inspection of nearby buildings in the pre-blast survey.

I share these comments/recommendations along with those in my November 18, 2020 email, based on my technical expertise gained over a long career at the Department of Energy & Environmental Protection's Remediation Division and Natural Resources Center to oversee the clean-up of polluted sites and to enforce the ground water laws (CT's potable water law) of the state including the assurance of the provision of potable water to all those well owners whose drinking water is polluted by, among other things, man-made pollutants, bedrock blasting, and the handling, storage, disposal of rock material and to provide technical review and assistance to municipalities across the state with land development proposals. I hope it is helpful.

Best regards, Bill Warzecha, Department of Energy & Environmental Protection-Supervising Environmental Analyst & Geologist (retired October 1, 2019)

Archived: Sunday, January 17, 2021 1:12:10 PM

From: Pade, Neil

Sent: Fri, 15 Jan 2021 11:43:32

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Concerns

Importance: Normal

Neil

From: Michelle Traub [mailto:mtraub@cantonschools.org]

Sent: Friday, January 15, 2021 11:42 AM

To: Pade, Neil

Subject: Concerns

Dear Mr. Pade,

I am a resident of Avon and a teacher in the Canton Public Schools. I am writing to oppose the proposed development of the 9-15 Albany Turnpike. The development proposal by Mark Greenberb is unfriendly to the environment and everything that the town of Canton represents. As a teacher of 10 years in this community, I find it imperative that you listen to the voices of so many residents around you that are here to represent.

Please refuse this proposal.

Sincerely,

Michelle Traub

--

Michelle Traub

B.A. Education & Spanish

MBA International Education

Sixth Year Educational Leadership

Canton Intermediate & High School Global Educator

"Education is the most powerful weapon we can use to change the world" -Nelson Mandela

RE: File 475; Alpn 2000; 9 and 15 Albany Turnpike

Dear Members of the Canton Planning and Zoning Commission,

Upon further study of the proposal referenced above and the responsibilities of the Commission, I write again to urge you to reject the application.


As I understand it, the Commission is required to consider – among other things – the protection of the **health, safety, convenience, and property values** of Canton’s residents. The proposed development of the site poses risks to all four of these areas.

Public health could be jeopardized by collateral damage from blasting activities, noise pollution from the destruction & construction phases, light pollution from the finished plaza, and run-off from the gas station into area wetlands. **Public safety** would be compromised by the traffic problems generated from the removal of all the excavated material and by the introduction of a new, busy intersection on an already dangerous stretch of road. **Public convenience** would be severely degraded by the creation of an additional intersection on Rt. 44, as well as the disruption from noise, dust, removal, etc. And finally, in the long run, **property values** will be stunted if the Planning and Zoning Commission fails to protect public health, safety and convenience in Canton, and if its decisions continue to chip away at what remains of the town’s character.

It is my understanding that the Commission is also required to act in accordance with the town’s Plan of Conservation and Development (POCD), which prioritizes the town’s **image and identity, vitality, and quality of life**. The proposed development runs counter to the POCD. By blasting away the forested traprock ridge that signals the transition into Canton along Rt. 44, the proposal flattens the town’s identity. By paving the site and installing over-large buildings positioned prominently along the roadway, the proposal scars Canton’s **image**. The town’s **vitality** would be harmed, not enhanced, by this development: the anticipated tax revenues (which – it should be noted – are very modest) could be generated from another, less destructive, plan. Commercial use need not involve demolishing the forested traprock ridge. The current plan is “drive-through” in nature – it would not significantly support other Canton businesses (if anything, it would siphon business away from the mom & pop concerns in town), and despite claims made by the developer it has no real likelihood of serving as a community gathering point. By endangering the properties of nearby residents, the proposed development would diminish **quality of life** in its immediate vicinity, and by contributing to the insensitive over-development of Rt. 44 in Canton, the proposal would rob all Canton’s residents of **quality of life** in a way that is irreversible.

I urge the Commission to see through the developer’s misleading emphasis on electric vehicles and ice-cream, recognize the proposal for the destructive eye-sore that it is, and reject this application.

Sincerely,


Ellen Kenney

9 West Simsbury Rd.
Canton, CT

January 15, 2021

Mr. Neil Pade

Town Planner

Canton CT 06019

Dear Mr. Pade

I am writing this letter to notify all parties involved in this matter that I as a homeowner in the immediate vicinity of this proposal object to further encroachment on the rural environment and historic charm of the Town of Simsbury.

I will probably be one of the few natives of the town of Simsbury to express my feelings in regard to the commercial creep into our town. My grandfather who fought in the Civil War is buried in Center Cemetery so you know that I and all of my family are very sensitive to any issues of this nature.

When Hoffman Associates cleared and developed the land for their current business, some of us had well water contamination problems in the current neighborhood and were forced to update our wells at our own expense. The majority of the Southwest Homeowners have **No Public Water** or Sewers so we depend on water from the aquifer that sits beneath us. I remember the ARCO gas station on the corner of Route 44 and Bushy Hill Road and the leaking gasoline tanks that closed the station and forced the extraction of gas in the soil with pumping for over a 20-year period of time. Our well water was in jeopardy and still is.

Blasting and the resulting traffic also will create a nightmare on route 44, 117, 167 and West Mountain Road.

Please we do not need any more automobile dealerships, gas stations, issues regarding land stewardship, or traffic nightmares in this area,

Mr. Orville Winchell

12 Maureen Drive

Simsbury, CT 06070

Neil Pade, Town Planner

Town of Canton, CT

January 14, 2021

Dear Neil,

I am writing to oppose the proposed Greenberg project on Route 44 in the East Gateway district. This project interferes immensely with the existing characteristic rock -defining entrance to our town from Simsbury/Avon which should be preserved. The Plan of Conservation and Development Update of 5/19/2014 for which I served on the committee and the subsequent update of 2-28-2020 speaks to the preservation of the natural character of this passageway to our town. The POCD states that “an existing trap rock ridge... is a defining scenic quality of this gateway” (page 90).

I understand that we need development along Route 44 to help the residential tax base burden; however, I believe that this project is too intrusive and damaging to our town’s character to embrace.

Sincerely,

Kristina W. Oswald

138 Torrington Avenue

Collinsville, CT 06019

860-690-7129 cell

Dear Planning and Zoning Committee Members:

I am writing this letter in opposition to the planned development on Albany Turnpike to build an electric showroom and gas station. I am concerned about the potential environmental impact in this area, which could impact groundwater and cause other unknown environmental damage. I do not believe the proposed development would enhance the community as there are already several car dealerships, including the now defunct Range Rover dealership. I understand that there is not currently an electric showroom or many charging sites in the areas for existing electric vehicles, but there must be other locations that this development could be placed that would not require the blasting this would entail.

Additionally, this development would impact traffic in the area for those commuting into and out of the Hartford area for an extended period of time.

I urge you to vote against allowing this planned development to go through as negative impacts of this would greatly outweigh any positive effect.

Sincerely,

Kristen Chang

Canton resident

14 January 2021

To: Canton Planning and Zoning Commissioners
Re: Application for 9-15 Albany Turnpike

Dear Commissioners:

We chose to live in Canton for its small-town feel and natural setting. We would like to keep it that way.

We urge you to deny the application to excavate the trap rock ridge on this site in order to make way for an appallingly large gas station and oversized car showroom.

There is no justification for ruining the trap rock ridge, which serves as a beautiful and natural welcome to the town.

Furthermore, this development is not worth the risk of contaminating the aquifer that provides so many residents with well water or subjecting nearby residents to the noise and air pollution from more than a year of blasting. Nor is this particular proposal worth the traffic obstruction it would create during the two years of site preparation alone, before construction even begins.

We see nothing but downsides to this application. For these reasons and the many more objections that have been cited by numerous members of the community, we ask that you deny it.

Respectfully,
Barbara, Paul & Jackson Davis
69 East Mountain Road

Archived: Friday, January 15, 2021 10:22:42 AM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 15:32:10
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike
Importance: Normal

Neil

From: larry_wood@comcast.net [mailto:larry_wood@comcast.net]
Sent: Thursday, January 14, 2021 3:30 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

January 14, 2021

BY ELECTRONIC MAIL – npade@townofcantonct.org

Larry Wood
23 Old Albany Turnpike
Canton, CT 06019

Canton Connecticut Planning & Zoning Commission
c/o Neil Pade, AICP
4 Market Street
Canton, CT 06019

RE: Proposed Blasting and Development at 9-15 Albany Turnpike

Dear Mr. Pade,

I am a homeowner of 23 Old Albany Turnpike, Canton. As a resident living very close to 9-15 Albany Turnpike, I am strongly opposed to the proposed development.

I have read and researched the information put out regarding the proposed development, and have strong feelings against it:

I am concerned about my drinking water becoming contaminated. While I do not have well water, if Connecticut Water Company's water becomes contaminated, so will my drinking water. This is a huge concern for the health of my family.

I am concerned about my foundation and house being damaged due to the proposed blasting that will occur. The timeline for blasting will also create unnecessary noise, pollution, traffic congestion, and have a negative impact on quality of life.

The intersection of Old Albany Turnpike and Albany Turnpike is a very dangerous intersection and adding the proposed traffic light will only make this worse. Severe traffic congestion and vision impairments will only result in more accidents. This is a huge safety concern.

It is my opinion that there is very little benefit to the town of Canton or its residents by proceeding with the proposed development, and we are better off without it. I do not think we need any of the proposed business'.

I am not opposed to developing the site, just *this* plan.

I ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.

Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.

One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.

Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

I urge you to deny this proposal, for the good of the town of Canton, it's business' and residents.

Thank you,

Larry Wood

Archived: Friday, January 15, 2021 10:21:28 AM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 15:54:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposal
Importance: Normal

Neil

From: Comcast [mailto:gavin_wood@comcast.net]
Sent: Thursday, January 14, 2021 3:37 PM
To: Pade, Neil
Subject: Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

\u-257 ?
Gavin Wood

Canton Connecticut Planning & Zoning Commission
c/o Neil Pade, AICP

RE: Proposed Blasting and Development _____Albany Turnpike

Dear Mr. Pade,

I am a occupant of 23 Old Albany Turnpike, Canton. As a resident living very close to 9-15 Albany Turnpike, I am strongly opposed to the proposed development.

I have read and researched the information put out regarding the proposed development, and have strong feelings against it:

I am concerned about my drinking water becoming contaminated. While I do not have well water, if Connecticut Water Company's water becomes contaminated, so will my drinking water. This is a huge concern for the health of my family.

I am concerned about my foundation and house being damaged due to the proposed blasting that will occur. The timeline for blasting will also create unnecessary noise, pollution, traffic congestion, and have a negative impact on quality of life.

The intersection of Old Albany Turnpike and Albany Turnpike is a very dangerous intersection and adding the proposed traffic light will only make this worse. Severe traffic congestion and vision impairments will only result in more accidents. This is a huge safety concern.

It is my opinion that there is very little benefit to the town of Canton or its resident by proceeding with the proposed development, and we are better off without it. I do not think we need any of the proposed business'.

I am not opposed to developing the site, just *this* plan.

I ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.

Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.

One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.

Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

I urge you to deny this proposal, for the good of the town of Canton, it's business' and residents.

Thank you,

Gavin Wood

Sent from my iPhone



Hayes Family Ltd. P'ship v. Town Plan & Zoning Comm'n of Glastonbury

Appellate Court of Connecticut

April 28, 2009, Argued; July 14, 2009, Officially Released

AC 29304

Reporter

115 Conn. App. 655 *; 974 A.2d 61 **; 2009 Conn. App. LEXIS 331 ***

HAYES FAMILY LIMITED PARTNERSHIP ET AL. v.
TOWN PLAN AND ZONING COMMISSION OF THE
TOWN OF GLASTONBURY

Subsequent History: Appeal denied by *Hayes Family L.P. v. Town Plan & Zoning Comm'n*, 293 Conn. 919, 979 A.2d 489, 2009 Conn. LEXIS 499 (Sept. 17, 2009)

Prior History: [***1] Appeal from the decision by the defendant denying the plaintiffs' application for a special permit, brought to the Superior Court in the judicial district of Hartford, where the court, Hon. Mary R. Hennessey, judge trial referee, granted the motion filed by Frank Longobardi et al. to intervene as defendants; thereafter, the matter was tried to the court, Miller, J.; judgment dismissing the appeal, from which the plaintiffs, on the granting of certification, appealed to this court; subsequently, the court, Miller, J., issued an articulation of its decision.

Hayes Family L.P. v. Glastonbury Town Plan & Zoning Comm'n, 2007 Conn. Super. LEXIS 1880 (Conn. Super. Ct., July 19, 2007)

Disposition: Affirmed.

Core Terms

special permit, zoning, regulations, plaintiffs', neighborhood, foot, reasons, trial court, residential, site

Case Summary

Procedural Posture

Defendant zoning commission (commission) denied the application of plaintiff owners for a special permit to construct a pharmacy on their land. The owners sought review and the Superior Court in the judicial district of Hartford (Connecticut) dismissed the appeal. The owners appealed.

Overview


The owners claimed that the commission did not have discretion to deny the application when, as here, the applicant had complied with all applicable zoning regulations. However, the appellate court found that the commission's reasons for denying the application traced much of Glastonbury, Conn., Zoning Regulations §§ 12.4, 12.5. Thus, the commission had the discretion to deny the application and the record supported the decision. Among other things, there was evidence that the owners sought to remove an existing hillside, excavating to within 25 feet of the property lines of abutting residential properties and build a steep-sloped, 225-foot long, 14-foot high retaining wall to accommodate a 13,013 square foot building with a drive-through window. The proposed retaining wall was among the largest that the commission had ever reviewed and was atypical for residential neighborhoods. The project would have required more than 5,700 dump truck loads. Evidence was also presented that the owners' proposal would have directly impacted neighboring residential properties not only by way of increased noise and traffic, but also in that it would have adversely affected property values.

Outcome

The judgment was affirmed.

LexisNexis® Headnotes


Business & Corporate Compliance > ... > Real Property
Law > Zoning > Variances

HNI Zoning, Variances

The Supreme Court of Connecticut has observed that a special permit allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. Nevertheless, special permits, although expressly permitted by local regulations, must satisfy certain conditions and standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience, and property values as required by *Conn. Gen. Stat. § 8-2*. Moreover, the nature of special permits is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site.

Business & Corporate Compliance > ... > Real Property
Law > Zoning > Variances

Real Property Law > Zoning > Judicial Review

HN2 Zoning, Variances

Review of a special permit application is inherently fact-specific, requiring an examination of the particular circumstances of the precise site for which the special permit is sought and the characteristics of the specific neighborhood in which the proposed facility would be built.

Business & Corporate Compliance > ... > Real Property
Law > Zoning > Variances

HN3 Zoning, Variances

Glastonbury, Conn., Zoning Regulations § 12 sets forth the requirements for special permits with design review approval and authorizes the Town Plan and Zoning Commission of Glastonbury, Connecticut (commission), to grant a special permit for the purpose of meeting the provisions of the section and the regulations. Glastonbury, Conn., Zoning Regulations § 12.4 requires the commission to consider four general criteria: appropriateness of location or use, conformance with Glastonbury building zone regulations or other applicable laws, codes, or ordinances, safety, health, and environment, and overall design, architectural treatment, and aesthetic character. Included in these general categories are the specific considerations of the size and intensity of the proposed use and its effect on and compatibility with the neighborhood, the topography and landscaping of the site, and the effect on values and utilization of neighborhood properties and the preservation of the character of the neighborhood. Additionally, Glastonbury, Conn., Zoning Regulations § 12.5 requires the commission to consider similar factors such as the size and topography of the property, its existing and proposed contours, existing trees and shrubs and proposed landscaping, and the relationship of the proposed uses with the land.

Administrative Law > Judicial Review > Standards of
Review > General Overview

Evidence > ... > Testimony > Credibility of
Witnesses > General Overview

Real Property Law > Zoning > Judicial Review

Administrative Law > Judicial Review > Standards of
Review > Substantial Evidence

Evidence > Weight & Sufficiency

HN4 Judicial Review, Standards of Review

In reviewing a decision of a zoning board, a reviewing court is bound by the substantial evidence rule, according to which conclusions reached by a zoning commission must be upheld by the trial court if they are reasonably supported by the record. The credibility of the witnesses and the determination of issues of fact are matters solely within the province of the commission. The question is not whether the trial court would have reached the same conclusion but whether the record before the commission supports the decision reached. If a trial court finds that there is substantial evidence to support a zoning board's findings, it cannot substitute its judgment for that of the board. If there is conflicting evidence in support of the zoning commission's stated rationale, the reviewing court

cannot substitute its judgment as to the weight of the evidence for that of the commission. The agency's decision must be sustained if an examination of the record discloses evidence that supports any one of the reasons given. Evidence is sufficient to sustain an agency finding if it affords a substantial basis of fact from which the fact in issue can be reasonably inferred.

Counsel: Robert A. Fuller, with whom was Stephen T. Penny, for the appellants (plaintiffs).

Beth Bryan Critton, with whom was David F. Sherwood, for the appellees (defendants).

Judges: Bishop, Harper and Schaller, Js. BISHOP, J. In this opinion the other judges concurred.

Opinion by: BISHOP

Opinion

[**62] [*656] BISHOP, J. The plaintiffs, the Hayes Family Limited Partnership, Richard P. Hayes, Jr., and the Manchester/ Hebron Avenue, LLC, appeal from the judgment of the trial court dismissing their zoning appeal from the decision of the town plan and zoning commission of the town of Glastonbury (commission). On appeal, the [*657] plaintiffs claim that the commission does not have discretion [***2] to deny an application for a special permit when, as in this case, the applicant has complied with all applicable zoning regulations. The plaintiffs further contend that the court improperly concluded that there was substantial evidence in the record to support the commission's reasons for the denial of their application for a special permit. ¹ We

¹ The plaintiffs also claim that the intervening defendants, abutting land-owners who have sold their interest in their neighboring properties, should not have been allowed to maintain their intervenor status after they sold their properties. Because the intervening defendants did not participate in the appeal, and their status as intervenors has no bearing on the resolution of the plaintiffs' claims

disagree and, accordingly, affirm the judgment of the trial court.

The following facts are relevant to the resolution of the plaintiffs' appeal. On June 27, 2005, the plaintiffs filed an application for a special permit to construct a CVS pharmacy on a 2.4 acre parcel of land located at the corner of Hebron Avenue (Route 94) and Manchester Road (Route 83) in Glastonbury. The plaintiffs proposed to construct [***3] a 13,013 square foot, thirty-two foot high building with seventy parking spaces and a drive-through window on the property. The subject property is comprised of a ledge, which rises steeply from the edges of the roadways to a heavily wooded plateau abutting an established single-family neighborhood in the rural residential zone. The execution of the plaintiffs' proposal would require the excavation of 80,000 cubic yards of rock and the erection of a 225 foot retaining wall backed by 2:1 slopes. ² The subject property and the adjacent property to the west, which is occupied by a Shell gasoline station, are located in the planned business and development zone; all other surrounding [**63] property on the south side of Hebron Avenue is zoned rural residential. Although the subject property is zoned for commercial development, all uses [*658] in the planned business and development zone require a special permit with design review approval.

Commencing on September 6, 2005, the commission held public hearings on the plaintiffs' special permit application. On November 29, 2005, the commission denied the plaintiffs' application [***4] because of its scale and intensity in relation to the size and topography of the parcel, its impact on and lack of compatibility with the existing neighborhood and the inadequacy of the proposed landscaping. ³

on appeal, we need not address this issue.

² Such slopes are one foot of vertical rise in two feet of horizontal distance.

³ Specifically, the commission denied the plaintiffs' application because: "(1) The scale of the proposal (building size and associated infrastructure) is inappropriate based upon the project intensity in relationship to the parcel size and steep topography. Site development activity and topographic modifications in the form of grading, excavation, vegetation removal and construction of a large retaining wall exceeds acceptable conditions and therefore does not meet the intent and standards of [s]ection 12 ([s]pecial [p]ermit with [d]esign [r]eview) of the [b]uilding [z]one [r]egulations.

"(2) The project would result in an unacceptable level of impact on neighboring properties, in the form of both noise and visual intrusions, and on the environment, and is therefore incompatible with the existing neighborhood.

"(3) Landscaping proposed will not adequately replace existing vegetation nor provide adequate buffering to residential properties."

Thereafter, the plaintiffs appealed to [***5] the Superior Court. The court dismissed the plaintiffs' appeal, stating that the commission's decision was supported by substantial evidence in the record. This appeal followed.

We begin our analysis by setting forth the standard of review for the denial of an application for a special permit. HN1[↑] Our Supreme Court has "observed that [a] special [permit] allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. . . . Nevertheless, special [permits], although expressly permitted by local regulations, must satisfy [certain conditions and] standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, [*659] convenience and property values [as required by *General Statutes* § 8-2]. . . . Moreover, we have noted that the nature of special [permits] is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site." (Internal quotation marks omitted.) *Cambodian Buddhist Society of Connecticut, Inc. v. Planning & Zoning Commission*, 285 Conn. 381, 426, 941 A.2d 868 (2008). HN2[↑] "Review of a special permit [***6] application is inherently fact-specific, requiring an examination of the particular circumstances of the precise site for which the special permit is sought and the characteristics of the specific neighborhood in which the proposed facility would be built." *Municipal Funding, LLC v. Zoning Board of Appeals*, 270 Conn. 447, 457, 853 A.2d 511 (2004).

The plaintiffs contend that because they complied with the Glastonbury building zone regulations (regulations) regarding such requirements as the size of the building, the distance it must be set back from the roadways and the number of parking spaces permitted, the commission did not have the authority or the discretion to deny their application. The plaintiffs' argument, however, misstates the law and ignores the regulations regarding special permits.

HN3[↑] [**64] Section twelve of the regulations sets forth the requirements for special permits with design review approval and authorizes the commission to grant a special permit for the purpose of "meeting the provisions of this section and these [r]egulations." Section 12.4 requires the commission to consider four general criteria: appropriateness of location or use; conformance with Glastonbury building [***7] zone regulations or other applicable laws, codes or ordinances; safety, health and environment; and overall design, architectural treatment and aesthetic character. Included in these general categories are the specific considerations of the size [*660] and intensity of the proposed use and its effect on and compatibility with the neighborhood; the topography and landscaping of the site; and

the effect on values and utilization of neighborhood properties; the preservation of the character of the neighborhood. Additionally, § 12.5 requires the commission to consider similar factors such as the size and topography of the property, its existing and proposed contours, existing trees and shrubs and proposed landscaping, and the relationship of the proposed uses with the land. The commission's reasons for denying the plaintiffs' application trace much of the language of §§ 12.4 and 12.5 of the regulations. Thus, the commission had the discretion to deny the plaintiffs' application for a special permit on the basis of the reasons cited.⁴

We now consider whether the evidence before the commission adequately supports the reasons given for its decision. HN4[↑] "In reviewing a decision of a zoning board, a reviewing court is bound by the substantial evidence rule, according to which . . . [c]onclusions reached by [a zoning] commission must be upheld by the trial court if they are reasonably supported by the record. The credibility of the witnesses and the determination of issues of fact are matters solely within the province of the [commission]. . . . The question is not whether the trial court would have reached the same conclusion . . . but whether the record before the [commission] supports the decision reached. . . . If a trial court finds that there is substantial evidence to support a zoning board's findings, it cannot substitute its judgment for that of the board. . . . If there is conflicting evidence in support of the zoning commission's stated rationale, [*661] the reviewing [***9] court . . . cannot substitute its judgment as to the weight of the evidence for that of the commission. . . . The agency's decision must be sustained if an examination of the record discloses evidence that supports any one of the reasons given." (Internal quotation marks omitted.) *Cambodian Buddhist Society of Connecticut, Inc. v. Planning & Zoning Commission*, supra, 285 Conn. 427. "[E]vidence is sufficient to sustain an agency finding if it affords a substantial basis of fact from which the fact in issue can be reasonably inferred." (Internal quotation marks omitted.) *Cumberland Farms, Inc. v. Zoning Board of Appeals*, 74 Conn. App. 622, 627, 814 A.2d 396, cert. denied, 263 Conn. 901, 819 A.2d 836 (2003).

Here, the record amply supports the commission's decision. The commission heard evidence that to build the largest CVS possible, the plaintiffs sought to remove the existing hillside

⁴The plaintiffs claim that the commission could not deny their application on the basis of the consideration of a neighboring residential zone and that the commission's [***8] "neighborhood" considerations should have been limited to the commercial zone. The plaintiffs have provided no basis for this argument either in the law or in the regulations, nor have we found any. Accordingly, we conclude that this claim is without merit.

comprising the subject property, excavating to within [**65] twenty-five feet of the property lines of abutting residential properties, more than 80,000 cubic yards of material, and build a steep-sloped 225 foot long, fourteen foot high retaining wall to accommodate a 13,013 square foot building with a drive-through [***10] window, surrounded on three sides by six foot wide sidewalks, two dumpsters, loading docks and seventy parking spaces. The record reflects that the proposed retaining wall was among the largest that the commission had ever reviewed and that it was atypical in that such steep slopes are generally found in connection with road construction projects, not residential neighborhoods. The evidence revealed that the removal of the excavated material from the site would require more than 5700 dump truck loads and more than 11,000 round trips, with a truck leaving the site every two minutes. All existing vegetation would be stripped, and the newly formed slope would be so steep as to render it unlikely to sustain the sparse vegetation proposed by [*662] the plaintiffs as a buffer to nearby homes. Additionally, evidence was presented that the plaintiffs' proposal would directly impact neighboring residential properties not only by way of increased noise and traffic, but also in that it would adversely affect their property values. On the basis of the foregoing and our thorough examination of the record, we conclude that there was adequate evidence to support the commission's reasons for denying the [***11] special permit.

The judgment is affirmed.

In this opinion the other judges concurred.

End of Document



City of Meriden v. Planning & Zoning Comm'n of Wallingford

Appellate Court of Connecticut

February 14, 2013, Argued; October 1, 2013, Officially Released

AC 34290

Reporter

146 Conn. App. 240 *, 77 A.3d 859 **, 2013 Conn. App. LEXIS 467 ***, 2013 WL 5314349

CITY OF MERIDEN v. PLANNING AND ZONING COMMISSION OF THE TOWN OF WALLINGFORD

would go from not being used at all to site preparation and construction and having trucks transport 4000 to 6000 cubic yards of fill on an annual basis.

Prior History: [***1] Appeal from the decision by the defendant denying the plaintiff's application for a special permit, and for other relief, brought to the Superior Court in the judicial district of New Haven at Meriden and tried to the court, J. Fischer, J.; judgment dismissing the appeal, from which the plaintiff, on the granting of certification, appealed to this court.

Outcome

Judgment affirmed.

City of Meriden v. Planning & Zoning Comm'n, 2011 Conn. Super. LEXIS 2580 (Conn. Super. Ct., Oct. 14, 2011)

LexisNexis® Headnotes

Disposition: Affirmed.

Governments > Courts > Judicial Precedent

HN1[↓] Courts, Judicial Precedent

The Appellate Court of Connecticut cannot reconsider the precedents of the Connecticut Supreme Court.

Core Terms

special permit, zoning, disposal, cell, zoning regulation, site, regulations, cubic yard, intensity, quotation, landfill, marks

Business & Corporate Compliance > ... > Real Property Law > Zoning > Variances

HN2[↓] Zoning, Variances

Conn. Gen. Stat. § 8-2(a) provides in part that local zoning regulations may provide that certain uses of land are permitted only after obtaining a special permit or special exception, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. The terms "special permit" and "special exception" are interchangeable. A special permit allows a property owner to use his property in a manner

Case Summary

Overview

HOLDINGS: [1]-A town zoning commission properly denied an application for a special permit to operate a disposal cell at a closed landfill on the basis of an unacceptable increase in the intensity of the use of the landfill, given that the site

expressly permitted by the local zoning regulations. The proposed use, however, must satisfy standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property values. An application for a special permit seeks permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district. When ruling upon an application for a special permit, a planning and zoning board acts in an administrative capacity. Its function is to decide within prescribed limits and consistent with the exercise of its legal discretion, whether a particular section of the zoning regulations applies to a given situation and the manner in which it does apply.

Business & Corporate Compliance > ... > Real Property Law > Zoning > Variances

HN3 [down arrow] **Zoning, Variances**

The nature of special permits is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site. Review of a special permit application is inherently fact-specific, requiring an examination of the particular circumstances of the precise site for which the special permit is sought and the characteristics of the specific neighborhood in which the proposed facility would be built.

Business & Corporate Compliance > ... > Real Property Law > Zoning > Variances

Real Property Law > Zoning > Judicial Review

HN4 [down arrow] **Zoning, Variances**

General considerations such as public health, safety and welfare, which are enumerated in zoning regulations, may be the basis for the denial of a special permit. Also, before the zoning commission can determine whether the specially permitted use is compatible with the uses permitted as of right in the particular zoning district, it is required to judge whether any concerns would adversely impact the surrounding neighborhood. Generally, it is the function of a zoning board or commission to decide within prescribed limits and consistent with the exercise of its legal discretion, whether a particular section of the zoning regulations applies to a given situation and the manner in which it does apply. The trial court has to decide whether the board correctly interpreted the section of the regulations and applied it with reasonable

discretion to the facts. In applying the law to the facts of a particular case, the board is endowed with a liberal discretion, and its action is subject to review by the courts only to determine whether it was unreasonable, arbitrary or illegal.

Real Property Law > Zoning > Judicial Review

HN5 [down arrow] **Zoning, Judicial Review**

In reviewing a decision of a zoning board, a reviewing court is bound by the substantial evidence rule. The credibility of the witnesses and the determination of issues of fact are matters solely within the province of the commission. The question is not whether the trial court would have reached the same conclusion, but whether the record before the commission supports the decision reached. If a trial court finds that there is substantial evidence to support a zoning board's findings, it cannot substitute its judgment for that of the board. If there is conflicting evidence in support of the zoning commission's stated rationale, the reviewing court cannot substitute its judgment as to the weight of the evidence for that of the commission. The agency's decision must be sustained if an examination of the record discloses evidence that supports any one of the reasons given.

Real Property Law > Zoning > Judicial Review

HN6 [down arrow] **Zoning, Judicial Review**

The so-called substantial evidence rule used in zoning cases is similar to the sufficiency of the evidence standard applied in judicial review of jury verdicts, and evidence is sufficient to sustain an agency finding if it affords a substantial basis of fact from which the fact in issue can be reasonably inferred. It must be enough to justify, if the trial were to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury. The substantial evidence rule is a compromise between opposing theories of broad or de novo review and restricted review or complete abstention. It is broad enough and capable of sufficient flexibility in its application to enable the reviewing court to correct whatever ascertainable abuses may arise in administrative adjudication. On the other hand, it is review of such breadth as is entirely consistent with effective administration. The corollary to this rule is that absent substantial evidence in the record, a court may not affirm the decision of the zoning board.

Business & Corporate Compliance > ... > Real Property Law > Zoning > Variances

HN7 [↓] **Zoning, Variances**

Wallingford, Conn., Zoning Regulations § 7.5.B sets forth the criteria for evaluating applications for special permits. Section 7.5.B.1.a provides that the planning and zoning commission should consider the size and intensity of the proposed use or uses and its or their effect on and compatibility with the adopted Plan of Development, the specific zone and the neighborhood. Thus, the Wallingford Zoning Regulations explicitly list intensity of the proposed use as a factor for the commission's consideration when deciding a special permit application.

Real Property Law > Zoning > General Overview

HN8 [↓] **Real Property Law, Zoning**

Courts never have held that a zoning commission lacks the discretion to determine whether general standards in regulations have been met.

Syllabus

The plaintiff city of Meriden appealed to the trial court from the decision of the defendant planning and zoning commission of the town of Wallingford denying the plaintiff's application for a special permit to use a parcel of its property consisting of approximately six acres of a closed landfill located in Wallingford for the disposal of nonhazardous materials generated from public works projects. The defendant based its denial of the application on its finding that the intensity of the proposed use was unacceptable and would likely adversely affect the health, safety and welfare of the community. The trial court rendered judgment dismissing the appeal, from which the plaintiff, on the granting of certification, appealed to this court. The plaintiff claimed that the defendant gave only general, nonspecific reasons as the [***2] basis for its unanimous denial, and that the trial court's reliance on the defendant's finding of intensification was improper and was not supported by the record. *Held* that the trial court properly dismissed the plaintiff's appeal, as the plaintiff's claim that the defendant provided only a general reason for the denial of the special permit was without merit; the Wallingford zoning regulations specifically list intensity of the proposed use as a factor for the defendant's consideration when deciding a special permit application, and there was substantial evidence in the record to support the

defendant's denial of the plaintiff's special permit application on the basis of an unacceptable increase in the intensity of the use of the landfill, in accordance with a specific criterion set forth in the zoning regulations.

Counsel: Deborah Leigh Moore, corporation counsel, for the appellant (plaintiff).

Janis M. Small, corporation counsel, for the appellee (defendant).

Judges: DiPentima, C. J., and Robinson and Bear, Js.
DiPENTIMA, C. J. In this opinion the other judges concurred.

Opinion by: DiPENTIMA

Opinion

[*241] [**861] DiPENTIMA, C. J. The plaintiff, the city of Meriden, appeals from the judgment of the Superior Court dismissing its administrative [***3] appeal from the decision of the defendant, the Planning and Zoning Commission of the town of Wallingford, denying its application for a special permit. On appeal, the plaintiff claims that the defendant's denial of the special permit application was not supported by substantial evidence.¹ We disagree, [*242] and, accordingly,

¹The plaintiff also claims that the trial court employed an improper standard of review. Specifically, the plaintiff argues that the trial court's analysis was limited to whether the defendant's decision to deny the special permit application was "reasonably supported by the record." It then directs our attention to *Heithaus v. Planning & Zoning Commission*, 258 Conn. 205, 215, 779 A.2d 750 (2001), in which our Supreme Court stated: "Legislative decisions reached by [a zoning] commission must be upheld by the trial court if they are reasonably supported by the record. . . . In appeals from administrative zoning decisions, by contrast, the decisions will be invalidated even if they were reasonably supported by the record, if they were not supported by substantial evidence in that record." (Citation omitted; internal quotation marks [***4] omitted.); see also *Felician Sister of St. Francis of Connecticut, Inc. v. Historic District Commission*, 284 Conn. 838, 853, 937 A.2d 39 (2008).

A separate line of cases, however, provides that, even in the administrative context, "[i]n reviewing a decision of a zoning board,

[**862] affirm the judgment of the Superior Court.

The following facts and procedural history are relevant to this appeal. In July, 2007, the plaintiff, the owner of a parcel of land in Wallingford, applied for a special permit to use approximately [**6] six acres of a landfill for disposing of street sweepings, soil, concrete, bricks and various other nonhazardous materials generated from public works projects. Specifically, the plaintiff submitted its application pursuant to §§ 6.10 and 7.5 of the Wallingford Zoning Regulations.² The plaintiff wanted to construct and to operate a disposal cell at a

a reviewing court is bound by the substantial evidence rule, according to which . . . [c]onclusions reached by [a zoning] commission must be upheld by the trial court if they are reasonably supported by the record." (Internal quotation marks omitted). *Cambodian Buddhist Society of Connecticut, Inc. v. Planning & Zoning Commission*, 285 Conn. 381, 427, 941 A.2d 868 (2008); see also *Municipal Funding, LLC v. Zoning Board of Appeals*, 270 Conn. 447, 453, 853 A.2d 511 (2004); *Hayes Family Ltd. Partnership v. Town Plan & Zoning Commission*, 115 Conn. App. 655, 660-61, 974 A.2d 61, cert. denied, 293 Conn. 919, 979 A.2d 489 (2009).

Thus, the trial court here acted in accordance with recent appellate authority. Moreover, to the extent that there is a conceivable conflict in our case law, the present case is not the vehicle for a resolution. First, it is axiomatic that *HNI* [↑] this court cannot reconsider the precedents of our Supreme [***5] Court. See *State v. Taylor*, 132 Conn. App. 357, 369, 31 A.3d 872 (2011), appeal dismissed, 309 Conn. 83, 71 A.3d 464 (2013) (certification improvidently granted). Second, even if we assume arguendo that the trial court should have explicitly stated that there was substantial evidence, and not merely that the record supported the defendant's decision, we are free to make that determination at this state of the proceedings. As we recently stated: "[B]ecause the administrative record before us on appeal is identical to that which was before the trial court, the interests of judicial economy would not be served by a remand in this case. *Connecticut Light & Power Co. v. Dept. of Public Utility Control*, 216 Conn. 627, 639, 583 A.2d 906 (1990)." (Internal quotation marks omitted.) *Festa v. Board of Education*, 145 Conn. App. 103, 120, 73 A.3d 904 (2013). As discussed later in this opinion, we conclude that the defendant's denial of the special permit was supported by substantial evidence in the record.

²Section 6.10 of the Wallingford Zoning Regulations provides in relevant part: "The excavation of land, stockpiling of earth products on a site, creation of ponds, and/or filling of land with earth products such as, but not limited to: topsoil, loam, [***7] sand, gravel, clay, stone or minerals shall be permitted in any zoning district subject to a Special Permit in accordance with Section 7.5. . . ."

Section 7.5.A.1 of the Wallingford Zoning Regulations provides: "A Special Permit shall be required for all uses specifically listed in these regulations." Section 7.5.B sets forth the criteria for evaluating a special permit and includes the appropriateness of location or use, conformance, safety, health and environment, and overall design.

closed landfill site on Hanover Street, located between two aquifer protection areas. The defendant conducted a hearing on August 13, 2007, and considered the plaintiff's application. At the hearing, representatives of the [*243] plaintiff indicated that the site would not be used for trash and would be limited to use by the plaintiff's employees. The capacity of the disposal cell was 80,000 cubic yards and would have an operating life of ten to fifteen years. The plaintiff's representatives estimated that approximately 4000 to 6000 cubic yards of fill per year would be placed in the disposal cell.

Robert Parisi, the chairman of the Wallingford Town Council, spoke at the hearing, and stated that he had received "a lot of calls from residents in the area" who were opposed to the plaintiff's application. Mary G. Fritz, a state representative, also spoke against the application, questioning whether the disposal cell was compatible with the neighborhood. Finally, Robert Jacques, a Wallingford resident, opposed the application, noting that there would be an increased use and that other garbage in all likelihood would be placed in the disposal cell.

The defendant unanimously voted to deny the plaintiff's application for a special permit. The reason for the denial was that "based upon the . . . totality [***8] of the evidence, and based upon all matters raised at the hearing, it appears that the intensity of the proposed use is unacceptable, it will likely will adversely affect the health, safety, and welfare of the community, and there's been no evidence that there are any technical constraints necessitating location on Wallingford property." In a letter dated August 16, 2007, the defendant notified the plaintiff as to the reasons for the denial of its special permit application.

[**863] In September, 2007, the plaintiff appealed the denial of its special permit application to the Superior Court. The court heard argument on July 29 and August 8, 2011.³ In its October 14, 2011 memorandum of decision, [*244] the court dismissed the plaintiff's appeal. The court rejected the plaintiff's argument that the evidence did not support the defendant's decision to deny the special permit application. Specifically, the court stated: "The record reveals that the [defendant] had evidence before it that the property was no longer operating as a landfill, that [the plaintiff] sought to relocate an existing road, create a 10-12 foot berm and deposit up to 80,000 cubic yards of material on the site over a period of [***9] up to 15 years. Clearly this is an intensification of the use of the property and it is reasonably supported by the record and pertinent to the consideration which the

³ The parties did not provide this court with a transcript from the July 29, 2011 proceeding.

[defendant] was required to apply." This appeal followed.

Before addressing the specific issues raised by the plaintiff, we set forth the legal principles regarding special permits. HN2^(↑) "General Statutes § 8-2 (a) provides in relevant part that local zoning regulations may provide that certain . . . uses of land are permitted only after obtaining a special permit or special exception . . . subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. . . . The terms special permit and special exception are interchangeable. . . . A special permit allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. . . . The proposed use, however, must satisfy standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property *****10** values. . . . An application for a special permit seeks permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district. . . . When ruling upon an application for a special permit, a planning and zoning board acts in an administrative capacity. . . . [Its] function . . . [is] to decide within prescribed limits *****245** and consistent with the exercise of [its] legal discretion, whether a particular section of the zoning regulations applies to a given situation and the manner in which it does apply. . . . Gevers v. Planning & Zoning Commission, 94 Conn. App. 478, 481-82, 892 A.2d 979 (2006); see also Housatonic Terminal Corp. v. Planning & Zoning Board, 168 Conn. 304, 307, 362 A.2d 1375 (1975); see generally R. Fuller, 9 Connecticut Practice Series: Land Use Law and Practice (2d Ed.1999) § 5.1, pp. 135-37; T. Tondro, Connecticut Land Use Regulation (2d Ed.1992) pp. 175-79." (Internal quotation marks omitted.) Trumbull Falls, LLC v. Planning & Zoning Commission, 97 Conn. App. 17, 20-21, 902 A.2d 706, cert. denied, 280 Conn. 923, 908 A.2d 545 (2006). We have observed that HN3^(↑) "the nature *****11** of special [permits] is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site. . . . Review of a special permit application is inherently fact-specific, requiring an examination of the particular circumstances of the precise site for which the special permit is sought and the characteristics of the specific neighborhood in which the proposed facility would be built." (Citation omitted; internal quotation marks omitted.) Hayes Family Ltd. Partnership v. Town Plan & Zoning Commission, 115 Conn. App. 655, 659, 974 A.2d 61, cert. denied, 293 Conn. 919, 979 A.2d 489 (2009). Guided by these *****864** principles, we turn to the specifics of the plaintiff's appeal.

The plaintiff claims that the defendant's decision was not

supported by substantial evidence.⁴ Within this *****246** claim, it argues that the defendant "gave only general, nonspecific reasons as the basis of [its] unanimous denial" and that the court's reliance on the defendant's finding of intensification was improper and not supported by the record. We disagree.

Our Supreme Court has "concluded that HN4^(↑) general considerations such as public health, safety and welfare, which are enumerated in zoning regulations, may be the basis for the denial of a special permit. Also, [it has] stated that before the zoning commission can determine whether the specially permitted use is compatible with the uses permitted as of right in the particular zoning district, it is required to judge whether any concerns . . . would adversely impact the surrounding neighborhood. . . . Generally, it *****13** is the function of a zoning board or commission to decide within prescribed limits and consistent with the exercise of [its] legal discretion, whether a particular section of the zoning regulations applies to a given situation and the manner in which it does apply. The . . . trial court had to decide whether the board correctly interpreted the section [of the regulations] and applied it with reasonable discretion to the facts. . . . In applying the law to the facts of a particular case, the board is endowed with a liberal discretion, and its action is subject to review by the courts only to determine whether it was unreasonable, arbitrary or illegal." (Citations omitted; internal quotation marks omitted.) Irwin v. Planning & Zoning Commission, 244 Conn. 619, 627-28, 711 A.2d 675 (1998).

HN5^(↑) "In reviewing a decision of a zoning board, a reviewing court is bound by the substantial evidence rule The credibility of the witnesses and the determination of issues of fact are matters solely within *****247** the province of the [commission]. . . . The question is not whether the trial court would have reached the same conclusion . . . but whether the record before the [commission] supports the decision *****14** reached. . . . If a trial court finds that there

⁴The plaintiff also argues that the court improperly disregarded the testimony of its expert *****12** who described the use of the disposal cell as "low intensity." We reject this argument because it was the responsibility of the defendant, in the exercise of its discretion, to make that determination when evaluating the application pursuant to § 7.5.B of the Wallingford Zoning Regulations. See Irwin v. Planning & Zoning Commission, 244 Conn. 619, 626-28, 711 A.2d 675 (1998); Quality Sand & Gravel, Inc. v. Planning & Zoning Commission, 55 Conn. App. 533, 537-38, 738 A.2d 1157 (1999).

The plaintiff's final claim is that the court failed to determine whether the defendant acted fairly or with proper motives. After reviewing the record, we conclude that this claim is without merit.

is substantial evidence to support a zoning board's findings, it cannot substitute its judgment for that of the board. . . . If there is conflicting evidence in support of the zoning commission's stated rationale, the reviewing court . . . cannot substitute its judgment as to the weight of the evidence for that of the commission. . . . The agency's decision must be sustained if an examination of the record discloses evidence that supports any one of the reasons given." (*Internal quotation marks omitted.*) Cambodian Buddhist Society of Connecticut, Inc. v. Planning & Zoning Commission, 285 Conn. 381, 427, 941 A.2d 868 (2008).

HN6^[↑] "This so-called substantial evidence rule is similar to the sufficiency of the evidence standard applied in judicial review of jury verdicts, and evidence is [****865**] sufficient to sustain an agency finding if it affords a substantial basis of fact from which the fact in issue can be reasonably inferred. . . . [I]t must be enough to justify, if the trial were to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury. . . . The substantial evidence rule is a compromise [****15**] between opposing theories of broad or de novo review and restricted review or complete abstention. It is broad enough and capable of sufficient flexibility in its application to enable the reviewing court to correct whatever ascertainable abuses may arise in administrative adjudication. On the other hand, it is review of such breadth as is entirely consistent with effective administration. . . . The corollary to this rule is that absent substantial evidence in the record, a court may not affirm the decision of the board." (*Citations omitted; internal quotation marks omitted.*) Martland [***248**] v. Zoning Commission, 114 Conn. App. 655, 663, 971 A.2d 53 (2009).

HN7^[↑] Section 7.5.B of the Wallingford Zoning Regulations sets forth the criteria for evaluating applications for special permits. Most relevant to this appeal is § 7.5.B.1.a, which provides that the defendant should consider "[t]he size and intensity of the proposed use or uses and its or their effect on and compatibility with the adopted Plan of Development, the specific zone and the neighborhood" (*Emphasis added.*) Thus, the Wallingford Zoning Regulations explicitly list intensity of the proposed use as a factor for the defendant's [****16**] consideration when deciding a special permit application. The defendant stated that intensification, e.g., an unacceptable increase in the intensity of the current use, was the basis for denying the special permit application. We conclude that the record contains substantial evidence supporting this specific reason, and, thus, the plaintiff's claim that the defendant provided only a general reason is without merit.

The plaintiff sought a special permit to operate a disposal cell at a closed landfill. Trucks would transport the materials from

the plaintiff to the disposal cell located in Wallingford. The plaintiff planned to build a berm and to prepare the site for drainage prior to using the disposal cell. The plaintiff indicated that the cell would have a ten to fifteen year operating life with an 80,000 cubic yard capacity. Given this record, it was well within the discretion of the defendant to conclude that the plaintiff's proposal constituted an intensification of use. The site went from not being used at all to site preparation and construction and having trucks transport 4000 to 6000 cubic yards of fill on an annual basis. The defendant, in the exercise of its discretion, was [****17**] free to use this consideration as a reason to deny the special permit application. See Irvin v. Planning & Zoning Commission, supra, 244 Conn. 627 (HN8^[↑] courts [***249**] never have held that zoning commission lacks discretion to determine whether general standards in regulations have been met); Quality Sand & Gravel, Inc. v. Planning & Zoning Commission, 55 Conn. App. 533, 537-38, 738 A.2d 1157 (1999) (same). On the basis of this record, we conclude that there was substantial evidence in the record to support the defendant's denial of the plaintiff's special permit application on the basis of an unacceptable increase in the intensity of the use of the landfill, in accordance with a specific criterion set forth in the Wallingford Zoning Regulations. Accordingly, the court properly dismissed the plaintiff's appeal.

The judgment is affirmed.

In this opinion the other judges concurred.

End of Document

Archived: Thursday, January 14, 2021 2:03:43 PM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 11:49:08
To: [Deltenre, Renee](#); [Kyle, Emily](#)
Subject: FW: 9/15 Albany Turnpike development proposal
Importance: Normal

Neil

From: kylee melnysyn [mailto:kyleemel@yahoo.com]
Sent: Thursday, January 14, 2021 11:41 AM
To: Pade, Neil
Subject: 9/15 Albany Turnpike development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

My name is Kylee Melnysyn, I am a resident of Canton and live on Bristol Drive. I am opposed to this development. I feel we have to preserve the small town beauty Canton offers. There are plenty of dealerships already that take away from the esthetic of the town. There are also many dilapidated properties that require attention and in my opinion should be required to be addressed before breaking ground on a new unnecessary development. Canton Village for example, is empty, run down and looking very awful and uninviting. Also, the empty gas station next door that has been sitting untouched for years now needs major attention. The last thing we need are 20 more gas pumps. Canton/Collinsville has so many visitors coming for the trails and beauty of the downtown area. We need to hold ourselves to a certain standard. I haven't even touched on the negative environmental impact, the additional traffic, noise and light pollution this development will cause. Please consider the concerns of the residents and do not allow this to be approved. Let's keep Canton quaint, and fix what's already here and run down.

Thank you,
Kylee Melnysyn

[Sent from Yahoo Mail on Android](#)

Archived: Thursday, January 14, 2021 2:03:36 PM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 10:06:54
To: [Deltenre, Renee](#)
Subject: FW: CT Water RE: 9-15 Albany Turnpike
Importance: Normal

Do you have the top one?

Neil

From: Jessica Demar [mailto:Jessica.Demar@ctwater.com]
Sent: Friday, January 8, 2021 2:56 PM
To: Pade, Neil; Anthony Capuano
Subject: RE: CT Water RE: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil and Anthony,

We read through the Hydrogeologic Impact Assessment and understand that the recommendation is to survey wells up to 1500 ft from the blasting site. Even though our public drinking water well is greater than 1500 ft from the blasting site, we still strongly recommend that, for the safety of those utilizing the public drinking water supply, that well is still included in the pre and post blast survey group. This echoes our recommendation stated in our letter dated 11/9/2020.

It appears our comments from our letter dated 9/15/2020 were addressed in Solli Engineering's letter dated 10/2/2020.

Please let me know the outcome of the hearing and the plan for the pre/post blasting survey.

Thanks,
Jessica

*Jessica Demar
Environmental & Regulatory Compliance Coordinator
Connecticut Water Company
860-664-6190*

From: Pade, Neil [mailto:NPade@TownofCantonCT.org]
Sent: Thursday, January 7, 2021 4:27 PM
To: Jessica Demar <Jessica.Demar@ctwater.com>; Anthony Capuano <Anthony@solllc.com>
Subject: RE: CT Water RE: 9-15 Albany Turnpike

Please note: THIS EMAIL ORIGINATED FROM AN EXTERNAL SOURCE.

Hi all,

Just going through my notes in anticipation of the 1/19/21 Hearing and wanted to make sure the questions on this thread were closed out. Has the applicant addressed the comments from the CT Water Company referenced below and if so, does the CT Water Company have any additional comments?

Thanks,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Jessica Demar [<mailto:Jessica.Demar@ctwater.com>]
Sent: Wednesday, December 16, 2020 11:48 AM
To: Pade, Neil; Anthony Capuano
Subject: CT Water RE: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil and Anthony,

I just wanted to follow up with you both on the status of CT Water review. I understand there are a lot of stakeholders here and a number of plan revisions. Also we just received the Hydrogeologic Impact Analysis (HIA) today and will need time to review. At this point, I suggest CT Water hold off on any further plan review until we receive a letter from the applicant addressing our 9/15 and 11/9 comments and at that time we can review the latest plans and provide comments on the HIA. We would also be interested in reviewing the HIA I understand the town intends to pursue. Will that work?

Thanks,

Jessica

*Jessica Demar
Environmental & Regulatory Compliance Coordinator
Connecticut Water Company
860-664-6190*

Archived: Thursday, January 14, 2021 2:03:32 PM
From: Pade, Neil
Sent: Thu, 14 Jan 2021 11:48:44
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: development at 9-15 Albany Turnpike
Importance: Normal

Neil

-----Original Message-----

From: erodgers@datapowersolutions.com [<mailto:erodgers@datapowersolutions.com>]
Sent: Thursday, January 14, 2021 11:37 AM
To: Pade, Neil
Subject: development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil Pade-Town Planner
Canton Zoning Commission

My name is Ed Rodgers and we live on Pond Road, Canton ; about 1 mile west of the proposed development of 9-15 Albany Turnpike, Canton CT.

In reviewing the proposed site excavation application and ultimate development of 9-15 Albany Turnpike, Canton CT., I have a few comments. First and foremost, we have grave concerns on the impact of the blasting, excavating, and removal of the trap rock at this site. The noise and traffic congestion will be relentless for 1 to 2 years, not to mention the adverse impact to the aquifer. As everyone knows, if something can go wrong, it usually does. The only one benefiting is the developer. We feel that the Canton Zoning Commission should readdress the use of this property to be more in line with the charm and character of Canton. Blasting 6 days a week for up to 2 years is not being a good neighbor. Installing excessively high retainage walls, drive thru restaurant, car dealership, and another filling station is something Canton does not need. If this occurs Route 44 will look like route 6 in Bristol. That said, we implore you to reject this application..

Thank you for your consideration...

Ed Rodgers
Pond Road
Canton, CT

Archived: Thursday, January 14, 2021 2:03:25 PM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 12:48:12
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Blasting and Development at 9-15Albany Turnpike
Importance: Normal

Neil

From: Jake Wood [mailto:jake_wood@comcast.net]
Sent: Thursday, January 14, 2021 12:47 PM
To: Pade, Neil
Subject: Proposed Blasting and Development at 9-15Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Jacob Wood

Canton Connecticut Planning & Zoning Commission
c/o Neil Pade, AICP

RE: Proposed Blasting and Development _____Albany Turnpike

Dear Mr. Pade,

I am a occupant of 23 Old Albany Turnpike, Canton. As a resident living very close to 9-15 Albany Turnpike, I am strongly opposed to the proposed development.

I have read and researched the information put out regarding the proposed development, and have strong feelings against it:

I am concerned about my drinking water becoming contaminated. While I do not have well water, if Connecticut Water Company's water becomes contaminated, so will my drinking water. This is a huge concern for the health of my family.

I am concerned about my foundation and house being damaged due to the proposed blasting that will occur. The timeline for blasting will also create unnecessary noise, pollution, traffic congestion, and have a negative impact on quality of life.

The intersection of Old Albany Turnpike and Albany Turnpike is a very dangerous intersection and adding the proposed traffic light will only make this worse. Severe traffic congestion and vision impairments will only result in more accidents. This is a huge safety concern.

It is my opinion that there is very little benefit to the town of Canton or its resident by proceeding with the proposed development, and we are better off without it. I do not think we need any of the proposed business'.

I am not opposed to developing the site, just *this* plan.

I ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.

Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.

One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.

Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

I urge you to deny this proposal, for the good of the town of Canton, it's business' and residents.

Thank you,

Jacob Wood

Archived: Thursday, January 14, 2021 2:03:18 PM

From: [Pade, Neil](#)

Sent: Thu, 14 Jan 2021 12:56:28

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: 9-15 Albany Turnpike

Importance: Normal

Neil

From: JENNIFER GIANNINI [mailto:JENNIFHER@live.com]

Sent: Thursday, January 14, 2021 12:54 PM

To: Pade, Neil

Subject: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade,

I have been completely dismayed that the town of Simsbury has decided again to sell out their tax paying residents for, in our case, a second time by approving this project. I am pleading with you not to do the same. There are only a handful of residential homes closer to this proposed project than ours on Bushy Hill Lane but even fewer than that is the number of residents who have lived here as long as we have. They most likely do not have first-hand experience of how a project of this magnitude will disrupt their quality of life, property value and possibly even their health, we do.

We were but two years in to home ownership when our shallow well ran dry. We had an almost one year old and were expecting another baby. While trying to figure out our next step, someone had notified us that Avon Water Company provided water to the house behind us and that had been done due to the fact that there had been water contamination from a previous gas station in our area but it had been determined that the plume of contamination did not reach our water. Our neighbor at that time let Avon Water Company put a separate meter on their back hose and ran a line of fresh water to our house while we tested residual water tank water for any contamination.

Our water was determined to have been contaminated but it was not from the gas station it was contaminated with Trichlorethylene (TCE). TCE is a chemical used to degrease parts and being right next door to the Hoffman complex we assumed it originated there. We just so happened to have a couple of friends who were environmental engineers that did all of the leg work of determining water tables and such which, led us to get the State involved. The DEP dispatched a full team to our property and to the Hoffman property to dig multiple wells, test and monitor. The DEP was unable to determine where the contamination came from. We then had a new 365 ft bedrock well dug and the DEP agreed to put an industrial water filtration system in our basement and would continue to monitor our water.

In between all of this, two babies and us as well, had to be tested to see if there was any organ damage from drinking the water. My daughter was determined to have an abnormal heart rhythm

caused by a heart valve defect that would not, thankfully, have an impact on her living a normal life. Was it from the contamination? We do not know but it sure could have been.

Next comes Hoffman's request for expansion. We were not notified of this request even though we had a history with that property and are directly impacted by disturbances originating from that property due to the aquifer that is located there. We were only able to attend one wetland hearing due to our late knowledge, as is the same with this development. Their project was approved with agreed upon conditions. One of which was that there was to be no further expansion on that property. The town of Simsbury now has punted the ball to Canton.

If approved by your town we can be assured of months of excessive noise, well disturbances, earth shaking, property damage and lowered property value. Our industrial water filters were consistently clogged with sediment. Which, now over years of testing have long been removed. We are left exposed now. We know there is contamination on/near that sight. Dangerous enough to be a concern. The town of Simsbury obviously does not think very highly of ALL of their residents but we are relying on you to make the right decision for PEOPLE whether or not they are residents of your town.

Sincerely,

Michael and Jennifer Giannini

Archived: Thursday, January 14, 2021 2:03:11 PM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 13:56:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed EV showroom
Importance: Normal

Neil

From: mark.rondeau@selfsimilargroup.org mark.rondeau@selfsimilargroup.org
[<mailto:mark.rondeau@selfsimilargroup.org>]
Sent: Thursday, January 14, 2021 1:35 PM
To: Pade, Neil
Subject: Proposed EV showroom

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade:



As a resident of Collinsville I'd like to voice my strong objection to the proposed project. Beyond the potentially disastrous environmental issues associated with the project, which are numerous, and my unbridled distaste at the esthetics of the project, I have significant questions about its economic viability.

Following what is effectively a major mining operation the developers intend to build a large gas station with a mini-mart and fast food restaurants and an EV showroom alight atop like the cherry on a sundae. This begs the question: Why would anyone build a spec EV showroom? I posed this question to a friend who is a SVP at an EV manufacturer. He burst out into laughter. So I ask the developers: do you have any leads on a tenant?

I believe that it's time for the Planning and Zoning Commission to stop this project from going forward. It never ceases to amaze me how developers can find tame PEs to put the proverbial lipstick on a pig. It is time sir to wipe off said lipstick and proceed with the work of sensible development for Canton.

Sincerely;

Mark J. Rondeau, PhD

Archived: Thursday, January 14, 2021 2:03:03 PM
From: [Pade, Neil](#)
Sent: Thu, 14 Jan 2021 11:24:34
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: letter opposing route 44 development proposal
Importance: Normal
Attachments:
[Greenberg Application Letter from C.A.R.E.pdf](#)  [Greenberg Pendell Letter Opposing 12-20.pdf](#) 

Neil

From: Gretchen Washington [mailto:gretchengeis@hotmail.com]
Sent: Thursday, January 14, 2021 10:59 AM
To: Pade, Neil
Subject: letter opposing route 44 development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am writing to express my opposition in regards to the development proposal for route 44 in Canton.

I have attached the letters of opposition that I support from Attorney Michael J. Pendell as well as C.A.R.E.

I have been a resident of Canton for 4 years, we moved here from Oregon and we chose Canton because of the beautiful landscape and smaller businesses that are seen along route 44 and in Collinsville.

I am also very concerned about the possible contamination to the drinking water that this construction could cause. I have young children who attend Canton Public Schools and I shudder to think that the town would consider putting their health, as well as the school staff's health, at risk by allowing this to happen.

Thank you for your consideration.

Gretchen Washington
33 Garrett Rd
Canton, CT

Archived: Thursday, January 14, 2021 2:02:59 PM
From: Pade, Neil
Sent: Thu, 14 Jan 2021 13:01:11
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Opposition to proposed development Rt 44
Importance: Normal

Neil

-----Original Message-----

From: Whitney O'Donnell [<mailto:whitney.m.odonnell@gmail.com>]
Sent: Thursday, January 14, 2021 1:01 PM
To: Pade, Neil
Subject: Opposition to proposed development Rt 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr Pade,

I am writing to express my opposition to the proposed development at the Eastern Gateway of Route 44 into Canton.

First and foremost, I'm concerned about the environmental impact that the blasting of the ridge will have on the water available to neighboring homes. In addition, the noise pollution from nearly a year of blasting rock is a concern.

Finally, the proposed development conflicts with our town's identity as a place committed to our history, environment and our neighbors. While it is important to foster economic growth and development in town, it needs to be done in a manner that reflects our town identity. Simply put, this proposal does not fit in our town.

Thank you for your hard work on this project and all you do for our wonderful town.

Sincerely,
Whitney O'Donnell
70 Dyer Ave
Canton, CT 06019

Sent from my iPhone

January 12, 2021

Town of Canton

Planning and Community Development

4 Market Street / P.O. Box 168

Canton, CT 06022

CANTON TOWN HALL
LAND USE OFFICE

JAN 13 2021

DATE OF RECEIPT IN OFFICE

To Whom It May Concern:

Subject: Development of 9-15 Albany Turnpike

- > As a Canton native, I think it is a shame to destroy the trap rock ridge and to construct a complex that would ruin the natural beauty and small-town character of our town.
- > Surely, there is a more suitable site for such a project.
- > Please do whatever you can to preserve our unique town. Thank you.

Cheryl M. Scholer
↳ Saddle Ridge
P. . .



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

Date: October 1, 2020

To: Zoning Commission
Design Review Board

From: Michael Glidden CZEO CFM
Director of Planning and Community Development

Re: Application # ZC 20-10 of 9-15 Albany Turnpike, LLC, Owner; Kevin Solli, Agent for a Site Plan Approval for the development of 9-15 Albany Turnpike including a gas stations/convenience store and electric vehicle showroom, service component with associated parking (Zone B-3)

Description of Site Plan Amendment

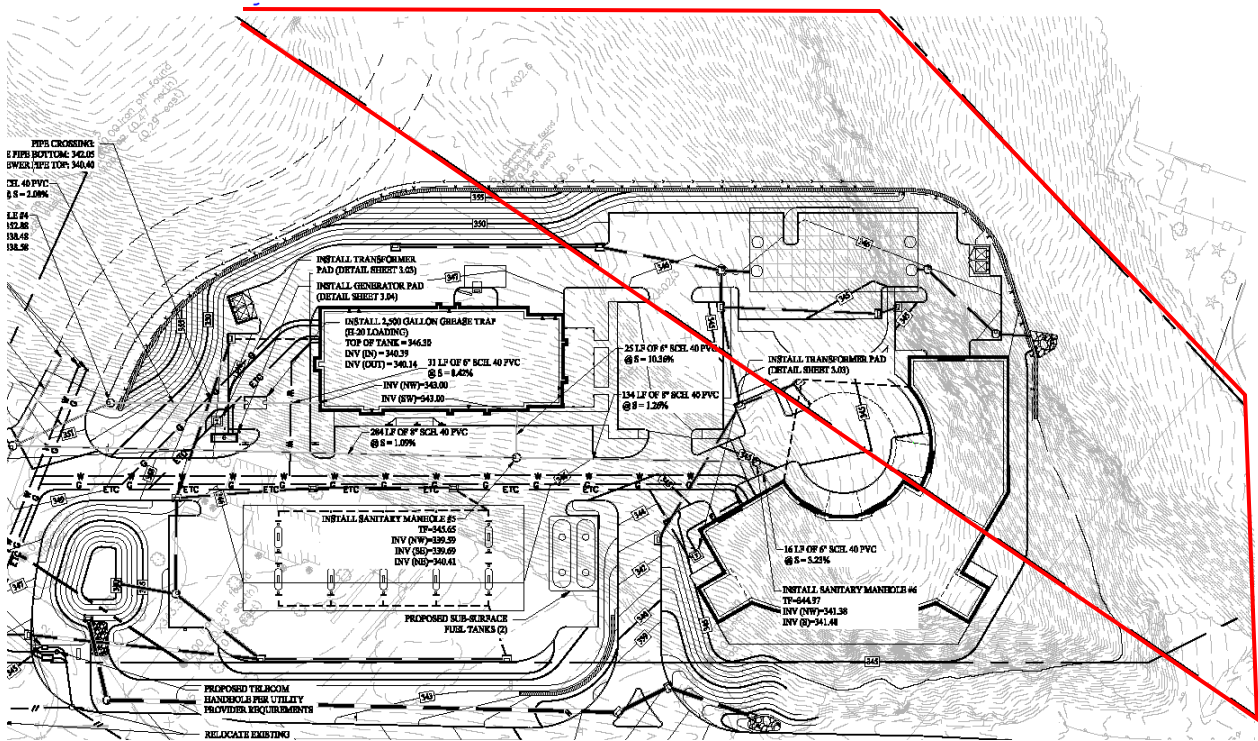
The property owner at 9-15 Albany Turnpike is seeking approval for the construction of two buildings. Majority of the site improvements and buildings are located in Canton.

The subject property is located within a B3 zoning district. The sale of automobiles is permitted in the zoning district subject to site plan approval.

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday



The area in red highlights portions of the property that are located in Simsbury. The northeastern corner of the electric car dealership will be located in Simsbury along with some infrastructure associated with storm water management. The gas station/convenience store is located entirely within Canton.

The business will function different from the typical car dealership. New cars are made to order and delivered to customers this means there will not be the typical storage of cars for sale at the lot. A very limited inventory is kept.

Service will be provided on site for vehicles.

Site Access will be provided from 2 driveway cuts that are located in Canton.

As part of the site development, there will be a rock crusher and processing occurring onsite.

Staff Comments

The bulk of site improvements and structures associated with the development of this property are located in Canton.

The proposed building meets lot setbacks, coverage, and height standards for the zoning district. The applicant has provided sufficient details concerning drainage, storm water, and traffic management to demonstrate that the proposed development will not have a negative impact to the surrounding area.

Staff supports approval of the site plan. A draft motion in the affirmative has been prepared for discussion purposes.

Attachment "A"
Simsbury Zoning Commission
Monday October 5, 2020

A motion to approve **Application # ZC 20-10** of 9-15 Albany Turnpike, LLC, Owner; Kevin Solli, Agent for a Site Plan Approval for the development of 9-15 Albany Turnpike including a gas stations/convenience store and electric vehicle showroom, service component with associated parking.

The site plan approval is subject to the following conditions:

1. An administrative zoning permit is required.
2. Approval is for the construction of buildings and site development. Signage is not part of this approval and will require a separate approval for any signs that will be located in Simsbury.
3. Pre-Construction Meeting is required with Town staff prior to start of site work.
4. Limits of work/clearing are to be marked by a surveyor and approved by Code Compliance officer prior to start of site work.
5. As part of the site prep process, the removal of rock is approved with the following hours of operation:
 - a. Monday thru Friday : 8:00 am to 5:00pm
 - b. Saturday : 9:00 am to 5:00pm
 - c. No work on Sundays
6. The Zoning Commission authorizes staff to approve minor modifications to site grading, landscaping, drainage, or lighting on their behalf. Said requests are to be made in writing to staff prior to implementation.

Archived: Thursday, January 14, 2021 9:13:24 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 11:05:23
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Blasting and building at La Tratorria sight
Importance: Normal

Neil

From: Barbara Koontz [mailto:bkwylic@yahoo.com]
Sent: Wednesday, January 13, 2021 11:04 AM
To: Pade, Neil
Subject: Proposed Blasting and building at La Tratorria sight

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade,

I live in Secret Lake, on Secret Lake Road in Avon. The Swift Chemical property situation has affected our wells already, and the problem was never solved in Avon. In 1970's when this was discovered, our answer was that the pollution stopped at the Canton Town line. What kind of answer is that?

Now we are faced with years of blasting, trucks, traffic nightmare and noise, not to mention the disturbance of our underwater water sources. Our lake is precious to us and we don't want that ruined for a complex that we don't need, want and has no place in the horror of Route 44. The traffic will be a nightmare, the hill at Brass Lantern road always causes accidents and sliding in inclement weather and a light would add to that. If you look at all of the negative impact it will have to the surrounding homes and our lives I don't know how anyone would proceed with this. Is it all just about money? Don't peoples lives and quality of life matter to town government?

Please rethink this and listen to the people who would know the best. You know that land is contaminated, why disturb it this way and for what, a convenience store and cars for the rich?

Thank you for reading my letter. I really hope this isn't passed as it will be a nightmare for many.

Sincerely,

Barbara Koontz
94 Secret Lake Road
Avon, CT
860-673-4890

Archived: Thursday, January 14, 2021 9:13:20 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 12:41:22
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Against the proposal for destruction on canton simsbury line
Importance: Normal

Neil

-----Original Message-----

From: Danielle [<mailto:ddermo1@aol.com>]
Sent: Wednesday, January 13, 2021 12:36 PM
To: Pade, Neil
Subject: Against the proposal for destruction on canton simsbury line

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please repurpose existing empty buildings instead of destructing more land for this project to blast and destroy more land!

Danielle D'Ermo
www.DanielleDErmo.com
Photography
Sent from I phone

Deltenre, Renee

From: Pade, Neil
Sent: Wednesday, January 13, 2021 12:45 PM
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Proposed Development at 9-15 Albany Turnpike Mr. Pace, as a resident of Canton for over 60 years I have seen many changes to Canton. Most of them have improved the town and increased our tax base. However this proposed development would be extremely

Neil

-----Original Message-----

From: Angela Larson [<mailto:larsonange@aol.com>]

Sent: Wednesday, January 13, 2021 12:43 PM

To: Pade, Neil

Subject: Proposed Development at 9-15 Albany Turnpike Mr. Pace, as a resident of Canton for over 60 years I have seen many changes to Canton. Most of them have improved the town and increased our tax base. However this proposed development would be extremely d...

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.



Jenny Abel

18m · 🌐



Save the Date: **Tues. Jan. 19, 2021 @ 7PM** - The Canton Planning & Zoning Commission is expected to close the 4-month **PUBLIC HEARING** for a development proposal (@ 9-15 Albany Turnpike) that will impact residents who live near the Eastern Gateway, starting with a 15-month blasting, scraping, rock removal process to prepare the site.

Please read more at C.A.R.E. (Canton Advocates for Responsible Expansion): <https://sites.google.com/view/canton-cares>



👍 3

👍 Like

💬 Comment

Archived: Thursday, January 14, 2021 9:00:14 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 14:51:51
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Concerns over 9/15 Albany Tpke
Importance: Normal

Neil

From: Nicole Palmer [mailto:nicolepalmer224@gmail.com]
Sent: Wednesday, January 13, 2021 2:50 PM
To: Pade, Neil
Subject: Concerns over 9/15 Albany Tpke

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

I hope you are doing well today! My husband had recently emailed you about our concerns with the 9/15 Albany Tpke development. I wanted to voice my concerns as well.

As we recently purchased our home on Washburn Road here in lovely Canton, CT. We researched several towns and areas to live and fell in love with Canton to raise our family of 3 small girls.

So far, we love it here. The only unexpected downside is the awful and down-right dangerous traffic on Washburn Road. It could all be fixed with an additional stop sign or two, but that is for another time, and not your matter to deal with.

What I am concerned about, amongst MANY things with this plan, is how horrendous the traffic is going to get with this plan. This is something that is going to get markedly worse if we allow 20-30 dump trucks 6 days a week for an estimated 16 months (you and I know it will be longer) to remove an estimated 118,450 yards of rock (you and I know it will be more) right down the street from us. The closure or restricted access to rt44 is going to make our dangerous road even more dangerous still.

Aside from the traffic concern, which is a serious issue in itself, the main concern I have is the possibility of disrupting the aquifer. As a Registered Pediatric Nurse, I am concerned that this would severely impact our drinking water and potentially our health. We are fully dependent on our well water as I am sure there are dozens if not hundreds of other people in the surrounding area. If our well water was ruined who is going to fix

that? If our water gets contaminated what are we going to do? **If this plan moves forward I would EXPECT a plan to be in place for who will fix that problem and would love to hear what that entails.**

Since hearing of this issue, my husband and I investigated this before reaching out to you. Below are the links to what is in the ground, and what would happen to my kids and their neighbors if that got in our waters;

<https://portal.ct.gov/DEEP/Remediation--Site-Clean-Up/Superfund-Programs/State-of-Connecticut-Superfund-Program#Swift> – what is in the ground – Really not good, bad stuff

<https://www.epa.gov/privatewells/potential-well-water-contaminants-and-their-impacts> - what would happen to the community – also, let's not pretend this is okay. This stuff is BAD.

If we allow someone to blow up 120 thousand yards of earth directly next to buried chemicals that is not going to end well for anyone. As my husband put it, **imagine thinking blowing up the earth 1,500 feet away from a known eco-hazard would be a good idea?** I am fully confident, as I am sure you feel the same way, that disrupting the earth directly next to solvent pollutants that have been seeping in for over 50 years would be a disaster.

Please consider the long-term ramifications we are looking at. My husband had done some research on the revenue and if this development's reported annual tax revenue to the Town of Canton of \$103,000 is accurate, then surely with an annual operating budget of \$11,007,982 – there are better ways to going about increasing town revenue than sending more dangerous traffic down our unprepared road or jeopardizing the water supply to an entire community. The amount of dollars the town would gain is laughable when compared to the annual budget and the possible irreversible impact the community.

Thank you for hearing me out and I hope you consider my feelings when this important decision is made.

We are counting on you to make sure our voice is heard, Neil, and I hope you take the gravity of the situation seriously for all involved.

I look forward for the opportunity to voice my concerns on the town Zoom call, upcoming on 1.19.21 at 7:00pm.

Sincerely,

Nicole Palmer a VERY concerned parent, Registered Nurse, and Canton citizen

Archived: Thursday, January 14, 2021 9:00:10 AM
From: Pade, Neil
Sent: Wed, 13 Jan 2021 14:43:31
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Proposed electric car store building
Importance: Normal

Neil

-----Original Message-----

From: David Mehr [<mailto:mehr01@msn.com>]
Sent: Wednesday, January 13, 2021 2:37 PM
To: Pade, Neil
Subject: Proposed electric car store building

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Town Planner

We do not need this ugly building in our town. The 1 1/2 years of blasting and removal of material is terrible not only for the noise but bad for our environment. I am opposed to this building

David Mehr
26 secret lake rd
Canton Ct

Sent from my iPhone

Archived: Thursday, January 14, 2021 9:00:07 AM

From: Pade, Neil

Sent: Wed, 13 Jan 2021 14:43:44

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Development Proposal

Importance: Normal

Neil

-----Original Message-----

From: Carissa Myers [<mailto:carissa.d.howard@gmail.com>]

Sent: Wednesday, January 13, 2021 2:43 PM

To: Pade, Neil

Subject: Development Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good afternoon,

I just wanted to voice my opinion against the Development Proposal by Mark Greenberg. As a newer resident of Canton and a previous resident of Torrington, I am quite concerned over the amount of development involved and affect on the environment all of which just doesn't seem necessary.

Please let me know what else I can do to further voice my opinion.

Thank you

Carissa Howard

8 Shingle Mill Dr

Archived: Thursday, January 14, 2021 8:54:58 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 21:06:24
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Rt 44 Development proposal
Importance: Normal

Neil

From: Phoebe [<mailto:Phoebe@richard-reed.com>]
Sent: Wednesday, January 13, 2021 7:43 PM
To: Pade, Neil
Subject: Rt 44 Development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Commissioner(s),

I am a Canton resident of 17 years, and am writing to let you know I'm adamantly against the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton. I urge you to please vote against the proposal on January 19th.

Thank you

Phoebe Milliken

90 W Mountain Rd, Canton

Archived: Thursday, January 14, 2021 8:54:55 AM
From: Pade, Neil
Sent: Wed, 13 Jan 2021 15:32:24
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: No vote for new development
Importance: Normal

Neil

-----Original Message-----

From: Marge Kurtz [<mailto:margekurtz@hotmail.com>]
Sent: Wednesday, January 13, 2021 3:18 PM
To: Pade, Neil
Subject: No vote for new development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Marge Kurtz
11 Sugar Camp Road
Canton, Ct

My husband Bill and I are fervently against this sort of major destruction to the ledge and possible collateral damage to the drinking water by exposure of toxic chemicals from a nearby toxic super fund clean up sight leaching contaminates into our town and abutting towns drinking water.

Not to mention the length of time this will take / and the huge traffic mess it'll be on a busy road.

Lastly, Against another gas station going in with no guarantees that the remainder of project will even happen.

Marge & Bill Kurtz

Archived: Thursday, January 14, 2021 8:54:48 AM
From: Pade, Neil
Sent: Wed, 13 Jan 2021 17:02:23
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Comments for Route 44 blasting and development proposal
Importance: Normal

Neil

From: Katie [mailto:kautumnblake@gmail.com]
Sent: Wednesday, January 13, 2021 5:01 PM
To: Pade, Neil
Subject: Comments for Route 44 blasting and development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good evening Neil,

I wanted to follow up on the last Planning and Zoning meeting in December where the Route 44 blasting and development project is proposed. **I urge the Canton Planning and Zoning Commission to reject this proposal.**

I am writing this email to echo concerns raised in the December meeting by the CT Water, Canton Conservation Committee, C.A.R.E., Town Historian David Leff, Atty. David C. Shepard, and the dozens if not hundreds of town residents who have spoken out against this project.

For a variety of environmental, cultural, historical, logistical, practical, economic, and health/safety concerns, **this project proposal should be rejected.** This proposal appears to be a blasting and mining endeavor with the cover of a "vision" for infrastructure development for efficient automobiles.

There are several empty lots and eyesores along Route 44, many of them in Canton that would benefit from a project like the proposed, and wouldn't require blasting. Some of the empty lots are an abandoned gas station and car dealership. Re-development of these sites would be far more environmentally frugal than blasting an ecologically and culturally significant taprock ridge to create a showroom for electric vehicles. Re-development would not likely result in any environmental catastrophe as would very likely result from the activities necessary for the new blasting and development proposal. Further, it would be absolutely negligent of the town of Canton to sacrifice such a significant taprock ridge for a project that is clearly a cover for blasting and mining.

Part of the developer's "vision" is "creating the infrastructure in Connecticut that will allow the faster transition from gas-powered vehicles to electric vehicles" shares Michael Frisbie and as reported in

the Valley Press. I'm a former resident of Bridgeport and New Haven, Connecticut, and knowing these cities, it's hard to imagine there wouldn't be equitable-sized areas of empty lots or available industrial space to support this "infrastructure" AND with easy access to 95, making access to this showroom much more feasible for more of CT residents. The first thing I learned about Canton before moving here was there wasn't an easy or quick way to get here.

I moved to Canton for the quiet, the peace, and the rural landscape and character. I value the small businesses and community events that make our town special. Most of all, the natural resources, close access to state parks, scenic highways, and diversity of habitats and the fauna they support are what make this part of Connecticut so special. Canton is a town where we believe our town leadership would protect unique geologic features and important natural habitats for flora and fauna. The blasting and development project proposed is so out of character for this town and it is difficult to conceive of any benefit the town would receive from this project. Even if benefits could be identified, none of them would outweigh the overwhelming drawback to it, top among them environmental degradation and increased traffic and congestion on Route 44.

Further, while I may not understand the timeline that brought this proposal before the Planning and Zoning Department, this is a particularly stressed time for not only our community, but the world, with a global pandemic affecting so many areas of our lives. With the incredible stressors caused by this pandemic, I fear that there are hundreds of town residents who will not have a chance to have their voice heard because they are sick, or struggling to put food on the table, or dealing with the loss of employment, or caring for loved ones affected by this terrible disease. This is not the time to further exploit a weary public by pushing a dangerous project like this one proposed during such a stressed time in our nation.

This project as proposed would be a permanent and everlasting blemish on our town. **I urge the Canton Planning and Zoning to do what is in the best long-term interests of the town and residents and reject this blasting and development project.**

Sincerely,
Katherine Blake
[15 Humphrey Rd.](#)
[Canton, CT](#)

Sent from my iPhone

Archived: Thursday, January 14, 2021 8:54:41 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 17:07:33
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: VOTE AGAINST PROPOSAL!
Importance: Normal

Neil

From: oconnor_kc@att.net [mailto:oconnor_kc@att.net]
Sent: Wednesday, January 13, 2021 10:02 AM
To: Pade, Neil
Subject: VOTE AGAINST PROPOSAL!

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Commissioner(s),

I am a Canton resident of over 30 years and am writing to let you know I'm adamantly against the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton. This new development will directly impact my families water which is NOT a risk I am will to take with 3 children at home.

I urge you to please vote against the proposal on January 19th.

Thank you,

Carolyn O'Connor

Archived: Thursday, January 14, 2021 8:54:33 AM
From: Pade, Neil
Sent: Thu, 14 Jan 2021 08:11:05
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Commercial Development Proposal for 9-15 Albany Turnpike
Importance: Normal

Neil

From: John Tube [mailto:tubehot@hotmail.com]
Sent: Thursday, January 14, 2021 5:57 AM
To: Pade, Neil
Subject: FW: Commercial Development Proposal for 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil,

In November, we provided input to the proposal at 9-15 Albany Ave. We appreciated your reply to our earlier concerns. Also, we extend our thanks to the planning commission for enabling the ZOOM platform to allow proper understanding and participation.

As noted earlier, we recently moved to Canton (from Newington) and were attracted based on the town's current character. This included the art scene, the rivers, the hills, fresh air, a quiet neighborhood, the small town feel and Canton's commitment to preserving this character in the future.

At this time, we felt compelled to provide further comment on this proposal, specifically:

- Well Water Risks:
Being on a well, we continue to have concerns with possible blasting risks adjacent to The Swift Chemical Company Superfund site. Hydrology is a science. Based on reading the comments of Specialists to mitigate possible impacts, the Town of Canton will inherit a risk which may impact the Quality of Life for all current and future residents of our rural town.
- Town Character:
On my commute home, I always see the "Welcome to Canton" sign. In the future, after 1.5 years of significant removal of the natural trap-rock formation, and if the proposal goes through as planned, this "Welcome to Canton" sign will be directly beneath a large futuristic glass showroom. For a town that prides itself on retaining the natural character of the town, this is a direct contradiction. Add in increased traffic and a proposed new traffic light, we and future generations will be left with a permanent scar on our town that is NOT befitting of our rural and quaint character. If the developer were concerned of Canton's character and our quality of life, they would have proposed a much smaller scale development to minimize trap-rock removal and ensure our character remains intact.

Based on quality of life concerns, we are strongly against this proposal.

Respectfully,
John & Kerri Interlandi

Canton, CT

----- Original message -----

From: "Pade, Neil" <NPade@TownofCantonCT.org>

Date: 11/17/20 9:22 AM (GMT-05:00)

To: Kep Powers <kepworks@live.com>

Subject: RE: Commercial Development Proposal for 9-15 Albany Turnpike

Hi John and Kerri,

Thank you very much for submitting your concerns regarding this project.

We will enter them into the hearing record and make sure a copy is provided to each member of the Commission.

Regarding the meeting format we are actively in discussions with our IT staff to improve the process. For the current process, and ability to be present/ participate, please see the following website:

<http://www.townofcantonct.org/agendas-minutes-meetings>

At this location you can find the following:

1. Meeting Agendas with log in information for the meetings
2. Meeting Packets that contain all of the information that the Commission has access to and that will be discussed.
3. Minutes of past meetings
4. Video and Audio recordings of past meetings.
5. Legal Notices of newly scheduled public hearings

The information you are interested will all be under the Planning and Zoning Commission when you are on that website.

For your convenience, direct links to the specific Meeting Agenda, Meeting Packet, and the most recent Meeting Recording are copied below:

Agenda - http://www.townofcantonct.org/filestorage/6662/17720/17722/47108/11-18-20_P%26Z_RM_Agenda.pdf

Meeting Packet (this link will continue to be updated so it is good to check it at the end of the day) - http://www.townofcantonct.org/filestorage/6662/17720/26104/47278/11-18-20_P%26Z_Meeting_Packet.pdf

Most recent meeting recording - http://audio.townofcantonct.org/audio_files/P%26Z/2020/10-21-20%20PZC%20Recording.mp4

Thank you again for reaching out to us. Please feel free to contact me anytime about this or any other matter.

Best,

Neil S. Pade AICP
Director of Planning and Community Development

Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Kep Powers [<mailto:kepworks@live.com>]
Sent: Monday, November 16, 2020 7:51 PM
To: Pade, Neil
Subject: Commercial Development Proposal for 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

To: Neil Pade, Town Planner

Dear Neil,

As four-year residents of Canton, Connecticut, my husband and I have become aware of the recent commercial and development proposal for 9-15 Albany Turnpike. We would like to express our concern and plan to join the 11/18 Planning and Zoning virtual meeting. The following are key points we would like to bring forth:

1. We assume the meeting will be both in an audio and visual format so we as well as other Canton residents can fully understand the items discussed regarding the proposal.
2. We have well water and are deeply concerned about the blasting effects regarding The Swift Chemical Company Superfund site. Because of this, we strongly request an independent analysis of the blasting by a Licensed Environmental Professional and a hydrogeologist.
3. Being the gateway into the town of Canton, commercial development of this magnitude is questionable in terms of how it will fit in with the current aesthetic of our town. It's like The Jetson's meets Hollywood Hills. The design, elevation, and location are not indicative of the quaint and rural character of our town of Canton.

Respectfully, we are in opposition to this proposal.

Thank you for your time and consideration.

Regards,

John and Kerri Interlandi

Archived: Wednesday, January 13, 2021 11:11:17 AM
From: [Pade, Neil](#)
Sent: Wed, 13 Jan 2021 09:58:03
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Vote against Route 44 Development
Importance: Normal

Neil

From: Kristin Cork [<mailto:kristin@beyogainavon.com>]
Sent: Wednesday, January 13, 2021 9:56 AM
To: Pade, Neil
Subject: Vote against Route 44 Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Commissioner(s), I am a Canton resident of 15 years and am writing to let you know I'm adamantly against the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton. I urge you to please vote against the proposal on January 19th. Thank you,

Kristin Cork



Kristin Cork
Chief Executive Yogini Be.Yoga

p: 860.930.1311
w: www.beyogainavon.com e: kristin@beyogainavon.com



Archived: Wednesday, January 13, 2021 11:11:13 AM

From: Pade, Neil

Sent: Wed, 13 Jan 2021 09:34:27

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Town development

Importance: Normal

Neil

-----Original Message-----

From: Jen [<mailto:sweetpj222@aol.com>]

Sent: Wednesday, January 13, 2021 9:06 AM

To: Pade, Neil

Subject: Town development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi my name is Jen Pirro, I am writing to the town again in reference to the new project that is going to be put on route 44. (well hopefully not) I have lived on Canton Valley Circle for almost 10 years. We are in the red zone for our well-being affected. I am just in shock that anyone in this town would even consider this project. I know all projects have to be considered I think legally but I really hope as a Canton resident and proud of my town this will not pass. I am all about development (love how the canton shops turned out) and making the area look nicer but I can't even believe anyone would want the entrance to Canton to look what is proposed to look like. I didn't realize Canton wanted to turn into Manchester. The rock to our entrance is so pretty it would be devastating to everyone living here to remove any of it.

My main concern is also my well water. I've spent a lot of money on my well and pride myself and where I live and what great water we have and love living off the "land". I hope I can put my faith in the town to protect the people who live in it. Maybe these these big developers think 1000 people being affected isn't a big number to them but in our small town I think even 50 people being affected is large and unfair. I'll will attend the town meeting next week and hope canton remains on the residents side. Thank you for your time!

Jen Pirro

Sent from my iPhone

Archived: Wednesday, January 13, 2021 11:09:22 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 17:52:41
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Rt 44 project
Importance: Normal

Neil

From: Barbara Fichtenholtz [mailto:babbof@gmail.com]
Sent: Tuesday, January 12, 2021 5:48 PM
To: Pade, Neil
Subject: Rt 44 project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am so opposed to the project. Yes, I live in Simsbury but I will be effected as will everyone in the Farmington Valley.

This developer has come in to many places and pushed what he wants thru. He wants money and doesn't care about residents.

The pandemic will end and residents will go back to offices. Traffic on 44 is horrendous in good times. Do we really want to make 44 and Simsbury Rd so bad that we will end up widening it causing worse problems for years.

As many have if I wanted to live near the Berlin turnpike I'd have moved there.

Please vote no.
Barbara Fichtenholtz

Archived: Wednesday, January 13, 2021 11:09:18 AM
From: Pade, Neil
Sent: Tue, 12 Jan 2021 17:48:19
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Proposed development of 9-15 Albany Turnpike
Importance: Normal

Neil

-----Original Message-----

From: Wendy Spurrier [<mailto:wendyspurrier12@gmail.com>]
Sent: Tuesday, January 12, 2021 5:45 PM
To: Pade, Neil
Subject: Proposed development of 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pace,

I am absolutely opposed to the proposed plan to develop the above site. It is not in keeping with our small town character. More importantly, it may be environmentally a disaster to wells and aquifers. It will impact traffic on route 44 for years. Residents will have to put up with blasting and mining six days a week for possibly as long as two years.

I am not opposed to this land being developed, but it needs to be on a much smaller scale and in keeping with the character of the town.

Respectfully,

Wendy Spurrier
15 Evens Drive
Canton, CT

January 12, 2021

Canton Connecticut Planning and Zoning Commission

C/O Neil Pade, AICP

P.O. Box 168

4 Market Street Collinsville, CT 06019

Re: Proposed Retail/Service and Personal Services Business Application

Dear Mr. Pade,

We are writing to you in opposition to the currently proposed retail/service and personal services business application at 9 and 15 Albany Turnpike.

My husband and I are strong advocates for economic development in this town. But in this case, we feel that the proposed application is not suitable for the location. There seems to be several drawbacks that make it not in the best interest of the people and environment of Canton.

One, it will disrupt the natural greenway that is there now. We have already had to impact habitat in other areas of our town and therefore, do not need another one destroyed, particularly in an area adjacent to Simsbury's greenway. It will destroy the natural character of that property and impact the wetlands located there, as well as the animals that use the land.

Another concern is the potential impact on the Swift Chemical Super Fund site nearby and therefore, the risk to damaging aquifers that serve numerous homes in the area. Both animals and people need to be protected from such a long term risk.

A third concern is that this project is at the entrance of Canton on Route 44 going west. If anything were to be built in that area, it should reflect the overall character of the town. The town has been trying to encourage development that will add to its character. This project strips away not only the land but does not add to the character of the town.

Thank you for taking these concerns into consideration.

Sincerely,

Sue and Paul Therrien

12 Thayer Avenue

Collinsville

Jan. 12, 2021
Planning & Zoning Commission
Town of Canton
c/o Town Planner Neil Pade
Re: 9-15 Albany Turnpike application

Dear Commissioners:

I am writing in strong opposition to developer Mark Greenberg's application. While I am generally in favor commercial development on Rt. 44, this proposal is, in every respect, inappropriate and unacceptable.

The extent of site work required to prepare the site for this proposal (2 years, including more than a year of blasting and rock removal) is itself an indication that this is the wrong plan for this location.

The fact that blasting would take place adjacent to a Superfund site, and within an aquifer that provides drinking water to residents of more than 40 streets, warrants extreme caution. A development would need to both be highly desired and guarantee enormous benefits to the community before the commission were to take such a risk.

I do not believe the promotion of the applicant's proposal as environmentally forward-thinking. Aside from removing most of the trap rock ridge, it would include 20(!) gasoline pumps. The would-be operator of this gas station has told the commission that – despite the applicant's claim that the pumps will be eventually converted to electric vehicle charging stations – this will not happen in his lifetime.

The purported purpose of the "futuristically-designed" building is to showcase electric vehicles, but no particular tenant is guaranteed as part of this application. Even if this vision were to be fulfilled, a proposal to turn Canton's eastern gateway ...



... from this



... to this

... is a drastic proposal that would irreparably harm Canton's character, to the detriment of its environment and its value as a destination for businesses and activities that thrive because of Canton's unique, beautiful, natural, small-town qualities.

Respectfully,

8 Uplands Dr.
Canton, CT 06019

Archived: Wednesday, January 13, 2021 11:07:43 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 13:39:48
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Concerns over 9/15 Albany Tpke
Importance: Normal

Neil

From: John Palmer [mailto:John@palmerinsurance.com]
Sent: Monday, January 11, 2021 4:51 PM
To: Pade, Neil
Subject: Concerns over 9/15 Albany Tpke

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

I hope you are doing well today!

My wife and I recently purchased a home on Washburn Road here in lovely Canton, CT. We researched several towns and areas to live and fell in love with Canton for the same reasons so many people do – you don't need me to tell you why it's great here.

So far, we have loved it here. The only downside is the horrifyingly awful and down-right dangerous traffic on Washburn Road. If you have ever driven down Washburn, I am sure you have noticed the speed limit is nothing more than a joke and the signs are completely useless. To make the speed factor worse, I am sure you know Washburn is treated as a major cut through to Bushy Hill. We get all types of 18 wheelers, dump trucks, commercial vehicles – we see it all, if they go slow enough to notice.

This is something that is going to get markedly worse if we allow 20-30 dump trucks 6 days a week for an estimated 16 months (you and I know it will be longer) to remove an estimated 118,450 yards of rock (you and I know it will be more) right down the street from us. The closure or restricted access to rt44 is going to make our dangerous road even more dangerous still.

It would be very unfortunate opening our road to more traffic. The traffic we already get is not your average neighborhood traffic, and if this development gets approval – I am not quite sure our little road can handle it. To top it off, we have 3 young children all under the age of 5. We are in the process of learning how to ride our bicycles in the driveway, so from a purely personal standpoint my own household really would appreciate rt44 not being impeded.

Aside from the traffic concern, which is a serious issue in itself, the main concern I have is the possibility of disrupting the aquifer. We are fully dependent on our well water as I am sure there are dozens if not hundreds of other people in the surrounding area. If our well water was ruined who is going to fix that? If our water gets contaminated what are we going to do?

Since hearing of this issue, I investigated this myself before reaching out to you. Below are the links to what is in the ground, and what would happen to my kids and their neighbors if that got in our waters;

<https://portal.ct.gov/DEEP/Remediation--Site-Clean-Up/Superfund-Programs/State-of-Connecticut-Superfund-Program#Swift> – what is in the ground – bad stuff

<https://www.epa.gov/privatewells/potential-well-water-contaminants-and-their-impacts> - what would happen to the community – also bad stuff

If we allow someone to blow up 120 thousand yards of earth directly next to buried chemicals that is not going to end well for anyone. Imagine thinking blowing up the earth 1,500 feet away from a known eco-hazard would be a good idea? I must tell you that I am neither a scientist nor an ecologist, however I can tell you this much.. I am fully confident in saying that disrupting the earth directly next to solvent pollutants that have been seeping in for over 50 years would be a disaster.

Please consider the long-term ramifications we are looking at. If this development's reported annual tax revenue to the Town of Canton of \$103,000 is accurate, then surely with an annual operating budget of \$11,007,982 – there are better ways to going about increasing town revenue than sending more dangerous traffic down our unprepared road or jeopardizing the water supply to an entire community. The amount of dollars the town would gain is laughable when compared to the annual budget and the possible irreversible impact the community.

Thank you for hearing me out and I hope you consider my feelings when this important decision is made.

I look forward for the opportunity to voice my concerns on the town Zoom call, upcoming on 1.19.21 at 7:00pm.

Sincerely,

John Palmer

Palmer and Associates Insurance, LLC

78 Eastern Blvd.

P.O Box 536

Glastonbury, CT 06033

860.633.3567

Archived: Wednesday, January 13, 2021 11:07:11 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 13:28:31
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Tpke proposed development.
Importance: Normal

Neil

From: Adams, Bryan G. [mailto:badams@trincoll.edu]
Sent: Tuesday, January 12, 2021 1:26 PM
To: Pade, Neil
Subject: 9-15 Albany Tpke proposed development.

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Mr. Pade. My name is Bryan Adams, and I am a resident of Canton, CT.

Please count me as being opposed to blasting in the area requested until better protections can be made to ensure that it can be done safely. The request clearly shows that they will need months of blasting due to the enormous amount of earth that needs to be removed. And I have just learned, that right next to that location is an existing, and as of yet incomplete, environmental cleanup site.

The extended blasting risks foundations and containment strategies for nearby property.

The extended blasting will be difficult for residents who are now frequently working from home and under a great deal of stress.

There are automotive facilities and other hazardous materials. (Fuel oil etc..) nearby.

Furthermore, the facility in question could easily occupy a different location. One that does not need to be blasted for months on end. Possibly even one that is currently empty and looking for investment.

Please do not risk property damage and increased ecological damage to accommodate this request. We can simply direct them that blasting is not an option. Instead, encourage a different location in Canton.

Bryan Adams.

11 pond Road, Canton, CT. 06019

Archived: Wednesday, January 13, 2021 11:06:06 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 13:27:57
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Permits
Importance: Normal

Neil

From: Tony [mailto:tasaro@comcast.net]
Sent: Tuesday, January 12, 2021 1:12 PM
To: Pade, Neil
Subject: Permits

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I oppose any special permits to allow blasting for any length of time. The impact of such work will have lasting effects for all residents within the area, not to mention the noise and clouds of possibly toxic dust that will be created. Can't imagine 1 & 1/4 years worth.

Anthony Asaro
27 Secret Lake Road
Canton

Archived: Wednesday, January 13, 2021 11:05:40 AM

From: Pade, Neil

Sent: Tue, 12 Jan 2021 13:27:41

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Rt 44 development

Importance: Normal

Neil

-----Original Message-----

From: William Doyle [<mailto:whdoyle123@gmail.com>]

Sent: Tuesday, January 12, 2021 12:55 PM

To: Pade, Neil

Subject: Rt 44 development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I'm writing to say I am very much opposed to the development proposed for the property east of the former LaTrotteria restaurant. I think the business is inappropriate for Canton and leveling the land would be an irreversible mistake. There would be a huge mess during construction and an eyesore after - not a pleasant entrance to our town.

Respectfully,

Penny Doyle

45 High Street

Collinsville

Sent from my iPhone

Archived: Wednesday, January 13, 2021 11:05:05 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 13:26:14
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed EV showroom/gas station development Opposition
Importance: Normal

Neil

From: jennifer cioffi [mailto:cioffi.jennifer@gmail.com]
Sent: Tuesday, January 12, 2021 11:54 AM
To: Pade, Neil
Subject: Proposed EV showroom/gas station development Opposition

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade,

I write in opposition to the proposed EV showroom/gas station development.

When I initially heard of the project, I thought it was interesting and would fit in with our area because there is no nearby EV charging station or showroom of which I'm aware. So, from a commercial perspective, I don't have an issue with this type of development per se.

The reason why I'm opposing it, however, is because of its location in regards to the environmental impact it will have.

To potentially irreparably damage the water supply to the area surrounding the site, as well as further contaminate or spread a super fund site is a risk this town, its tax payers, its residents, and commercial businesses should NOT take. It can have devastating effects on the neighborhood and businesses surrounding it. Once you contaminate the water supply, it's pretty much impossible to get back.

I recommend finding another location for this development.

Thank you for your consideration.

Sincerely,

Jennifer L. Cioffi
12 Highwood Road
Canton, CT 06019

Archived: Wednesday, January 13, 2021 11:04:30 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 13:24:16
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9/15 Albany Turnpike proposal
Importance: Normal

Neil

From: dasaro14@comcast.net [mailto:dasaro14@comcast.net]
Sent: Tuesday, January 12, 2021 10:47 AM
To: Pade, Neil
Subject: 9/15 Albany Turnpike proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am vehemently opposed to this proposal! It will impact generations of valley residents negatively.

Deborah Asaro
27 Secret Lake Rd
Canton

Archived: Tuesday, January 12, 2021 10:21:43 AM
From: Pade, Neil
Sent: Tue, 12 Jan 2021 10:06:58
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: Oppose development on Rt 44
Importance: Normal

Neil

-----Original Message-----

From: Jessica [<mailto:jayssica6@gmail.com>]
Sent: Tuesday, January 12, 2021 9:58 AM
To: Pade, Neil
Subject: Oppose development on Rt 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr Pade,

We are strongly opposed to the development plan on Rt 44 due to risk of contamination of local water sources. Please oppose this plan as it is not worth the public health risk, especially the planned blasting near the hazardous chemical waste buried at the John Swift Superfund site.

Thank you for your consideration.

Jessica & Ofer Sagiv

Archived: Tuesday, January 12, 2021 10:06:34 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 09:28:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: RT 44 development
Importance: Normal

Neil

-----Original Message-----

From: Desmond Ebanks [<mailto:dwebanks@comcast.net>]
Sent: Tuesday, January 12, 2021 6:58 AM
To: Pade, Neil
Subject: RT 44 development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I oppose the development on rt 44 for the EV/ gas station. It will potentially degrade our public health, negatively impact quality of life and transform the area into the Berlin Tpke.

Please vote this down
Regards,

Desmond Ebanks
Avon, CT

Archived: Tuesday, January 12, 2021 10:06:28 AM

From: [Pade, Neil](#)

Sent: Tue, 12 Jan 2021 09:19:03

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: Oppose File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015;

Importance: Normal

Neil

From: S [<mailto:flsuz11@gmail.com>]

Sent: Tuesday, January 12, 2021 6:49 AM

To: Pade, Neil

Subject: Oppose File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015;

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

First, we want to express our appreciation for all you and associates do for our community.

We have been residents of Canton for 24 years, and OPPOSE the development regarding File 475; Apln 2000; 9 and 15 Albany Turnpike; Assessor Map 32 and 36; Parcel 1010009 and 1010015.for the reasons expressed already.

We trust our leaders will do the right thing to preserve our town, health and safety.

Sincerely,

Suzanne Roemke and Dianne Hart

13 Pond Road

Canton, Ct 06019

Archived: Tuesday, January 12, 2021 10:06:20 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 09:17:39
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposed: THE PROPOSED DEVELOPMENT AT 9-15 ALBANY TURNPIKE
Importance: Normal

Neil

From: Stephanie Economu [mailto:babyalpaca@mac.com]
Sent: Monday, January 11, 2021 8:00 PM
To: Pade, Neil
Subject: Opposed: THE PROPOSED DEVELOPMENT AT 9-15 ALBANY TURNPIKE

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am writing to oppose this proposed development and am in full agreement with the following excerpt from the Canton Cares website: <https://sites.google.com/view/canton-cares/impact-on-water>.

I respectfully request that my opposition be acknowledged at the public hearing and read into the record.

PROBLEMS WITH THE PROPOSAL

- Expert geologists predict that the proposed blasting may release toxic chemicals in the ground into the aquifer from the [John Swift Chemical Company Superfund Site](#), which is about 1,500 feet west of the proposed rock mining operation (where Mitchell Volkswagen is now).
- **Blasting can also cause wells to go dry or experience a lower flow.** Irreparable damage to wells and the aquifer can result from the mining, forever ruining the water for many, possibly hundreds of homes in Canton, Simsbury, and Avon. Volatile organic compounds (VOCs) from the Swift site could be released into the air during blasting and scraping.
- Application **requests nine special permits** such as earth removal and grading over 2,000 cubic yards; excessively high retaining walls; retail greater than 2,500 square feet; outdoor dining; drive-thru restaurant; car dealership; gasoline filling station; and excess signage.

- Proposal *conflicts* with Canton's (2014) Town [Plan of Conservation and Development](#) for retaining the historic and natural character of town, planning for traffic, protecting the town's natural resources and landscape, and [protecting clean water and air for residents](#). The applicant's representative puts the additional tax revenue at \$103K, or 0.3% of the town's revenue.
- Development is planned for Route 44, the single main road access to Canton. Motorists trying to avoid the traffic tie-ups caused by this project will use secondary roads such as Rtes. 177 and 167, West Mountain, Lawton, Washburn, and Bahre Corner Roads. Traffic on Route 44 is already horrendous and dangerous; the applicant has not formally submitted any traffic studies. The applicant will be seeking a new traffic light on Route 44. Approval without this information is premature and naive.
- Because of these reasons, the plan has been opposed by the Canton Conservation Commission and the Farmington River Watershed Association, and **grave concerns have been raised by the Metropolitan District Commission (MDC) and Connecticut Water Company (CWC).**

POINTS TO RAISE IN RESPONSE TO THE PROPOSAL

1. Not opposed to developing the site, just *this* plan.
2. Ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.
3. Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.
4. One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.
5. Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

Stephanie Economu

gearhead girls racing . . . find your line™
 @GHGRLZ
<http://facebook.com/ghgrlz>

Archived: Tuesday, January 12, 2021 10:06:14 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 09:16:33
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Route 44 Development Proposal
Importance: Normal

Neil

From: Finn Begley [mailto:finnster00@gmail.com]
Sent: Monday, January 11, 2021 6:04 PM
To: Pade, Neil
Subject: Route 44 Development Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Commissioner,

I am a Canton resident of my entire life and am writing to let you know I'm adamantly opposed to the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton.

I urge you to vote against the proposal on January 19th.

Thank you,
Finn Begley
[34 High St, Collinsville, CT 06019](#)

Archived: Tuesday, January 12, 2021 10:06:10 AM
From: Pade, Neil
Sent: Tue, 12 Jan 2021 09:17:06
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: PLEASE OPPOSE PERMITS!
Importance: Normal

Neil

-----Original Message-----

From: Lori Marie [<mailto:wearethemaries@yahoo.com>]
Sent: Monday, January 11, 2021 6:30 PM
To: Pade, Neil
Subject: PLEASE OPPOSE PERMITS!

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Town of Canton,

Please OPPOSE the special permits for the proposed site on rt44 for blasting and new gas station, car dealership etc.

This is NOT in the best interest of the town landscape, traffic in that area, many residents that will be affected by noise, and potential for contaminated water among other things.

We are Canton residents and do NOT DESIRE to see this come to pass ever! We are raising a family and want to keep Canton

sweet and quaint. We do not need anymore building and development like this nor traffic lights on rt 44.

There's more than enough already.

(It'd be nice to see the abandon structures on 44 be used instead.)

PLEASE take this into SERIOUS CONSIDERATION. I've see a ton of residents NOT FOR THIS proposed development. Thank you for your time!!

Lori and Michael Marie

Sent from my iPhone

Archived: Tuesday, January 12, 2021 10:06:03 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 09:17:18
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike
Importance: Normal

Neil

From: Kathy Wood [mailto:kathleengwood@comcast.net]
Sent: Monday, January 11, 2021 7:12 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike

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January 11, 2021

BY ELECTRONIC MAIL – npade@townofcantonct.org

Kathleen Wood
23 Old Albany Turnpike
Canton, CT 06019

Canton Connecticut Planning & Zoning Commission
c/o Neil Pade, AICP
4 Market Street
Canton, CT 06019

RE: Proposed Blasting and Development at 9-15 Albany Turnpike

Dear Mr. Pade,

I am a homeowner of 23 Old Albany Turnpike, Canton. As a resident living very close to 9-15 Albany Turnpike, I am strongly opposed to the proposed development.

I have read and researched the information put out regarding the proposed development, and have strong feelings against it:

I am concerned about my drinking water becoming contaminated. While I do not have well water, if Connecticut Water Company's water becomes contaminated, so will my drinking water. This is a huge concern for the health of my family.

I am concerned about my foundation and house being damaged due to the proposed blasting that will occur. The timeline for blasting will also create unnecessary noise, pollution, traffic congestion, and have a negative impact on quality of life.

The intersection of Old Albany Turnpike and Albany Turnpike is a very dangerous intersection and adding the proposed traffic light will only make this worse. Severe traffic congestion and vision impairments will only result in more accidents. This is a huge safety concern.

It is my opinion that there is very little benefit to the town of Canton or its resident by proceeding with the proposed development, and we are better off without it. I do not think we need any of the proposed business'.

I am not opposed to developing the site, just *this* plan.

I ask the Town of Canton to approve a use that is appropriate to the land, in accord with the Town Plan, does not require special permits, and protects the health and property values of residents.

Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.

One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.

Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

I urge you to deny this proposal, for the good of the town of Canton, it's business' and residents.

Thank you,

Kathleen Wood

Archived: Tuesday, January 12, 2021 10:06:00 AM
From: Pade, Neil
Sent: Tue, 12 Jan 2021 09:18:30
To: Deltenre, Renee
Cc: Kyle, Emily
Subject: FW: No to development on 44
Importance: Normal

Neil

-----Original Message-----

From: Heather Calabro [<mailto:heathercalabro@gmail.com>]
Sent: Monday, January 11, 2021 8:41 PM
To: Pade, Neil
Subject: No to development on 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Please do not allow the Greenberg development to go through.
Thank you,
Heather Calabro

Sent from my iPhone

Archived: Tuesday, January 12, 2021 10:05:56 AM
From: [Pade, Neil](#)
Sent: Tue, 12 Jan 2021 09:18:47
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Route 44 development
Importance: Normal

Neil

-----Original Message-----

From: Susan Jones [<mailto:susandjones27@me.com>]
Sent: Monday, January 11, 2021 9:49 PM
To: Pade, Neil
Subject: Route 44 development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I am a Canton resident and am opposed to any kind of development that would involve grading, blasting, and potentially damaging water supplies and wildlife. I love our environment, and we don't really need a development. We live here because we like the way it is.

Susan Jones
Meadowview Court (right up the hill from Dowd Ave.)

Sent from my iPad



MEMORANDUM

To: Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
4 Market Street
PO Box 168
Canton, CT 06022

From: Collene Byrne / Solli Engineering
Kevin Solli, P.E. / Solli Engineering

Subject: Parking Analysis – Proposed Mixed-Use Development

Date: 01/07/21

Solli Engineering, LLC has prepared this memorandum to provide an analysis of the parking demand required to support a mixed-use development on the properties of 9-15 Albany Turnpike. The parking analysis reviewed industry standard parking generation data for similar land uses. This analysis has been conducted in accordance with standard traffic engineering methodology. The following summarizes our analysis.

Background:

The proposed development includes the construction of 32,681± sf of mixed-use development along the property frontage of 9-15 Albany Turnpike (Route 44/202) in Canton and Simsbury, CT. The project site is proposed to be developed with a gas station consisting of 20 fueling stations with a convenience store (5,109± SF), coffee shop with drive-thru (1,236± SF), an ice cream shop (1,733± SF) including an outdoor patio and covered pickup window, and a sandwich shop (1,103± SF) on the west side of the site frontage along Albany Turnpike (Route 44/202) and an electric vehicle showroom (23,500± SF) along the east side of the site frontage with Albany Turnpike (Route 44/202). Per the Canton Zoning Regulations Section 7.2.C – Number of Parking Spaces, the minimum required off-street parking for retail stores is 6.0 spaces per 1,000 square-feet of gross floor area (GFA), for class II restaurants is 1 space per 1,000 square-feet of gross floor area (GFA) and for Automobile Sales and Repairs is 3 spaces per service bay and 1 for every 2 employees. The Town of Canton requires an additional 10 spaces per 1,000 square-feet of gross floor area (GFA) for class II restaurants to be temporarily or permanently deferred based on maximum occupancy set by the Fire Marshal. Additionally, for uses not defined in the zoning regulations, the required parking shall be determined on the basis that “Sufficient off-street parking spaces to accommodate the automobiles of all employees, customers, patrons, visitors and other persons reasonable anticipated to be on the premises at any one time.” Based on the parking supply ratios provided by the Town of Canton, 129 parking spaces are required to accommodate the proposed mixed-use development.

501 Main Street, Suite 2A
Monroe, CT 06468
Office: (203) 880-5455

351 Newbury Street, Suite 303
Boston, MA 02115
Office: (617) 203-3160

Methodology:

Due to the travel restrictions and social distancing practices associated with the COVID-19 pandemic, empirical parking data could not be collected to evaluate parking demands for similar facilities in the region. As a result of restrictions associated with the COVID-19 pandemic, industry standard data from the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition was reviewed to evaluate peak parking demand data for similar uses. Additionally, information from the Urban Land Institute (ULI) Shared Parking, 3rd Edition was reviewed to evaluate a reduction based on shared parking.

Currently the Institute of Transportation Engineers does not provide peak parking demand data for an Electric Vehicle Showroom therefore, Automobile Sales (New) was used to provide an estimate for the demand, although the operations of these types of facilities will differ. It should be noted that the information presented in this analysis represents the average peak parking demand for the uses identified, which would typically occur for an hour or two on a given day and not throughout an entire day. Outside of the peak parking demand period, the parking demand experienced at these facilities would be lower than the information presented in this analysis.

Parking Assessment:

The Institute of Transportation Engineers (ITE), Parking Generation Manual, 5th Edition provides parking demand ratios for different land uses based on empirical data collected at multiple facilities. The empirical data collected for Super Convenience Market/Gas Station determined an average weekday peak parking demand rate of 8.11 spaces per 1,000 square feet of gross floor area (GFA). Based on this information 68 parking spaces would be required for the proposed 8,384 square-foot gas station/convenience store. The empirical data collected for Automobile Sales (New) determined an average weekday peak parking demand rate of 2.29 spaces per 1,000 square feet of gross floor area (GFA). Based on this information 54 parking spaces would be required for the proposed 23,500 square-foot Electric Vehicle Showroom. Based on data provided by the Institute of Transportation Engineers (ITE). Parking Generation Manual, 5th Edition 122 parking spaces would be required for the mixed-use development proposed at 9-15 Albany Turnpike, with the conservative assumption that the Electric Vehicle Showroom would operate similarly to an Automobile (New) Sales facility.

The proposed Electric Vehicle Showroom operations will differ from that of a conventional Automobile Sales facility in that vehicles will not be purchased from a salesperson at the facility and new vehicles will not be stocked in parking spaces on site. Based on the proposed operations of the facilities, the parking demand for the electric showroom is anticipated to be less than that of an automobile sales facility. Additionally, the proposed mixed-use facility is anticipated to operate with customers utilizing multiple businesses on the site and therefore a 10% reduction based on shared parking (12 spaces) can be applied to the proposed development resulting in industry standard required parking of 110. Based on this analysis the proposed 116 parking spaces provided on site is anticipated to adequately meet the anticipated demand.

Conclusion:

This analysis reviewed industry standard parking demand ratios to determine the parking demand for the proposed mixed-use facility at 9-15 Albany Turnpike. Based on this analysis, it is the professional opinion of Solli Engineering that a parking supply of 116 parking spaces for the proposed mixed-use development at 9-15 Albany Turnpike is adequate to support the parking demand; therefore, we respectfully request that the Commission approve the requested permanent deferral of parking spaces in accordance with section 7.2.C.9 of the Town of Canton Zoning Regulations.

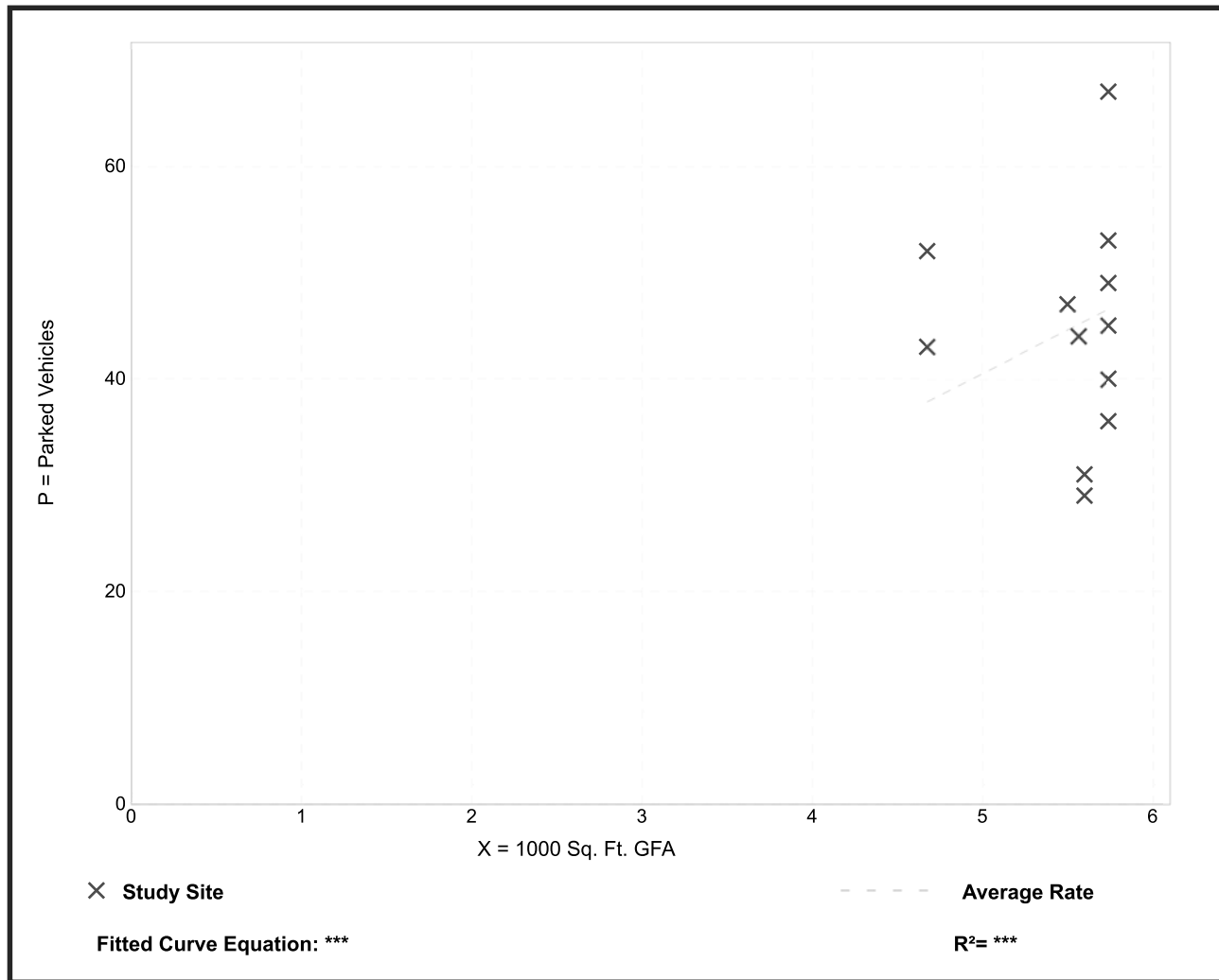
Super Convenience Market/Gas Station (960)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 7:00 - 8:00 a.m.; 11:00 a.m. - 12:00 p.m.
 Number of Studies: 12
 Avg. 1000 Sq. Ft. GFA: 5.5

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
8.11	5.18 - 11.67	7.22 / 11.15	***	2.00 (25%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers



MEMORANDUM

To: Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
4 Market Street
PO Box 168
Canton, CT 06022

From: Mary Blackburn, P.L.A. / Solli Engineering
Kevin Solli, P.E. / Solli Engineering

Subject: Non-Business Hour Lighting Narrative

Date: 01/07/21

Solli Engineering, LLC has prepared this memorandum to provide a narrative of the non-business hours outdoor lighting plan proposed to support the mixed-use development on the properties of 9-15 Albany Turnpike. The following summarizes our design.

Introduction:

The proposed development includes the construction of 32,681± sf of mixed-use development along the property frontage of 9-15 Albany Turnpike (Route 44/202) in Canton and Simsbury, CT. The project site is proposed to be developed with a gas station consisting of 20 fueling stations with a convenience store (5,109± SF), coffee shop with drive-thru (1,236± SF), an ice cream shop (1,733± SF) including an outdoor patio and covered pickup window, and a sandwich shop (1,103± SF) on the west side of the site frontage along Albany Turnpike (Route 44/202) and an electric vehicle showroom (23,500± SF) along the east side of the site frontage with Albany Turnpike (Route 44/202). Per the Canton Zoning Regulations Section 7.4.C.10 & 7.12 – Hours of Operation and Outdoor Lighting, a photometric survey shall be submitted as part of any site plan. Such photometric survey shall show both business hour and non-business hour lighting plans.

As part of this application two lighting plans have been provided. The Lighting Plan (Sheet 2.71) depicts proposed site photometrics during business hours. The Non-Business Hours Lighting Plan (Sheet 2.72) depicts proposed site photometrics during non-business hours. Details for all proposed light fixtures were provided on the Lighting Details Sheet (Sheet 2.73). To address comments provided on December 11, 2020 regarding Outdoor Lighting, this narrative is provided to further describe the non-business hour lighting plan and how it is intended to be employed. We have also provided a cut sheet for the proposed “P2” & “P3” fixtures as requested the provided comment letter.

501 Main Street, Suite 2A
Monroe, CT 06468
Office: (203) 880-5455

351 Newbury Street, Suite 303
Boston, MA 02115
Office: (617) 203-3160

Proposed Conditions:

The Non-Business Hours Lighting Plan implements reduced light levels, by means of shutting off specific outdoor light fixtures, remaining fixtures would be left on to provide security lighting. The reduced lighting proposed in the non-business hours lighting plan will be limited to between one-half hour prior to the time the business is open to the public to one-half hour after the close of the business to the public. The close of business to the public is anticipated to coincide with the permitted operating hours of 2:00 a.m. to 5:00 a.m. as described in Section 7.12.C.1 in the Town of Canton Zoning Regulations. A description of which fixtures are proposed to be non-operational during this time are detailed below. Operational fixtures are also itemized in the Fixture Schedule on their respective plans.

The following pole light fixtures are non-operational for the non-business hours lighting plan and are not included in the photometric calculation:

- Fixture P2 located across from the proposed drive-thru window on the north west side of the proposed gas/convenience building.
- Fixture P3-A located adjacent to the south corner of the proposed gas/convenience building.
- Fixtures P4 & P1 located at the back of the site adjacent to the proposed retaining wall (located in Simsbury).

The following building light fixtures on the proposed gas/convenience building are non-operational for the non-business hours lighting plan and are not included in the photometric calculation:

- All fixtures on the drive-thru window side of the building (north west façade).
- All fixtures on the outdoor dining side of the building (south east façade).
- All five W1 fixtures on the back of the building (north east façade).

The following canopy and ceiling mounted fixtures are non-operational for the non-business hours lighting plan and are not included in the photometric calculation:

- All nine C2 fixtures, which includes three fixtures located in the parking canopy to the north west of the fueling pumps and six fixtures located in the parking canopy adjacent to the rear side of the proposed electric vehicle showroom & service building (located in Simsbury).
- Twenty-seven of the thirty C1 fixtures, located in the fueling pumps canopy.

The following building light fixtures on the proposed electric vehicle showroom & service building are non-operational for the non-business hours lighting plan and are not included in the photometric calculation:

- All fixtures except for the W3 fixture located over the service entry door on rear most side of the building (located in Simsbury).
- All fixtures on the curved rear façade of the building, except for the eight R3 fixtures located in the two entrance canopies.
- All fixtures except the W7 fixture over the car elevator entrance on the north façade of the building.
- Two W6 fixtures located at the entrance to the roof terrace on the east façade of the building.
- All fixtures on the curved front façade of the building, except for the eight R2 fixtures and six of the eighteen R1 fixtures.

Light fixtures proposed to remain operational during the anticipated non-business hours are included to provide adequate security lighting along the main site corridors, intersections and at building entrances.

Supporting Document:

Specification Sheet for proposed “P2 & P3” Light Fixtures (Kim/Hubbell Lighting Model SRSP2)

SRSP2

DECORATIVE AND POST TOP

FEATURES

- TiR Optics
- Patented low profile luminaire
- Available in 580nm, 3000K, 4000K and 5000K standard CCT
- Type 1, 2, 3, 4W, 5QM, 5W distributions
- 0 - 10V dimming drivers standard
- IP66 optic assembly



Solitaire®



RELATED PRODUCTS

[Intent](#)

[KFL](#)

[LTV8](#)

SPECIFICATIONS

CONSTRUCTION

- One piece non die-cast housing, low copper (<0.6% Cu) Aluminum Alloy with integral cooling ribs over the optical chamber and electrical compartment
- All hardware is stainless steel or electro-zinc plated steel
- Finish: fade and abrasion resistant, electrostatically applied, thermally cured, triglycidal isocyanurate (TGIC) polyester powdercoat
- One-piece die-cast, low copper (<0.6% Cu) aluminum alloy lens frame.
- Silicone gaskets seal the compartments at the barrier surface.

INSTALLATION

- Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury

OPTICS

- Optical cartridge system consisting of a die cast heat sink, LED engine, TIR optics, gasket and bezel plate
- Cartridge is easily disassembled to replace components. Optics are held in place without the use of adhesives
- Molded silicone gasket ensures a weatherproof seal around each individual LED

OPTICS (CONTINUED)

- Features revolutionary individual LED optical control based on high performance TIR optical designs
- Clear Acrylic lens is standard
- Optional BackLight Control for complete control of unwanted backlight
- IP66 Optical assembly
- Type 1, 2, 3, 4W, 5QM, and 5W standard distributions. Custom available
- Amber, 3000K, 4000K, 5000K standard CCT. Custom available
- Die-cast, low copper aluminum heat sink modules provide thermal transfer at PCB level
- Anodized aluminum heat sink modules

ELECTRICAL

- Dimming range from 10% to 100% through the use of standard 0-10V interface on the programmable driver
- Modular wiring harness in the service area provides user access to the dimming circuitry
- Optional factory programmed dimming profile
- Surge protection: 10kV surge suppression
- SF for 120, 277, 347 Line volts
DF for 208, 240, 480 Line volts
- Wiring: 14GA wires rated 150°C

CONTROLS

- Optional PC 7 Pin Receptacle 7-pin construction allows for a user-defined interface and provides a controlled definition of operational performance. ANSI twist-lock control module by-others
- Button Photocell
- Consult factory for additional sensors.

CERTIFICATIONS AND LISTINGS

- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations
- RoHS compliant

WARRANTY

- 5 year warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA	
Lumen Range	3155–15616
Wattage Range	58.31–135.6
Efficacy Range (LPW)	49.9–124.8
Reported Life (Hours)	L70/60,000
Weight	45 lbs / 20.41 kg
EPS Front View / Side View	1.5

SRSP2

DECORATIVE AND POST TOP

ORDERING GUIDE

Example: SRSP2-72L-600-3K7-3-CP-UNV-BL-PC- 16

CATALOG #

Solitaire											
Housing	Mounting	Engine		CCT/CRI		Distribution		Lens			
SRSP2 Solitaire 2.0	PT	Post Top		72L-260	72L - 260mA-6000lm	AM	Amber-595nm Peak ¹	1	Type I	CP	Clear Lexan
	FM	Flush Mount, for use with pole diameters from 3.375" through 5"		72L-400	72L - 400mA-9000lm	3K7	3000K, 70 CRI	2	Type II	WA	White Acrylic ²
		72L-600	72L - 600mA-14000lm	4K7	4000K, 70 CRI	3	Type III				
		5K7	5000K, 70 CRI	4W	Type IV Wide						
5QM	Type V Square Medium										
						5W	Type V Wide (Round)				

Voltage		Fixture Finish		Option		Pole Height	
UNV	120-277V	BL	Black	7PR	7-pin Receptacle	8	8'
347	347V	DB	Dark Bronze	BC	Backlight Control	10	10'
480	480V	LG	Light Gray	PC	Button Photocell	12	12'
		GT	Graphite	SF	Single Fuse for 120, 277, 347 Line volts	14	14'
		PS	Platinum Silver	DF	Double Fuse for 208, 240, 480 Line volts	16	16'
		TT	Titanium			20	20'
		WH	White				
CC	Custom Color ³						

Notes:

- 1 Turtle friendly
- 2 Only available with Type 3 and Type 5 Distributions
- 3 Consult factory for custom color, marine and corrosive finish options

SRSP2

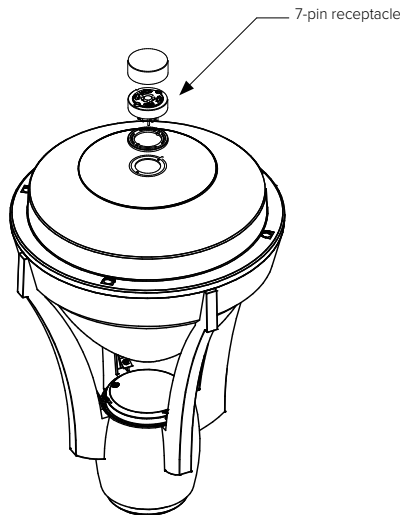
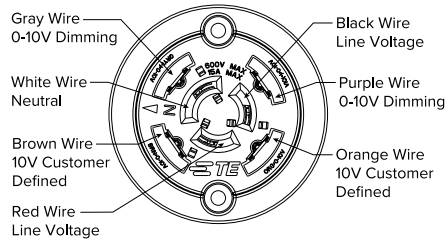
DECORATIVE AND POST TOP

PRODUCT EXCEPTIONS & DETAILS (CONTINUED)

CONTROLS

7PR

- Fully gasketed and wired 7-pin receptacle option. Easy access location above the electrical compartment. 7-pin construction allows for a user-defined interface and provides a controlled definition of operational performance. ANSI twist-lock control module by-others.
- Standard customer operation modes:
 1. Traditional on/off photoelectric control.
 2. 5-pin wireless photoelectric control for added dimming feature.
 3. 7-pin wireless photoelectric control for dimming and additional I/O connections for customer use.



DIMMING:

- Dimming range from 100% to 10% through the use of the standard 0-10V interface on the programmable driver.
- Modular wiring harness in the service area provides user access to the dimming circuitry.
- Dimming circuitry compatible with 0-10V, user-defined control devices.
- Optional factory programmed dimming profile.

ASTRODIM

- AstroDIM provides multi-stage night-time power reduction based on an internal timer referenced to the power on/off time. There is no need for an external control infrastructure. The unit automatically performs a dimming profile based on the predefined scheduled reference to the midpoint, which is calculated based on the power on/off times. Please contact factory for feasibility.

OPTIONAL FUSING:

- SF for 120, 277, and 347 Line volts
- DF for 208, 240, and 480 Line volts
- High temperature fuse holders factory installed inside the fixture housing.
- Fuse is included.

CAUTION:

- Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

DELIVERED LUMENS

STANDARD CLEAR ACRYLIC LENS

LED #	Nominal Lumen Package	Drive Current	Distribution	3000K 70CRI					4000K 70CRI					5000K 70CRI				
				Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w
					B	U	G			B	U	G			B	U	G	
72L	6,000	260	FR	6313	1	3	1	108.3	6487	1	3	1	111.2	7271	1	3	1	124.7
			FR-BC	3851	0	3	1	66.0	3957	0	3	1	67.9	4436	0	3	1	76.1
			2	6089	1	3	1	104.4	6256	1	3	1	107.3	7013	1	3	1	120.3
			2-BC	3221	0	3	1	55.2	3310	0	3	1	56.8	3710	0	3	1	63.6
			3	6206	1	3	2	106.4	6378	1	3	2	109.4	7149	1	3	2	122.6
			3-BC	3155	0	3	1	54.1	3242	0	3	1	55.6	3634	0	3	1	62.3
			4W	5812	1	3	2	99.7	5972	1	3	2	102.4	6694	1	3	2	114.8
			4W-BC	3314	0	3	1	56.8	3405	0	3	1	58.4	3817	0	3	1	65.5
			5QM	6148	2	3	1	105.4	6318	2	3	1	108.4	7082	2	3	1	121.5
	5W	6320	3	3	1	108.4	6494	3	3	1	111.4	7279	3	3	1	124.8		
	9,000	400	FR	9284	1	3	2	101.5	9540	1	3	2	104.3	10694	2	4	2	116.9
			FR-BC	5664	1	3	1	61.9	5820	1	3	1	63.6	6524	1	3	1	71.3
			2	8954	2	3	2	97.9	9201	2	3	2	100.6	10314	2	3	2	112.8
			2-BC	4737	0	3	1	51.8	4867	1	3	1	53.2	5456	1	3	1	59.7
			3	9128	2	3	2	99.8	9379	2	3	2	102.6	10514	2	3	2	115.0
			3-BC	4640	0	3	1	50.7	4768	0	3	1	52.1	5344	1	3	1	58.4
			4W	8547	1	3	2	93.5	8783	1	3	2	96.0	9845	2	3	2	107.7
			4W-BC	4873	1	3	2	53.3	5008	1	3	2	54.8	5613	1	3	2	61.4
			5QM	9042	3	3	1	98.9	9292	3	3	1	101.6	10415	3	3	1	113.9
	5W	9294	3	3	2	101.6	9551	3	3	2	104.4	10706	3	3	2	117.1		
	14,000	600	FR	13541	2	4	2	99.8	13915	2	4	2	102.6	15598	2	4	2	114.8
			FR-BC	8261	1	3	2	60.9	8489	1	3	2	62.6	9516	1	3	2	70.3
			2	13061	2	3	2	96.3	13421	2	3	2	99.0	15044	2	3	2	110.8
			2-BC	6909	1	3	1	50.9	7099	1	3	1	52.3	7958	1	3	1	58.8
			3	13314	2	3	2	98.3	13681	2	3	2	100.9	15336	2	3	2	112.4
			3-BC	6768	1	3	2	49.9	6954	1	3	2	51.3	7796	1	3	2	57.6
			4W	12467	2	3	3	91.9	12811	2	3	3	94.5	14360	2	3	3	105.8
			4W-BC	7108	1	3	2	52.4	7304	1	3	2	53.9	8188	1	3	2	60.6
5QM			13189	3	3	2	97.3	13553	3	3	2	99.9	15192	4	3	2	112.0	
5W	13557	4	3	2	100.0	13931	4	3	2	102.7	15616	4	3	2	115.1			

CRI Lumen Multiplier		
CCT	80 CRI	90 CRI
3000K	0.9119	0.7033
4000K	0.8941	N/A

Amber	
CCT	Multiplier
5000K	1
AM	0.1727

2700K Multiplier	
CCT	Multiplier
5000K	1
2700K	0.897

DELIVERED LUMENS (CONTINUED)

CP (CLEAR POLYCARBONATE) LENS

LED #	Nominal Lumen Package	Drive Current	Distribution	3000K 70CRI					4000K 70CRI					5000K 70CRI				
				Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w
					B	U	G			B	U	G			B	U	G	
72L	6,000	260	FR	5819	1	3	1	99.8	5979	1	3	1	102.5	6703	1	3	1	114.9
			FR-BC	3550	0	3	1	60.9	3648	0	3	1	62.6	4089	0	3	1	70.1
			2	5612	1	3	1	96.3	5767	1	3	1	98.9	6465	1	3	1	110.9
			2-BC	2969	0	3	1	50.9	3051	0	3	1	52.3	3420	0	3	1	58.6
			3	5721	1	3	1	98.1	5879	1	3	1	100.8	6590	1	3	2	113.0
			3-BC	2908	0	3	1	49.9	2988	0	3	1	51.3	3350	0	3	1	57.4
			4W	5357	1	3	2	91.9	5505	1	3	2	94.4	6171	1	3	2	105.8
			4W-BC	3055	0	3	1	52.4	3139	0	3	1	53.8	3518	0	3	1	60.3
			5QM	5668	2	3	1	97.2	5824	2	3	1	99.9	6528	2	3	1	112.0
	5W	5826	3	3	1	99.9	5986	3	3	1	102.7	6710	3	3	1	115.1		
	9,000	400	FR	8558	1	3	2	93.6	8794	1	3	2	96.2	9857	1	3	2	107.8
			FR-BC	5221	0	3	1	57.1	5365	1	3	1	58.7	6014	1	3	1	65.8
			2	8254	1	3	1	90.3	8482	1	3	1	92.7	9508	2	3	2	104.0
			2-BC	4366	0	3	1	47.7	4487	0	3	1	49.1	5029	1	3	1	55.0
			3	8414	2	3	2	92.0	8646	2	3	2	94.5	9692	2	3	2	106.0
			3-BC	4277	0	3	1	46.8	4395	0	3	1	48.1	4927	1	3	1	53.9
			4W	7879	1	3	2	86.2	8096	1	3	2	88.5	9075	1	3	2	99.2
			4W-BC	4492	1	3	1	49.1	4616	1	3	1	50.5	5174	1	3	2	56.6
			5QM	8335	3	3	1	91.1	8565	3	3	1	93.7	9601	3	3	1	105.0
	5W	8568	3	3	2	93.7	8804	3	3	2	96.3	9869	3	3	2	107.9		
	14,000	600	FR	12483	2	4	2	92.1	12827	2	4	2	94.6	14378	2	4	2	106.0
			FR-BC	7615	1	3	2	56.2	7825	1	3	2	57.7	8772	1	3	2	64.7
			2	12040	2	3	2	88.8	12372	2	3	2	91.2	13868	2	3	2	102.3
			2-BC	6369	1	3	1	47.0	6544	1	3	1	48.3	7336	1	3	1	54.1
			3	12273	2	3	2	90.5	12611	2	3	2	93.0	14136	2	3	2	104.2
			3-BC	6239	1	3	2	46.0	6411	1	3	2	47.3	7186	1	3	2	53.0
			4W	11492	2	3	2	84.7	11809	2	3	2	87.1	13237	2	3	3	97.6
			4W-BC	6553	1	3	2	48.3	6733	1	3	2	49.7	7548	1	3	2	55.7
			5QM	12158	3	3	2	89.7	12493	3	3	2	92.1	14004	3	3	2	103.3
	5W	12497	4	3	2	92.2	12842	4	3	2	94.7	14395	4	3	2	106.2		

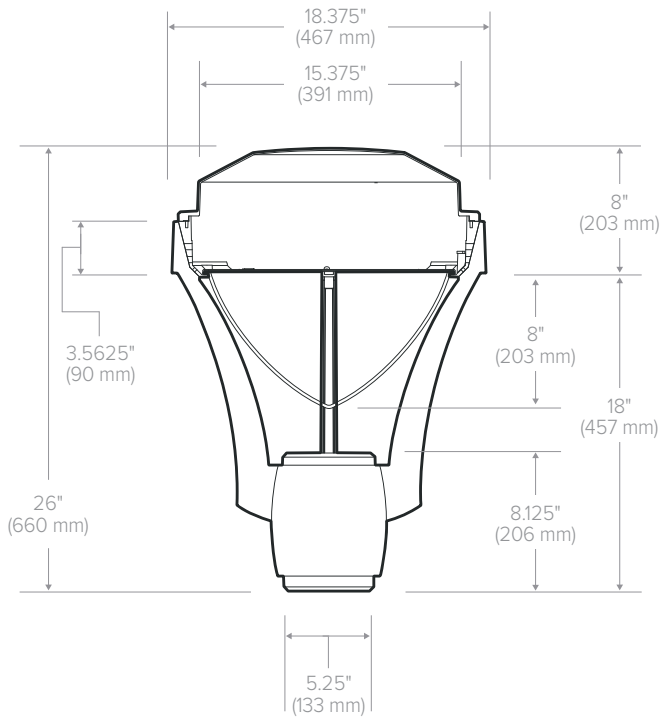
WA (WHITE ACRYLIC) LENS

LED #	Nominal Lumen Package	Drive Current	Distribution	3000K 70CRI					4000K 70CRI					5000K 70CRI				
				Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w	Lumen	BUG Rating			lm/w
					B	U	G			B	U	G			B	U	G	
72L	6,000	260	3	4538	1	3	3	77.8	4663	1	3	3	80.0	5227	1	3	3	89.6
			5W	4621	2	3	2	79.3	4749	2	3	2	81.4	5323	2	3	3	91.3
	9,000	400	3	6674	2	3	3	73.0	6858	2	3	3	75.0	7688	2	3	3	84.1
			5W	6796	3	3	3	74.3	6984	3	3	3	76.4	7828	3	4	3	85.6
	14,000	600	3	9657	2	4	4	71.2	9924	2	4	4	73.2	11124	2	4	4	82.0
			5W	9992	3	4	3	73.7	10268	3	4	3	75.7	11509	3	4	4	84.6

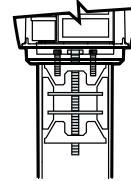
SRSP2

DECORATIVE AND POST TOP

DIMENSIONS

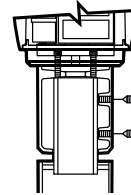


FRONT VIEW



FLUSH MOUNT

- Slips into a 3.375" Ø - 5" Ø open top pole or tenon with up to .25" profile thickness



POST TOP

- Slips on to a 2.375" Ø - pole or tenon with 4" of engagement

SRSP2

DECORATIVE AND POST TOP

PHOTOMETRY

SRS2-72L-600-4K7-1

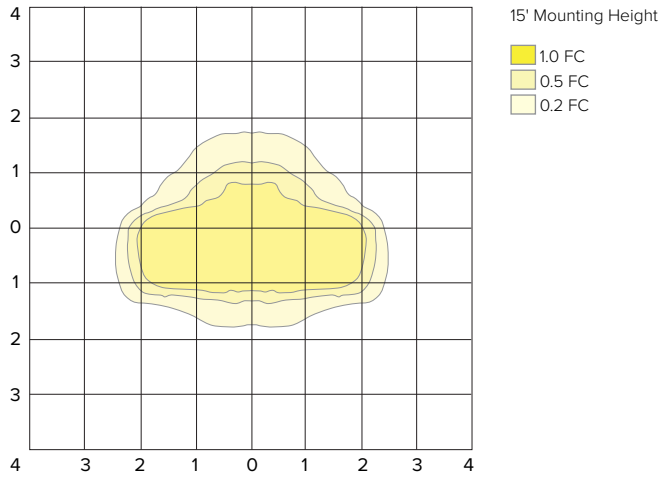
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	13915
Watts	135.6
Efficacy	102.6
IES Type	I
BUG Rating	B2-U4-G2
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	10,473	75.3%
Downward House Side	2,428	17.4%
Downward Total	12,901	92.7%
Upward Street Side	441	3.2%
Upward House Side	572	4.1%
Upward Total	1,013	7.3%
Total Flux	13,914	100.0%

ISOFOOT CANDLE PLOT



SRS2-72L-600-4K7-2

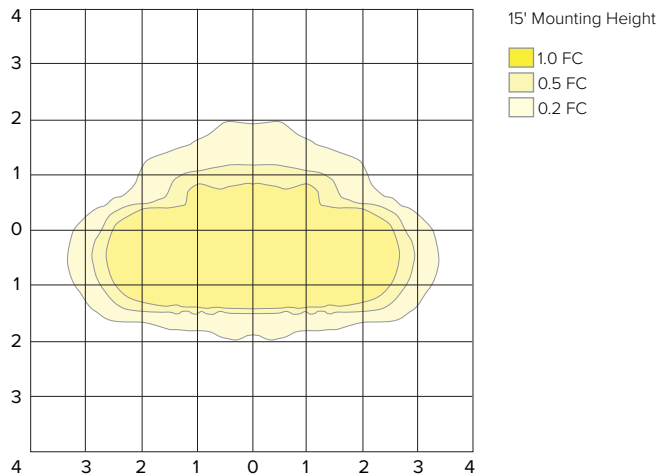
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	13422
Watts	135.6
Efficacy	99.0
IES Type	II
BUG Rating	B2-U3-G2
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	10,073	75.0%
Downward House Side	2,693	20.1%
Downward Total	12,766	95.1%
Upward Street Side	284	2.1%
Upward House Side	372	2.8%
Upward Total	656	4.9%
Total Flux	13,422	100.0%

ISOFOOT CANDLE PLOT



SRS2-72L-600-4K7-3

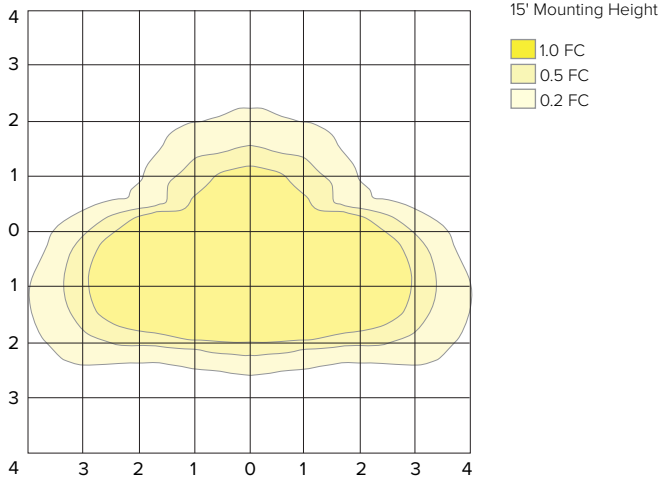
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	13681
Watts	135.23
Efficacy	101.2
IES Type	III
BUG Rating	B2-U3-G2
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	10,431	76.2%
Downward House Side	2,621	19.2%
Downward Total	13,052	95.4%
Upward Street Side	282	2.1%
Upward House Side	347	2.5%
Upward Total	629	4.6%
Total Flux	13,681	100.0%

ISOFOOT CANDLE PLOT



SRSP2

DECORATIVE AND POST TOP

PHOTOMETRY (CONTINUED)

SRS2-72L-600-4K7-4W

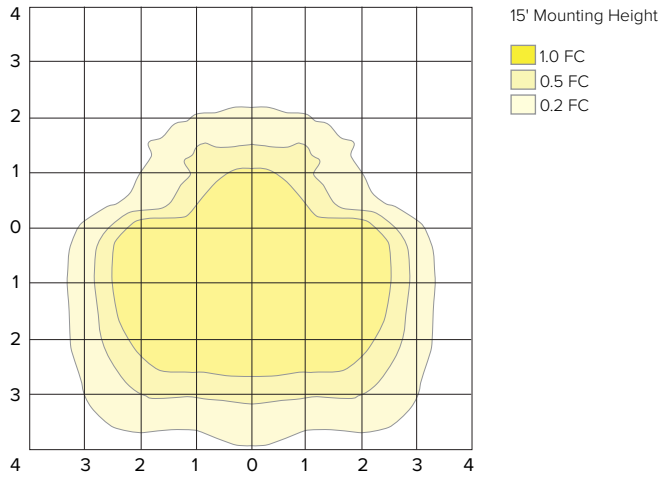
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	12810
Watts	135.6
Efficacy	94.5
IES Type	IV
BUG Rating	B2-U3-G3
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	10,248	80.0%
Downward House Side	2,063	16.1%
Downward Total	12,311	96.1%
Upward Street Side	223	1.7%
Upward House Side	276	2.2%
Upward Total	499	3.9%
Total Flux	12,810	100.0%

ISOFOOT CANDLE PLOT



SRS2-72L-600-4K7-5Q

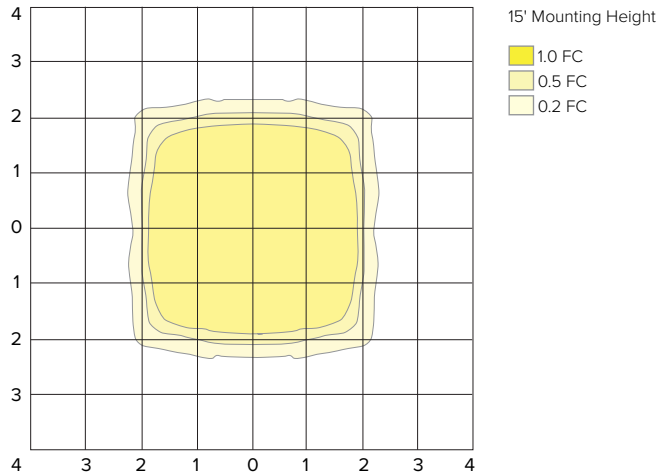
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	13554
Watts	135.6
Efficacy	100.0
IES Type	VQ
BUG Rating	B3-U3-G2
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	6,506	48.0%
Downward House Side	6,506	48.0%
Downward Total	13,012	96.0%
Upward Street Side	271	2.0%
Upward House Side	271	2.0%
Upward Total	542	4.0%
Total Flux	13,554	100.0%

ISOFOOT CANDLE PLOT



SRS2-72L-600-4K7-5W

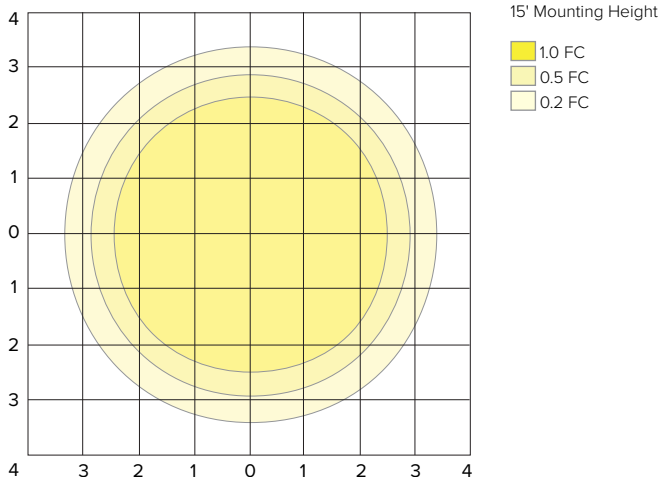
LUMINAIRE DATA

Description	4000K, 70CRI
Delivered Lumens	13931
Watts	135.6
Efficacy	102.7
IES Type	VW
BUG Rating	B4-U3-G2
Mounting Height	15 ft
Grid Scale	15 ft

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
Downward Street Side	6,716	48.2%
Downward House Side	6,716	48.2%
Downward Total	13,432	96.4%
Upward Street Side	250	1.8%
Upward House Side	250	1.8%
Upward Total	499	3.6%
Total Flux	13,931	100.0%

ISOFOOT CANDLE PLOT

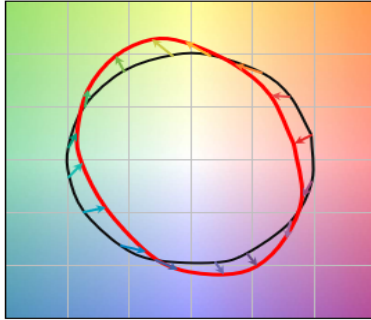


SRSP2

DECORATIVE AND POST TOP

TM-30 DATA

COLOR VECTOR GRAPHIC

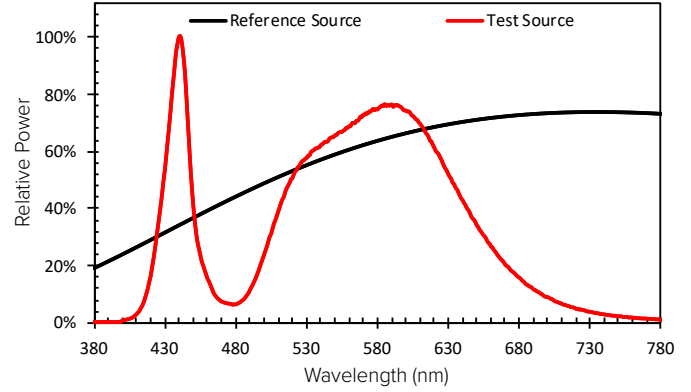


— Reference Illuminant — Test Source

TEST SOURCE

R _f	68
R _g	99
CCT(K)	3947
D _{uv}	0.0004
x	0.3831
y	0.3793
CIE R _a	72

SPECTRAL POWER DISTRIBUTION COMPARISON



ELECTRICAL DATA

LED #	System Watts	Current	Line Voltage		Amps AC						Min Power Factor	Max. THD (%)	Dimming				
			VAC	Hz	120	208	240	277	347	480			Dimming Range	Source Current Out		Absolute Voltage	
														Min	Max	Min	Max
72L	58.3	260 mA	120-480	50/60	0.49	0.28	0.24	0.21	0.17	0.12	>0.9	20	10% to 100%	0mA	1mA	0V	10V
	91.45	400 mA			0.76	0.44	0.38	0.33	0.26	0.19							
	135.6	600 mA			1.13	0.65	0.57	0.49	0.39	0.28							

TM-21 Lifetime Calculation - Projected Lumen Maintenance (25°C / 77°C)						
HOURS	0	25,000	36,000	50,000	100,000	Reported L70
Projected Lumen Maintenance	100%	92.5%	90.4%	87.7%	78.9%	>60000



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

October 6, 2020

Kevin Solli
501 Main Street Suite 2A
Monroe CT 06468

REFERENCE: Application # ZC 20-10 of 9-15 Albany Turnpike, LLC, Owner; Kevin Solli, Agent for a Site Plan Approval for the development of 9-15 Albany Turnpike including a gas stations/convenience store and electric vehicle showroom, service component with associated parking (Zone B-3)

Dear Mr. Solli:

The Town of Simsbury's Zoning Commission, at a regular meeting held on Monday, October 5, 2020, approved, with conditions, your application for a Site Plan Approval for Application # ZC 20-10 of 9-15 Albany Turnpike, LLC, Owner; Kevin Solli, Agent for a Site Plan Approval for the development of 9-15 Albany Turnpike including a gas stations/convenience store and electric vehicle showroom, service component with associated parking.

The site plan approval is subject to the following conditions:

1. An administrative zoning permit is required.
2. Approval is for the construction of buildings and site development. Signage is not part of this approval and will require a separate approval for any signs that will located in Simsbury.
3. Pre-Construction Meeting is required with Town staff prior to start of site work.
4. Limits of work/clearing are to be marked by a surveyor and approved by Code Compliance officer prior to start of site work.

5. As part of the site prep process, the removal of rock is approved with the following hours of operation:
 - a. Monday thru Friday: 7:00 am to 5:00pm
 - b. Saturday : 9:00 am to 5:00pm
 - c. No work on Sundays and holidays

6. The Zoning Commission authorizes staff to approve minor modifications to site grading, landscaping, drainage, or lighting on their behalf. Said requests are to be made in writing to staff prior to implementation.

If you have any questions, you can reach me at 860-658-3252 or mglidden@simsbury-ct.gov.

Very Truly Yours,



Michael Glidden CFM CZEO
Director of Planning & Community Development

cc: David Markowitz Esq.
Richard Correia
Mark Greenberg
Planning Department File
Building Department File
Town Clerk
Assessor's Office
Subject File



January 8, 2021

Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton
4 Market Street
PO Box 168
Canton, CT 06022

**RE: Site Plan & Special Permit Application
9-15 Albany Turnpike (Route 44 & Route 202)
Canton, Connecticut
Project Number: 1904501**

Dear Mr. Pade:

In response to the staff comments received on December 11, 2020, we have prepared this letter to summarize the application material changes that have been made to address the comments issued.

- A non-business hours lighting plan supplemental narrative has been included in this submission
- A copy of the Simsbury Site Plan approval is included in this submission
- Revised architectural plans and renderings are included in this submission
- A memo supporting the Parking Reduction request is included in this submission, as requested by the Commission

Please let us know if you have any questions or comments regarding the above items and associated submitted materials. We look forward to continuing to work with you in the processing of this application.

Respectfully,

Solli Engineering, LLC

A handwritten signature in black ink that reads 'KS Solli'.

Kevin Solli, PE
Principal

Enclosures:

Non-business Hour Lighting Narrative
Simsbury Site Plan Approval
Architectural Plans and Renderings
Parking Demand Memo

X:\SE Files\Project Data\2019\1904501 - Albany Turnpike, Simsbury\Office Data\Correspondence\2021-01-08 - Town of Canton - Response to Staff Comments.docx

Archived: Tuesday, January 12, 2021 9:00:12 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 14:29:42
To: [Glidden Michael](#); jshea@simsbury-ct.gov
Cc: [Deltenre, Renee](#); [Kyle, Emily](#)
Subject: RE: 9-15 Albany Turnpike Canton
Importance: Normal

Mike/ Jeff – Please respond.

Thank you,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Pade, Neil
Sent: Wednesday, January 6, 2021 12:28 PM
To: 'Glidden Michael'; jshea@simsbury-ct.gov
Cc: [Deltenre, Renee](#); [Kyle, Emily](#)
Subject: 9-15 Albany Turnpike Canton

Hi Jeff/ Mike,

I hope you are doing well.

As you know we are processing the PZC application at 9-15 Albany Turnpike in Canton that transcends the Canton – Simsbury Town Boundary. This was reviewed and approved by Simsbury's land use process last year.

To ensure we have the proper information, and coordinate our review and any possible conditions that may be required, please provide us with a copy of your staff reviews, approval letters, and any conditions that may have been set for this project specific to any necessary land use approval from the Town of Simsbury.

Thanks so much,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street

Archived: Tuesday, January 12, 2021 9:04:28 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 14:46:25
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: 9-15 Albany FW:
Importance: Normal

Please add to the record

Neil

From: Lynn Preminger [mailto:lynnpreminger@gmail.com]
Sent: Monday, January 11, 2021 2:45 PM
To: Pade, Neil
Subject:

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

As a resident of Canton for many years, we are writing to express our concerns over the proposed project submitted by Mark Greenberg. As much as our town would benefit from the tax revenue of any business locating here, our primary concerns are potentially long term environmental impacts. We are also of the opinion that a 20 pump facility is not warranted nor is a drive through convenience store. Additionally, the renderings of the car showroom is not complementary to a small New England town.

It is our hope that this project will not be approved.

Best,
Lynn Seiden-Preminger and Robert Preminger
Dry Bridge Rd.

Archived: Tuesday, January 12, 2021 9:05:10 AM

From: Pade, Neil

Sent: Mon, 11 Jan 2021 14:17:39

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Opposed

Importance: Normal

Please add to the record.

Neil

-----Original Message-----

From: pamela huntington [<mailto:pamelahuntington@mac.com>]

Sent: Monday, January 11, 2021 2:11 PM

To: Pade, Neil

Subject: RE: Opposed

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

I TOTALLY OPPOSE this Crazy idea and the fact Canton is already a big mess due to the town's inability to keep Canton nice rather than being sold off bit by bit to developers.. I oppose blasting & quarrying this trap rock ridge on Rte. 44 at the gateway to Canton: for 1¼ years, 6 days a week; 1,500 feet from the toxin-filled Swift Chemical Superfund site; & within an aquifer that provides drinking water to residents of 40+ Canton, Avon, and Simsbury streets, please visit this website to learn more, write a letter opposing the special permits!

Archived: Tuesday, January 12, 2021 9:06:26 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 14:11:30
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike
Importance: Normal

Please add to the record

Neil

From: Meghan Sheehan [<mailto:msheehan1227@gmail.com>]
Sent: Monday, January 11, 2021 1:51 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

I am writing to you to oppose the proposed building development at 9-15 Albany Turnpike. I am concerned about the amount of blasting and excavation needed for the proposed EV showroom/gas station/residential development. The environmental impact would harm my family as we live in the area. My family including our young child rely on the water from our well. I am very concerned that the excavation and construction will have an effect on our water and therefore be unhealthy for my family and especially my very young child.

I am concerned that the proposed building site will not be in line with the character and feel of Canton. My family moved out of West Hartford to Canton because we wanted a community with less congestion, more open spaces and a more rural community feel. This development will feel more urban than rural, which is not in the spirit of the Town of Canton. I urge you to keep the community in mind as the board makes their decision. This proposed development will have negative impacts on our town for years and decades to come.

Please feel free to contact me if further clarification is needed.

Thank you,
Meghan Sheehan

Archived: Tuesday, January 12, 2021 9:06:54 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 14:02:17
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Oppose the proposal for blasting on trap rock
Importance: Normal

Please add the following to the record

Thank you

Neil

From: Brian Cummiskey [mailto:briancummiskey@gmail.com]
Sent: Monday, January 11, 2021 1:18 PM
To: Pade, Neil
Subject: Oppose the proposal for blasting on trap rock

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Neil,

My wife and I are new to Canton as of last year. We moved here for the great location, small-town vibe, and good tasting water. The large water table under the proposed blasting area should immediately be a massive concern. When a project has even a REMOTE CHANCE of jeopardizing the public's water supply or health in any way, it is the DUTY of the zoning commission to REJECT that proposal. One need only watch "Erin Brockovich" to understand the effects tainted water can have on a population and the fiscal repercussions for the responsible entities behind it. It is in both the townspeople's best interest health-wise and the town's best interest fiscally to reject without further consideration any proposal that involves blasting or any other activity that experts do not believe is 100.000000% safe. I encourage you and your team to consider the ENTIRE picture and likely future-state scenario as I see it.

Our well water is on the edge of the aquifer that sits under the site. Blasting will make us very concerned for our health and wellbeing. It will impose unnecessary new costs on families for water testing weekly. And if we get a bad sample, what do we do? Stop showering? Stop cooking? How many days have we been drinking it before the test? The costs of bottled water for non-drinking tasks are unfathomable. Public water is not available on my street. My property value will plummet and it will become unsellable. Worse, the taxpayers will foot the bill to connect everyone to treated public water which apparently also pulls from this aquifer. How many millions will that cost? And how long will it take to connect everyone? Years? What would we home-owners do while we wait for public water? And what about those who can't afford it? Will our mill rate jump to 50? Mass exodus of unsellable homes.

If residents start getting cancer as a result of this project, the town of Canton will be held fiscally responsible along with Mr Greenburg's company. As history tells us many times over, the company will simply file bankruptcy and pay nothing, much like the current owner of the Swift site, and their insurance will cap out at their policy max, probably a few million. The town will be left to foot the bill and likely will never recover. Half the population will be sick or dying. Property values will plummet. 20 years, Canton is a ghost town, all because the idea of bringing in a few million a year (is it even that much?) in tax revenue now sounded like a good idea at the time.

Moving forward with this project puts the town of Canton at risk of total collapse, poses potential for massive health concerns, and ruins the small-town feel that brought many of us here (or kept us here) in the first place. I am not opposed to the idea of new business coming here, but with many other areas available, it does not make sense for the town to consider this location for this business, or any business that deems the as-is natural landscape unbuildable, with its potential risks.

Furthermore, the Swift site needs to be cleaned up. That entire area should be blocked off for good until it is cleaned up completely and certified safe by a federal board. Cleaning up the brownfield should be the only zoning consideration item for that land area. Perhaps Mr Greenburg could contribute positively to the clean up of the area. According to this article from 1992 (and likely out of date) there are still tanks of chemicals leaching in the ground.

<https://www.nytimes.com/1992/10/04/realestate/in-the-region-connecticut-and-westchester-land-owners-risk-waste-cleanup-costs.html>

as of 2012, doesn't look like much has been done. <https://patch.com/connecticut/canton-ct/epa-to-further-evaluate-contaminated-property-in-canton> How this is not a priority to anyone is appalling.

I understand it costs money, but there are federal grants for this. Perhaps we can't clean all the soil, but we can stop further leakage by removing the tanks.

I understand the Swift company is long gone, but we must hold these people and companies accountable - not just in arrears - but in future contention as well.

Thank you for taking the time to read this.

Brian Cummiskey
Atwater Rd

Archived: Tuesday, January 12, 2021 9:07:12 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 14:02:17
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Oppose the proposal for blasting on trap rock
Importance: Normal

Please add the following to the record

Thank you

Neil

From: Brian Cummiskey [mailto:briancummiskey@gmail.com]
Sent: Monday, January 11, 2021 1:18 PM
To: Pade, Neil
Subject: Oppose the proposal for blasting on trap rock

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Neil,

My wife and I are new to Canton as of last year. We moved here for the great location, small-town vibe, and good tasting water. The large water table under the proposed blasting area should immediately be a massive concern. When a project has even a REMOTE CHANCE of jeopardizing the public's water supply or health in any way, it is the DUTY of the zoning commission to REJECT that proposal. One need only watch "Erin Brockovich" to understand the effects tainted water can have on a population and the fiscal repercussions for the responsible entities behind it. It is in both the townspeople's best interest health-wise and the town's best interest fiscally to reject without further consideration any proposal that involves blasting or any other activity that experts do not believe is 100.000000% safe. I encourage you and your team to consider the ENTIRE picture and likely future-state scenario as I see it.

Our well water is on the edge of the aquifer that sits under the site. Blasting will make us very concerned for our health and wellbeing. It will impose unnecessary new costs on families for water testing weekly. And if we get a bad sample, what do we do? Stop showering? Stop cooking? How many days have we been drinking it before the test? The costs of bottled water for non-drinking tasks are unfathomable. Public water is not available on my street. My property value will plummet and it will become unsellable. Worse, the taxpayers will foot the bill to connect everyone to treated public water which apparently also pulls from this aquifer. How many millions will that cost? And how long will it take to connect everyone? Years? What would we home-owners do while we wait for public water? And what about those who can't afford it? Will our mill rate jump to 50? Mass exodus of unsellable homes.

If residents start getting cancer as a result of this project, the town of Canton will be held fiscally responsible along with Mr Greenburg's company. As history tells us many times over, the company will simply file bankruptcy and pay nothing, much like the current owner of the Swift site, and their insurance will cap out at their policy max, probably a few million. The town will be left to foot the bill and likely will never recover. Half the population will be sick or dying. Property values will plummet. 20 years, Canton is a ghost town, all because the idea of bringing in a few million a year (is it even that much?) in tax revenue now sounded like a good idea at the time.

Moving forward with this project puts the town of Canton at risk of total collapse, poses potential for massive health concerns, and ruins the small-town feel that brought many of us here (or kept us here) in the first place. I am not opposed to the idea of new business coming here, but with many other areas available, it does not make sense for the town to consider this location for this business, or any business that deems the as-is natural landscape unbuildable, with its potential risks.

Furthermore, the Swift site needs to be cleaned up. That entire area should be blocked off for good until it is cleaned up completely and certified safe by a federal board. Cleaning up the brownfield should be the only zoning consideration item for that land area. Perhaps Mr Greenburg could contribute positively to the clean up of the area. According to this article from 1992 (and likely out of date) there are still tanks of chemicals leaching in the ground.

<https://www.nytimes.com/1992/10/04/realestate/in-the-region-connecticut-and-westchester-land-owners-risk-waste-cleanup-costs.html>

as of 2012, doesn't look like much has been done. <https://patch.com/connecticut/canton-ct/epa-to-further-evaluate-contaminated-property-in-canton> How this is not a priority to anyone is appalling.

I understand it costs money, but there are federal grants for this. Perhaps we can't clean all the soil, but we can stop further leakage by removing the tanks.

I understand the Swift company is long gone, but we must hold these people and companies accountable - not just in arrears - but in future contention as well.

Thank you for taking the time to read this.

Brian Cummiskey
Atwater Rd

Archived: Tuesday, January 12, 2021 9:09:28 AM
From: Pade, Neil
Sent: Mon, 11 Jan 2021 13:55:39
To: Kyle, Emily; Deltenre, Renee
Subject: FW: Mark Greenberg Development
Importance: Normal

Please add to the record

Neil

From: Mallory McCormick [mailto:mallory.mccormick@alphasights.com]
Sent: Monday, January 11, 2021 12:34 PM
To: Pade, Neil
Subject: Mark Greenberg Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello,

As a lifelong resident of Canton respectively, I must write in with my confusion and upset regarding this ridiculous proposal. I do not understand why we would ever blow up rock ridges that welcome us to those towns when there are so many vacant lots that these developers can use.

I would not vote for you again if you proposed this and I'm hoping as we continue into the future, our political representatives are more conscious about being green and saving the wild space where we can for our children and future generations.

Thanks

--

Mallory McCormick
Manager, Strategy Consulting
<https://www.linkedin.com/in/mallorymccormick/>

Tel +1 646-693-9901 | Mob +1 860-808-4690
<https://www.linkedin.com/in/mallory-mccormick-2b739893>

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Archived: Tuesday, January 12, 2021 9:09:51 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 13:45:58
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Simsbury resident concerned about well water and quality of life
Importance: Normal

Please add to the record,

Thanks

Neil

From: Kathleen D'Arche [mailto:kdarche@att.net]
Sent: Monday, January 11, 2021 12:00 PM
To: Pade, Neil
Subject: Simsbury resident concerned about well water and quality of life

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Canton Planning and Zoning Commissioners,

I have recently learned about a developer's application before the commission seeking several special permits, including permits to blast and remove 118,450 cubic yards of rock from the site that straddles Canton and Simsbury.

I have lived in my West Simsbury home at 381 West Mountain Road for 66 years. Canton's zoning regulations were adopted to promote the "health, safety, and general welfare of the community." I recognize the need for development of infrastructure to support the community economically. However, your regulations are intended to promote orderly growth and development of the town. The scale of this project is simply uncharacteristic of the Farmington Valley, especially the design of the EV showroom.

The special permits being requested by the developer put the health, safety, environment, convenience, and property values at risk. This would include those who reside north of this proposed development on West Mountain Road in West Simsbury. I urge you to honor state and your town regulations and deny the special permits. If approved would result in negative impact to health, safety, convenience, environment, and property values of nearby residents, including myself.

I would like to live out my last years in peace and not have to deal with noise, contamination of my drinking water, damage to my home's foundation, or other harm caused to my property and quality of life. I again ask that these special permits be denied, so a project can be built that is more suitable to size, environment, and community. As well as accommodate for the presence of the former John Swift Chemical Co. Superfund site just 1500 feet away.

Because I do not have a computer, my daughter, Kathy D'Arche, is submitting this letter to the Town Planner Neil Pade on my behalf.

Archived: Tuesday, January 12, 2021 9:10:12 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 13:28:04
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Route 44 development proposal
Importance: Normal

Please add to the record

Neil

From: Kasha [mailto:rutkowskakatarzyna@yahoo.com]
Sent: Monday, January 11, 2021 11:41 AM
To: Pade, Neil
Subject: Route 44 development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning Neil,

I am a homeowner located at [2 Forest lane canton ct](#). I am strongly opposed to the impact that the proposed development on route 44 will have not only on the environment but also on the health and safety of my family. I do not want this development to happen.

Kind regards,
Katarzyna nastri
2 forest ln
Canton

Sent from my iPhone

Archived: Tuesday, January 12, 2021 9:10:31 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 13:16:52
To: [Deltenre, Renee](#); [Kyle, Emily](#)
Subject: FW: 9-15 Albany turnpike
Importance: Normal

Please add to the record.

Thanks

Neil

-----Original Message-----

From: David Natri [<mailto:davidnatri@yahoo.com>]
Sent: Monday, January 11, 2021 11:41 AM
To: Pade, Neil
Subject: Re: 9-15 Albany turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Neil,
Please note that in my first email, I made a typo.
I am opposed to this project!!!
Thank you
David

Sent from my iPhone

> On Jan 11, 2021, at 11:20 AM, David Natri <davidnatri@yahoo.com> wrote:
>
> Good morning Neil,
> I am a homeowner located at 2 Forest lane canton ct. I am not opposed to the impact that this will have not only on the environment bu for the health and safety of my family. I do not want this development to happen.
>
> thank you,
> David Natri
> 2 Forest Lane
> Canton Ct

Archived: Tuesday, January 12, 2021 9:10:57 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:50:08
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Opposed to building EV Station on RT. 44 in Canton
Importance: Normal

Please add to the record

Neil

From: Corey Tucker [mailto:corey@coreylynnntuckerphotography.com]
Sent: Monday, January 11, 2021 8:02 AM
To: Pade, Neil
Cc: Eleni.KavrosDeGraw@cga.ct.gov
Subject: Opposed to building EV Station on RT. 44 in Canton

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil,

While I am all for clean energy, I am opposed to the building of the E/V station on Route 44 next to LaTrottaria in Canton. What concerns me the most is the blasting of the trap rock, affecting our aquifers and well water.

With so many [empty big box stores](#) on [Route 44](#) especially in Avon (Dakota there are many alternatives utilizing pre-existing sites rather than clogging up route 44 with more urban sprawl and traffic, noise, light ruining our beautiful landscape and wild areas.

I have been a Canton resident since 2001 and have witnessed so much urban sprawl and expansion while witnessing several sites still sitting empty, sad and abandoned. With a little ingenuity, we can transform existing sites into viable resources that support the community, the wild and business. I have attended many meetings to preserve open green spaces—from the golf course to the Shoppes, Sweetheart Mountain and more. I am a huge advocate of the Canton Land Trust.

We need to keep our land wild in order to balance the habitat and support human life. The less open space and land we have, the worse it gets and more pollution builds.

If you haven't seen David Attenborough's "[A life on our Planet](#)" yet on Netflix I highly suggest watching it. Or listen to Joni Mitchell's song, "[Big Yellow Taxi](#)" (paved paradise and put up a parking lot). It's really that simple we need to think differently about expansion. The more people we have, the greater impact on the planet and our community.

More reasons I am opposed:

1. Blasting and removing this ridge threatens residents' and businesses' quality of life and the town's character.
2. One person's right to develop their property does not supersede thousands of residents' right to have safe, potable drinking water and clean air, safe roads, and a peaceful existence in their homes.
3. Tax revenue from the development would be insignificant to the town's overall budget, bringing in only an estimated \$103,000 of additional tax revenue, which is 0.3 % of the town budget.

Thank you for hearing my concerns. I will be attending the Zoom zoning meeting on Jan. 19 and sharing this information with concerned residents via social media and word of mouth.

Corey Tucker

Archived: Tuesday, January 12, 2021 9:11:32 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:46:47
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: New development on route 44
Importance: Normal

Please add to the record

Neil

From: GM [mailto:gmastrogiannis@gmail.com]
Sent: Monday, January 11, 2021 7:47 AM
To: Pade, Neil
Subject: New development on route 44

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good morning Mr. Pade,

My name is George Mastrogiannis and I live in Canton. I have been reading about a proposal by Mark Greenberg for a new car dealership and EV station where the rock formation is located on 44.

As an concerned resident I see so many spaces along 44 that are empty and blasting for a new site just seems illogical to me.

I will be sharing any information about this proposal with other members of our community so that people know about what is being planned.

If you have any information that you could forward me about what the developer has planned and where the town stands on this issue I would greatly appreciate it.

Thank you,
George

Archived: Tuesday, January 12, 2021 9:12:23 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:36:02
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Vote on development project
Importance: Normal

Please add to the record

Neil

From: PETER [mailto:kelpete@comcast.net]
Sent: Monday, January 11, 2021 7:26 AM
To: Pade, Neil; ppane@townofcantonct.org; kvilla@townofcantonct.org; devens@townofcantonct.org; mvogel@townofcantonct.org; lperry@townofcantonct.org; jthiesse@townofcantonct.org
Subject: Vote on development project

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear zoning board members,

I am a Canton resident of 27 years and am writing to let you know I'm strongly opposed to the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton.

I urge you to please vote against the proposal on January 19th.

Thank you,
Kelly Conway
96 West Mountain Road

Archived: Tuesday, January 12, 2021 9:12:40 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:35:37
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: EV Showroom and gas station development proposal
Importance: Normal

Please add to the record

Neil

-----Original Message-----

From: Elisa Villa [<mailto:elisavilla@gmail.com>]
Sent: Monday, January 11, 2021 6:21 AM
To: Pade, Neil
Subject: EV Showroom and gas station development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade and Planning and Zoning Commission Members,

As a Canton resident/home owner for the past 32 years I wish to express my strong objection the Mark Greenberg's development proposal for an EV showroom and gas station scheduled for a public hearing on January 19, 2021.

This project will have significant negative environmental, aesthetic, and quality of life impacts for Canton and its neighbors. Additionally, our town does not "need", in any sense of the word, this development. The developer's profit and a bigger tax base do not justify such an extraordinarily destructive, ugly and unnecessary project — we have enough of that sort of development already.

I urge the Planning and Zoning Commission members to vote against Mark Greenberg's proposal and special permit requests. By doing so the Commission will be acting to preserve the area's natural beauty, wildlife habitat, and overall environmental quality.

Thank you for your consideration.

Elisa Villa
88 Dyer Avenue
Collinsville, CT

860-655-9434

January 10, 2021

Planning and Zoning Commission
c/o Neil Pade – Town Planner
Town of Canton, CT
Canton Town Hall
4 Market Street
Collinsville, CT 06022

Dear Mr. Pade:

My wife Tracey and I are writing to express our Strong Opposition for the proposed development at 9-15 Albany Turnpike, we live on Michael Drive which is one of the streets that would be negatively affected by this proposed development plan.

We are not opposed to developing this site however we are vehemently opposed to this development plan for the following reasons:

We request that the Town of Canton approve a use that is appropriate to the land, in accord with the Canton Town Plan, does **not** require Special Permits and protects the Health and Property Values of Residents that would be negatively affected by this plan.

Blasting and removing the ridge threatens residents' and businesses' as well as the quality of life and the towns incredible character.

One person's right to develop their property **does not supersede** thousands of residents' rights to have safe, potable drinking water, clean air, safe roads and a peaceful existence in their homes.

Tax revenue from this proposed development would be insignificant to the Town of Canton's overall budget, only bringing in an estimated \$103,000 of additional tax revenue which equates to 0.3% of the Canton Town Budget.

Sincerely,

Tracey Coyne
Stephen Coyne
10 Michael Drive
Canton, CT 06019

Archived: Tuesday, January 12, 2021 9:13:31 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:32:00
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Route 44 Development Proposal opposition
Importance: Normal

Please add to the record

Neil

From: Michelle Begley [mailto:michelle67begley@gmail.com]
Sent: Sunday, January 10, 2021 3:46 PM
To: Pade, Neil
Subject: Route 44 Development Proposal opposition

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Commissioner,

I am a Canton resident of 24 years and am writing to let you know I'm adamantly opposed to the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this project, let alone the environmental impact, has no place in Canton.

I urge you to please vote against the proposal on January 19th.

Thank you,
Michelle Fenton Begley
34 High St, Collinsville, CT 06019

--

"The Peace of Wild Things"

Wendell Berry

When despair for the world grows in me
and I wake in the night at the least sound
in fear of what my life and my children's lives may be,
I go and lie down where the wood drake
rests in his beauty on the water, and the great heron feeds.
I come into the peace of wild things
who do not tax their lives with forethought
of grief. I come into the presence of still water.
And I feel above me the day-blind stars

Archived: Tuesday, January 12, 2021 9:13:52 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 11:13:43
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Development at 9-15 Albany Turnpike
Importance: Normal

Please add to the record,

Neil

From: Stovall, Christopher L (Chief Information Office - IT) [<mailto:Christopher.Stovall@thehartford.com>]
Sent: Sunday, January 10, 2021 3:28 PM
To: Pade, Neil
Cc: Kerry Stovall
Subject: Proposed Development at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade. My wife and I reside at 10 Pond Rd. in Canton. We are strongly against this proposal. The environmental impact will be profoundly negative and we rely on the ground water pumped from are well which would risk becoming polluted if this proposal goes through. Please count us against this proposal.

Sincerely,

Christopher and Kerry Stovall

This communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential and/or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this communication and destroy all copies.

Archived: Tuesday, January 12, 2021 9:14:16 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 10:45:25
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: January 19 Expansion Proposal
Importance: Normal

Hi Renee,

Please add to the hearing record,

Thanks

Neil

From: allie.south@gmail.com [<mailto:allie.south@gmail.com>]
Sent: Sunday, January 10, 2021 9:32 AM
To: Pade, Neil
Subject: January 19 Expansion Proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

\u-257 ?Dear Commissioner(s),

I am a Canton resident of 13 wonderful years and am writing to let you know I'm adamantly against the Route 44 Development Proposal by Mark Green. Among other things, the scale and design of this protect, let alone the environmental impact, has no place in Canton.

I urge you to please vote against the proposal on January 19th.

Thank you,
Allie Southworth-Eck & Edward Eck
(63 Spaulding Road)

Sent from my iPhone

Archived: Tuesday, January 12, 2021 9:14:30 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 10:43:57
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed development
Importance: Normal

Hi Renee –

Please add the following to the hearing record,

Thank you

Neil

From: jenny maher [mailto:jennymonster@gmail.com]
Sent: Saturday, January 9, 2021 5:18 PM
To: Pade, Neil
Subject: Proposed development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello.

I just wanted to add my two cents on the proposed development of the car showroom and 20 (!?!)
pump gas station.

I have lived in canton since 1982, so I've obviously seen this town grow.

I have been completely opposed to some developments before they were built, and have grown to
enjoy some of them over the years. Especially the businesses that were built in areas where the
existing buildings were left abandoned. We have PLENTY of empty commercial buildings in town.

This particular plan really upsets me. That beautiful rocky ridge on route 44 is like the gateway to our
beautiful town. Its what has always (in my mind) separated our town from the busy hustle and bustle
of simsbury and avon; which has been looking more like the Berlin turnpike these days.

The idea that they plan to blast that beautiful ridge makes me sick to my stomach. Not only will it ruin
the landscape of our town, I fear for the environmental damage it will cause.

My parents own a home on michael drive, where I grew up. They have well water there. I am afraid
of the possible impacts the blasting may cause to their property and their well water. They have lived
in that home and have paid taxes in this town since 1982. An irresponsible development like this
could damage their investment FOREVER.

We know that the ground around the Volkswagen dealership and beyond is toxic. Will those toxins be
released further into our town if the ridge is blasted when the construction begins?

I am 100% against this project. I feel that it would be a huge mistake.

Thank you for considering my concerns.

Sincerely,

Jenny Maher

6 north mountain rd

Archived: Tuesday, January 12, 2021 9:15:08 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 09:54:14
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: CT Water RE: 9-15 Albany Turnpike
Importance: Normal

Hi Renee,

Please add the CT Water Company's request to the record.

Thanks,

Neil

From: Jessica Demar [<mailto:Jessica.Demar@ctwater.com>]
Sent: Friday, January 8, 2021 2:56 PM
To: Pade, Neil; Anthony Capuano
Subject: RE: CT Water RE: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil and Anthony,

We read through the Hydrogeologic Impact Assessment and understand that the recommendation is to survey wells up to 1500 ft from the blasting site. Even though our public drinking water well is greater than 1500 ft from the blasting site, we still strongly recommend that, for the safety of those utilizing the public drinking water supply, that well is still included in the pre and post blast survey group. This echoes our recommendation stated in our letter dated 11/9/2020.

It appears our comments from our letter dated 9/15/2020 were addressed in Solli Engineering's letter dated 10/2/2020.

Please let me know the outcome of the hearing and the plan for the pre/post blasting survey.

Thanks,
Jessica

*Jessica Demar
Environmental & Regulatory Compliance Coordinator
Connecticut Water Company
860-664-6190*

From: Pade, Neil [<mailto:NPade@TownofCantonCT.org>]
Sent: Thursday, January 7, 2021 4:27 PM

To: Jessica Demar <Jessica.Demar@ctwater.com>; Anthony Capuano <Anthony@sollillc.com>
Subject: RE: CT Water RE: 9-15 Albany Turnpike

Please note: THIS EMAIL ORIGINATED FROM AN EXTERNAL SOURCE.

Hi all,

Just going through my notes in anticipation of the 1/19/21 Hearing and wanted to make sure the questions on this thread were closed out. Has the applicant addressed the comments from the CT Water Company referenced below and if so, does the CT Water Company have any additional comments?

Thanks,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Jessica Demar [<mailto:Jessica.Demar@ctwater.com>]
Sent: Wednesday, December 16, 2020 11:48 AM
To: Pade, Neil; Anthony Capuano
Subject: CT Water RE: 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil and Anthony,

I just wanted to follow up with you both on the status of CT Water review. I understand there are a lot of stakeholders here and a number of plan revisions. Also we just received the Hydrogeologic Impact Analysis (HIA) today and will need time to review. At this point, I suggest CT Water hold off on any further plan review until we receive a letter from the applicant addressing our 9/15 and 11/9 comments and at that time we can review the latest plans and provide comments on the HIA. We would also be interested in reviewing the HIA I understand the town intends to pursue. Will that work?

Thanks,
Jessica

*Jessica Demar
Environmental & Regulatory Compliance Coordinator
Connecticut Water Company
860-664-6190*

Archived: Tuesday, January 12, 2021 9:15:28 AM
From: [Pade, Neil](#)
Sent: Mon, 11 Jan 2021 09:53:31
To: [Deltenre, Renee](#); [Kyle, Emily](#)
Subject: FW: electric vehicle showroom comment
Importance: Normal

Hi Renee –

Please add to the hearing record.

Thanks,

Neil

From: Paul Cianfaglione [mailto:pgcianfaglione@gmail.com]
Sent: Friday, January 8, 2021 2:48 PM
To: Pade, Neil
Subject: electric vehicle showroom comment

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Neil Pade,
I would like to quickly express our families disapproval with the proposed electric vehicle showroom along Route 44 at the former La Trattoria Restaurant site. I believe our town, and the entire Farmington Valley community, can find a better way to locate these new businesses. Destroying a beautiful gateway to our town, a forested traprock ridge, would be truly shameful. I would urge the commission to defeat this plan.

Paul Cianfaglione
36 Hoffmann Rd.
Canton, CT 06019

Archived: Tuesday, January 12, 2021 9:16:33 AM
From: Collene Byrne
Sent: Fri, 8 Jan 2021 16:38:23
To: Pade, Neil; Deltenre, Renee
Cc: David J. Markowitz; Kevin Solli; Mark Greenberg; Michael Frisbie; Richard Correia
Subject: 9-15 Albany Tpk - P&Z Revised Materials
Importance: Normal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Neil,
Available for download at the link below is the revised application material in response to staff comments.

[9-15 Albany Tpk Canton P&Z RTC \(2021-01-08\)](#)

Three hard copies will also be delivered to your office. Please let me know if you have any questions or concerns.

Thank you,

Collene Byrne
Project Manager



501 Main Street, Suite 2A
Monroe, CT 06468
Cell: (716) 870-4554
Office: (203) 880-5455
Fax: (203) 880-9695

Collene@SolliLLC.com
www.SolliEngineering.com

Archived: Tuesday, January 12, 2021 9:19:14 AM

From: [Pade, Neil](#)

Sent: Fri, 8 Jan 2021 08:50:15

To: [Deltenre, Renee](#)

Cc: [Kyle, Emily](#)

Subject: FW: 9-15 Albany Tpk

Importance: Normal

Attachments:

[Greenberg App Schiffman Letter.pdf](#)  [2.14.20_legal_letter_opposing_development.pdf](#) 

Please add to the hearing record.

Thanks,

Neil

From: Kelly Hagymasi [<mailto:kelly32j@gmail.com>]

Sent: Thursday, January 7, 2021 8:43 PM

To: Pade, Neil

Subject: 9-15 Albany Tpk

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade,

My name is Kelly Hagymasi I reside at 26 Country Ln, Collinsville, CT 06019.

I am writing to you an opposition of the rock blasting and development at 9-15 Albany Tpk.

I am in agreement with the two letters attached. I hope the Zoning Commission will do everything in their power to make sure that this development doesn't happen.

Sincerely,

Kelly Hagymasi



www.motleyrice.com

"I will stand for my client's rights.
I am a trial lawyer."
-Ron Motley (1944-2013)

One Corporate Center
20 Church St., 17th Floor
Hartford, CT 06103
o. 860.882.1681 f. 860.882.1682

Michael J. Pendell
Licensed in CT, NY
direct: (860) 218-2722
mpendell@motleyrice.com

December 14, 2020

BY ELECTRONIC MAIL - NPade@townofcantonct.org

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
P.O. Box 168
4 Market Street Canton, CT 06022

Re: File 475 - Proposed Retail/Service and Personal Services Business Application

Dear Mr. Pade:

I write on behalf of a group of concerned Canton residents (of which I am one) in opposition to File 475; 9 and 15 Albany Tpke; Assessors Map 32 and 36; Parcels 1010009 and 10100015; proposed retail/service and personal services business application.

Canton's elected officials, residents, business owners, and this Planning & Zoning Commission (the "Commission") all have an interest in ensuring that Canton remains a place where people want to live, raise their families, work, and visit. Although town officials have identified this particular area for economic development activities, it is clear from Canton's zoning regulations, its Plan of Conservation and Development ("POCD"), and the relevant facts that a development project of this size and scale was never contemplated for that location.

As the Commission is aware, Canton's zoning regulations were adopted for the express purpose of promoting "the health, safety, and general welfare of the community, lessening congestion in the streets, to prevent overcrowding of land, avoid undue concentration of population, provide light and air, and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public improvement." Zoning Regs. 1.2.A(2). At the same time, recognizing the need for the development of necessary and sufficient infrastructure to support the community economically, the regulations are also intended to "promote the orderly growth and development of the Town in accordance with the adopted Plan of Conservation and Development." Zoning Regs. 1.2.A(1). Any use of land, buildings, or structures not expressly permitted by the regulations in a particular district is prohibited in that district. Zoning Regs. 1.4.A(1).

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
December 14, 2020
Page 2

A special permit¹ “allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. . . . Nevertheless, special exceptions, although expressly permitted by local regulations, must satisfy [certain conditions and] standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property values [as required by General Statutes § 8-2]. . . . Moreover, we have noted that the nature of special exceptions is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site. . . . We have also recognized that, if not properly planned for, [such uses] might undermine the residential character of the neighborhood. . . . Thus, we have explained that the goal of an application for a special exception is to seek permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district.” *Mun. Funding, LLC v. Zoning Bd. of App.*, 270 Conn. 447, 453-54 (2004) (internal quotation marks omitted).

General Statutes § 8-2 “authorizes municipal zoning commissions to enact regulations providing that certain . . . uses of land are permitted only after obtaining a special permit or special exception from a zoning commission [That subsection] further provides that the obtaining [of] a special permit or special exception . . . [is] subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. Thus, in accordance with § 8-2 (a), an applicant’s obtaining of a special exception pursuant to a zoning regulation is subject to a zoning commission’s consideration of these general factors.” *A. Aiudi & Sons, LLC v. Planning & Zoning Comm’n*, 267 Conn. 192, 205-06 (2004). The special exception process is discretionary, and the zoning board may base its denial of such an application on “general considerations such as public health, safety and welfare, which are enumerated in zoning regulations” *Irwin v. Planning & Zoning Comm’n*, 244 Conn. 619, 627 (1998).

In considering the application for the nine special permits sought here,² the Commission is required to consider, in addition to the general health, safety, and welfare requirements set forth in Canton’s zoning regulations, the following factors: (1) the POCD; (2) the purposes of the regulations; (3) environmental protection and conservation; (4) suitable location for use (including the size of the lot, the nature and intensity of the activities in or conducted in connection with the use; whether the streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development of the neighborhood; the impact on

¹ “Special permits” and “special exceptions” are synonymous terms and are used interchangeably. *Mobil Oil Corp. v. Zoning Comm’n*, 30 Conn. App. 816, 819 (1993).

² The sheer number of special permits required for this commercial development to lawfully proceed—currently, nine—strongly suggests that this is the wrong development for that location.

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
December 14, 2020
Page 3

neighboring properties and residences); (5) appropriate improvements; (6) suitable transportation conditions (which shall not adversely affect safety in the streets, unreasonably increase traffic congestion, or interfere with the pattern of vehicular circulation in such a manner as to create unsafe traffic conditions); (7) adequate public utilities and services; (8) nuisance avoidance (the use must be appropriate for the area and not create a nuisance, and should not hinder the public health, safety, and property values); and (9) long term viability. Zoning Regs. 9.2.E.

Where a use of property is not allowed as of right, but only by special exception, the zoning commission is required to consider whether concerns—such as parking or traffic congestion—would adversely impact the area. *Barberino Realty Dev. Corp. v. Planning Zoning Comm'n*, 222 Conn. 607, 613 (1992). Off-site traffic congestion can provide the basis for denying a special permit. *Id.* at 616.

Where geographically difficult locations are subject to applications for special permits, like here, the location's topography and traffic conditions can be grounds for denying the application. *Hayes Family Ltd. P'ship v. Town Plan and Zoning Comm'n of the Town of Glastonbury*, 115 Conn. App. 655, 661-62 (2009). In *Hayes*, for example, the applicant sought to build a 13,013 square foot CVS on a hill that would require the removal of 80,000 cubic yards of material and to build a steep sloped 225 foot long, 14 foot high retaining wall. *Id.* The commission denied the application and both the trial court and appellate court affirmed the denial, holding that Glastonbury's zoning regulations—much like Canton's zoning regulations—allowed the commission to consider the size and topography of the property, existing and proposed contours, compatibility with the neighborhood and other factors. *Id.*

Finally, failure to meet general health, safety and welfare requirements set forth in Canton's zoning regulations may be considered in determining whether to grant or deny a special permit. *Whisper Wind Development Corp. v. Planning Zoning Commission*, 630 A.2d 108, 111 (Conn. App. Ct. 1993).

Applying the law as set forth above to the facts (as set forth here and in other objections received by the Commission), the Commission has sufficient grounds to deny the application and should do so.³ First, the plans call for the blasting and removal of approximately 150,000 cubic

³ To the extent the denial is appealed, the denial will be upheld by an appellate court so long as the decision is reasonably supported by the record. *Felsman v. Zoning Commission*, 31 Conn. App. 674, 678 (1993); *see also Cameo Park Homes, Inc. v. Planning Zoning Commission*, 150 Conn. 672, 677 (1963) (“So long as it appears that an honest judgment has been reasonably and fairly exercised by the commission after a full hearing, courts should be cautious about disturbing [the commission’s] decision.”) Here, the record easily supports denial.

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
December 14, 2020
Page 4

yards of trap rock. The blasting and removal of all that tonnage will take crews working six days a week and two years to complete. As the Canton Conservation Commission so aptly noted in its objection to the development, “this sounds more like a quarrying operation and less like a commercial development.” It would create serious quality of life issues for residents and already established local businesses. Importantly, Route 44 is Canton’s only real artery. Every day, people who live in Canton must travel this part of Route 44 to get to work, medical appointments, and other important endeavors east of Canton. Two years of blasting and removal of approximately 150,000 cubic yards of trap rock six days a week will no doubt create massive traffic tie-ups, particularly during peak commuting hours. This would be a tremendous inconvenience for commuters. Canton has no obligation to permit a developer to spend two years upending the lives of people who live and work in Canton to reconfigure a piece of land to make it suitable for the developer’s plans (and profits). Removal of 150,000 cubic yards of trap rock is not necessary for commercial development at this location, it is only necessary for this development.

Second, Jim Brook and Roaring Brook run through this area and feed the wetlands system associated with Secret Lake. This area also contains a Connecticut DEEP aquifer protection area—a natural resource as well as a public water supply—that requires additional consideration with regard to proposed development activities. According to Connecticut Water Company, the property is located within the aquifer recharge area of its Well #5. Blasting can affect well water quality as it can open new fractures, cause others to close, and dislodge sediment. Moreover, the former Swift Chemical superfund site is located nearby. Past industrial activities and discharges at that location resulted in groundwater contamination. Extensive blasting and excavation over a two-year period to prepare the site for development could cause further environmental impact, the severity and scope of which cannot fully be appreciated until excavation begins and it is too late.

Third, the development violates the purpose and the spirit of the POCD. Respecting the existing environmental landscape is fundamental to the POCD. Canton’s image and identity is tied to its rural and natural beauty and small-town feel. The existing trap rock ridge is a defining scenic quality of the East Gateway that identifies this historic and quaint New England village.

The development also runs afoul of the POCD’s other prominent theme—namely, the preservation of Canton’s character. In addition to providing a physical separation between Canton and Simsbury/Avon, the trap rock ridge serves as a symbolic dividing line between the purely strip mall/big box store nature of the Simsbury/Avon section of Route 44 and the smaller scale, local business-oriented nature of Canton’s commercial spaces. Removing that ridgeline and building this massive commercial development has little to do with Canton’s carefully

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
December 14, 2020
Page 5

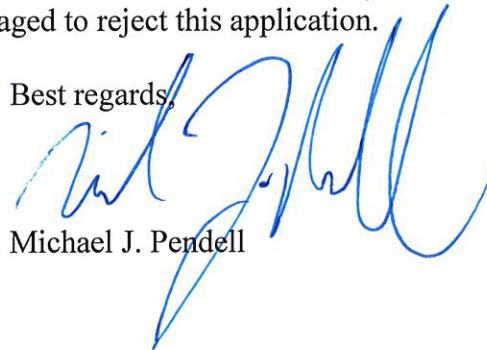
crafted and preserved character, and nothing to do with Canton's actual needs. The only benefit of the development is the addition to Canton's tax base. The proposed development does not otherwise contribute to the general health, safety, welfare, character, or long-term viability of Canton.⁴ Indeed, the gas station and drive-through convenience store are designed for through-traffic, not for attracting and keeping people here to walk through our village or shop in our locally owned businesses. The development is not tied in any way to other commercial parts of town in a way that lends itself to walkability or community.

Fourth, the special exceptions for the enormous retaining walls (the equivalent of five stories tall) invite dangerous hydrological and engineering situations that are prohibited by our zoning regulations (which were written with the purpose of avoiding these situations).

Fifth, in the event that a residential development is eventually added to the north (as has been suggested), access to that property for emergency vehicles would be from a dangerous section of Route 44. That development would also further create additional unneeded traffic congestion in an already crowded artery. It would also lengthen commutes and increase motor vehicle accidents.

In sum, the proposed benefits associated with the development—most of which will inure to the private interest behind the development—do not outweigh the significant harms and inconveniences associated with the construction of the project over the next two years, not to mention the permanent harms to the environment and character of Canton that would be its enduring legacy. Commercial development in Canton is beneficial and necessary, but not at this scale and cost. The Commission is strongly encouraged to reject this application.

Best regards,



Michael J. Pendell

/MJP

⁴ Although electric vehicles are consistent with Canton's values, character, and goal of environmental preservation, two-years of blasting and hauling away approximately 150,000 cubic yards of trap rock (and all the pollution, threat of contamination, and desecration of the natural beauty of the land) to showcase and sell those electric vehicles is anathema to those values, character, and goal of environmental preservation. Trading one for the other is short-sighted.

January 3, 2021

Neil Pade, Director of Planning and Community Development
Town of Canton
PO Box 168
4 Market Street
Canton, CT 06022

I am submitting this letter to the Canton Planning and Zoning Commission for the continued public hearing to oppose the special permits detailed in File 475, Apin 2000, for the property at 9 and 15 Albany Turnpike:

If the Plan of Conservation and Development means anything, it cries out for these proposed permits to be rejected. The plan talks of the proper balance between preserving the character of the town against the need for economic development.

As far as I can see, this project in no way recognizes this kind of balance.

1. The applicant is asking the town for permission to alter the landscape, deface the eastern entrance to the town with a visual monstrosity looming over the highway (Albany Turnpike) and create a commercial structure of dubious viability.
2. At the same time, the project is a close neighbor to a Superfund site, an old chemical dump formerly operated by the J. Swift Chemical Company, and has a potential to disturb the dump by blasting.
3. And finally, the economic plan for the project is puzzling, as it is described as a showroom for electric vehicles – a nod to concerns about the environment – combined with a bizarrely large gasoline station that would be decidedly contrary to environmental

concerns.

Aesthetics

At the eastern end of town along Route 44, people drive past a sign welcoming them to Canton and a steep hill that fits in the landscape of Western Connecticut.

I appreciate that construction of something that fits on such a hillside is a challenge, but the approach here is to blast away a good deal of the hill – for a commercial development that is out of place in the landscape and out of character for the rural/suburb nature of our town.

The drawing below of the development has all the charm of a huge billboard:

From the opposite direction, the gas pumps and the tall retaining wall are the main features. I imagine the whole lot will be lit up like a beacon, adding to the already large amount of light pollution in the night skies above our town.

If I understand it, the recently adopted form-based zoning is supposed to relax the picayune regulations of zoning in most places in the country, and instead let local authorities focus on whether a development fits what people want to preserve in their town, the look and character of the community, how the project functions and whether it furthers the long-term vision of the town.

Canton's plans for the future talk about pedestrians, bicycles and public transit; diametrically opposed to the another gasoline station of any size, much less this gigantic one.



The Swift Superfund Site

The cleanup by state and federal authorities is incomplete. The Environmental Protection Agency shows this in a summary of the status of Superfund sites. It says that the site is not ready for its anticipated use, that it cannot determine the status of whether human exposure levels or groundwater migration is under control.

The Connecticut Department of Energy and Environmental Protection reports that some work and some testing has been performed, but that “remediation of the remaining contamination at the site will be dependent on pending bond funding” of about \$4.5 million.

The developer's engineers offer a sanguine view of the safety of process of leveling the hillside for the commercial building, but the language of the assurances is conditional. For example, “the contaminate plume is located more than 1,500 feet from the Property, outside of the *likely*

radius of influence from blasting.” And, “the groundwater plume *appears* to be concentrated”

I also want to know more about who is responsible in the event that these expectations fall short. I note that the zoning application is sought by 9-15 Albany Turnpike L.L.C. As is common in real estate, an ad hoc corporation like this serves to insulate the developers and investors. This is not necessarily a bad thing, but it requires care on the part of all parties involved in the project.

The Need for the Project

It's hard to imagine that a developer would begin this effort without a clear business plan, that is, a notion of who the tenants might be, what is the need for these services, what is likely to happen if it is built.

As one drives from East to West through Canton, on opposite sides of the highway there are a pair of gasoline stations of much smaller size than the proposed new one, and I cannot recall ever waiting at either one for the next pump. Likewise, at the west end of town there are another two stations, both on the same side of highway, are never crowded.

One has to wonder about the need for another station that's double the size of any of the existing ones.

More puzzling is the idea that the showrooms are for electric vehicles. From the drawings of the project, the developers envision competing automakers leasing these showrooms. Is there a reasonable expectation that automakers will want to coexist with their competition.

For the most part, the sales techniques in the showrooms are intended to keep potential customers in that dealership and to work hard to keep the person from driving away.

Many large auto companies are developing electric vehicles and it seems

unlikely they would segregate their line of electric cars from the traditional gasoline powered cars.

Actually, I don't see any way of requiring the owner of retail space to be limited to particular kinds of products as long as those products are not barred by regulation or law in the jurisdiction.

Two other types of spaces are envisioned by the developer: a convenience store, which is a common accompaniment to a gas station, and which makes sense, and a restaurant, which is hard to comprehend. This part of the plan is beginning to look like a truck stop, and I don't think that fits in any way the town's conservation and development plan.

I was struck by the comments of Scott Macbeth, who is a supporter of the project. He cites the example of the failure of the industrial park off Dowd Avenue to meet expectations.

“The Town of Canton is filled with buildings that do not meet the needs of the market.”

I understand that he foresaw problems with the location of the industrial park at the time it was put forward 20 years ago, but I take the opposite lesson from the story.

We want to be very conservative about altering the landscape for the uncertain promises of development.

Regards,

Barry Schiffman
12 Tanglewood Drive
Canton

Archived: Tuesday, January 12, 2021 9:21:20 AM
From: [Pade, Neil](#)
Sent: Fri, 8 Jan 2021 08:47:50
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Development Proposal at 9-15 Albany Turnpike
Importance: Normal

Hi Renee - Please add to the hearing record.

Neil

From: Jean Tai [mailto:jtjeantai@gmail.com]
Sent: Thursday, January 7, 2021 7:07 PM
To: Pade, Neil
Subject: Development Proposal at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Canton Zoning Commissioners,

I'm writing to express my strong opposition to the granting of the special permits for the proposed development at 9-15 Albany Turnpike in Canton. I've lived in my home at 393 W. Mountain Road, Simsbury, for over 50 years and have as much right to enjoy my investment in my property as the investors in the proposed development.

To quote the Dec. 15, 2020 letter from Kenneth Taylor, supervising hydrogeologist and Robert Goode Jr., senior supervising hydrogeologist, Licensed Environmental Professional, WSP USA, Shelton, to the developer's engineering firm, Solli Engineering: "Within the default 1,000-foot search radius recommended by the CTDEEP, WSP **identified private wells at 389, 393, 396, 398, 402, and 406 West Mountain Road in Simsbury, approximately 875 to 1,000 feet east and northeast of the Property.**"

Since my home was identified by WSP as "located within the area of concern," I have standing and urge you to deny the requests for special permits, especially the request to blast and remove at least 118,450 cubic yards of rock from the site. The work being requested could contaminate my well, reduce its flow, and/or cause cracks in my foundation. Not only would the noise from the blasting, scraping, and grinding of the rocks harm my quality of life in my retirement years; it would lower the value of my home and my neighbors' homes. While rock blasting inherently carries risk, the location of the former John Swift Chemical Company site only 1,500 feet away compounds the risk. I respect property owners' rights to develop their property and build commercial development in a commercial zone, but those rights have limits. The Canton zoning

regulations exist to balance the developer's rights with the rights of nearby residents. We have a right to clean, potable water, clean air, and the quality of life we are used to. The fact that the developer is seeking 9 special permits and the applicant says it will take 16 months to remove the rock is another indication that this is the wrong project for this location. The presence of a 20-pump gas station increases the risk of spills or tank leakage. Given the number of homes within a 2- mile radius that rely on well water, the development proposed is too large for the area. The aquifer extends more than 1,500 feet from the development site.

I urge you to consider my rights and the rights of my neighbors. I also agree with the other letters Canton residents have written objecting to special permits for retaining walls, signage, a drive-through restaurant, and other requests that are not right for this location. I would hate to have to move from a home I love.

Sincerely,

Jean Tai Ladetto

393 W. Mountain Road

West Simsbury, CT



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95 Glastonbury Boulevard
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Glastonbury, CT 06033
T: 860.286.8900
F: 860.633.5699
www.gza.com

January 6, 2021
Project No. 05.0046728.00

Mr. Neil Pade, AICP
Director of Planning and Community Development
Town of Canton, 4 Market Street, PO Box 168
Canton, CT 06022

Re: Hydrogeologic Review of WSP December 15, 2021 Report
9-15 Albany Turnpike, Canton and Simsbury, Connecticut

Dear Mr. Pade:

GZA GeoEnvironmental Inc. (GZA) is pleased to present our third-party review of the December 15, 2021 WSP USA (WSP) Hydrogeologic Impact Assessment report, for the proposed 9-15 Albany Turnpike development located in Canton and Simsbury, Connecticut. Our findings are based upon reviewing the December 15, 2020 report and the documents below. This report is subject to the limitations in Appendix A.

1. The Connecticut Department of Environmental Protection (CTDEEP) *Guidance Document for Evaluating Potential Hydrogeologic Impacts Associated with Blasting & Development Activities*, dated December 2019.
2. Site plans, dated December 16, 2020, depicting grading (Sheets 2.31.1, 2.31.2 & 2.31.3), provided by the Town of Canton, associated with the applicants permit application.

In general, GZA concurs with the methodology and findings of the December 15, 2021 WSP Hydrogeologic Impact Assessment report; however, we have provided the following recommendations for your consideration.

1. GZA concurs with the commitment to conducting pre- and post-blast surveys; however, GZA recommends that the survey include a pre- and post-blast survey of the building structures within a 500-foot radius of the blast location in addition to the wells survey. The purpose of this survey would be to determine if vibrations from the blasting had an impact on these structures.
2. Because only one well was identified within the 500-foot radius, GZA recommends that wells identified within the 1,000-foot radius of the property lines also be sampled.
3. Groundwater flow in bedrock is governed by fractures in bedrock. The direction of bedrock groundwater flow may or may not be consistent with the direction of groundwater flow in the overburden soil. Because the report references the John Swift Chemical Superfund Site, a known source of volatile organic releases, GZA would recommend that the pre- and post-groundwater sampling not only include the analytes included within Section 4 of the CTDEEP December 2019 Guidance Document but also volatile organic compounds using EPA Method 524.
4. GZA agrees that a geologist should make observation of the bedrock during the removal process to log the bedrock and to evaluate the presence of pyrite. If pyrite is observed, however, the removal of the bedrock should cease until a plan to prevent acid rock drainage has been submitted to the Town for review and approval.



5. Stormwater best management practices should consider including reducing the use of deicing materials and routine maintenance because the report notes that some stormwater may infiltrate into the bedrock. However, unlike existing conditions, the blasting operation will result in fracturing the bedrock. In addition, the stormwater basin and detention chambers will be constructed on the blasted rock.

The reports indicate “there should be no adverse impacts to neighboring water-supply wells from the proposed blasting”, however, the pre- and post-blasting surveys will be needed to demonstrate no adverse impacts. GZA recommends that these surveys be provided to the Town and Farmington Valley Health Department (FVHD) within one week of the receipt of the analytical data. Should the analytical data report elevated concentrations, there may be reporting requirements to both the FVHD and the CTDEEP.

Should you have any question concerning our review of the December 15, 2021 WSP Hydrogeologic Impact Assessment report please do not hesitate to contact us.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

A handwritten signature in blue ink that reads "Richard J. Desrosiers".

Richard J. Desrosiers, LEP, PG
Associate Principal

A handwritten signature in black ink that reads "Stephen L. Lecco".

Stephen L. Lecco, A.I.C.P, C.E.P.
Associate Principal – Consultant/Reviewer



USE OF REPORT

1. GZA GeoEnvironmental, Inc. (GZA) prepared this report on behalf of, and for the exclusive use of our Client for the stated purpose(s) and location(s) identified in the Proposal for Services and/or Report. Use of this report, in whole or in part, at other locations, or for other purposes, may lead to inappropriate conclusions; and we do not accept any responsibility for the consequences of such use(s). Further, reliance by any party not expressly identified in the agreement, for any use, without our prior written permission, shall be at that party's sole risk, and without any liability to GZA.

STANDARD OF CARE

2. GZA's findings and conclusions are based on the work conducted as part of the Scope of Services set forth in the Proposal for Services and/or Report and reflect our professional judgment. These findings and conclusions must be considered not as scientific or engineering certainties, but rather as our professional opinions concerning the limited data gathered during the course of our work. Conditions other than described in this report may be found at the subject location(s).
3. GZA's services were performed using the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services, at the same time, under similar conditions, at the same or a similar property. No warranty, expressed or implied, is made. Specifically, GZA does not and cannot represent that the Site contains no hazardous material, oil, or other latent condition beyond that observed by GZA during its study. Additionally, GZA makes no warranty that any response action or recommended action will achieve all of its objectives or that the findings of this study will be upheld by a local, state or federal agency.
4. In conducting our work, GZA relied upon certain information made available by public agencies, Client and/or others. GZA did not attempt to independently verify the accuracy or completeness of that information. Inconsistencies in this information which we have noted, if any, are discussed in the Report.

SUBSURFACE CONDITIONS

5. The generalized soil profile(s) provided in our Report are based on widely-spaced subsurface explorations and are intended only to convey trends in subsurface conditions. The boundaries between strata are approximate and idealized, and were based on our assessment of subsurface conditions. The composition of strata, and the transitions between strata, may be more variable and more complex than indicated. For more specific information on soil conditions at a specific location refer to the exploration logs. The nature and extent of variations between these explorations may not become evident until further exploration or construction. If variations or other latent conditions then become evident, it will be necessary to reevaluate the conclusions and recommendations of this report.
6. Water level readings have been made, as described in this Report, in and monitoring wells at the specified times and under the stated conditions. These data have been reviewed and interpretations have been made in this report. Fluctuations in the level of the groundwater however occur due to temporal or spatial variations in areal recharge rates, soil heterogeneities, the presence of subsurface utilities, and/or natural or artificially induced perturbations. The observed water table may be other than indicated in the Report.

COMPLIANCE WITH CODES AND REGULATIONS

7. We used reasonable care in identifying and interpreting applicable codes and regulations necessary to execute our scope of work. These codes and regulations are subject to various, and possibly contradictory, interpretations. Interpretations and compliance with codes and regulations by other parties is beyond our control.

**SCREENING AND ANALYTICAL TESTING**

8. GZA collected environmental samples at the locations identified in the Report. These samples were analyzed for the specific parameters identified in the report. Additional constituents, for which analyses were not conducted, may be present in soil, groundwater, surface water, sediment and/or air. Future Site activities and uses may result in a requirement for additional testing.
9. Our interpretation of field screening and laboratory data is presented in the Report. Unless otherwise noted, we relied upon the laboratory's QA/QC program to validate these data.
10. Variations in the types and concentrations of contaminants observed at a given location or time may occur due to release mechanisms, disposal practices, changes in flow paths, and/or the influence of various physical, chemical, biological or radiological processes. Subsequently observed concentrations may be other than indicated in the Report.

INTERPRETATION OF DATA

11. Our opinions are based on available information as described in the Report, and on our professional judgment. Additional observations made over time, and/or space, may not support the opinions provided in the Report.

ADDITIONAL INFORMATION

12. In the event that the Client or others authorized to use this report obtain additional information on environmental or hazardous waste issues at the Site not contained in this report, such information shall be brought to GZA's attention forthwith. GZA will evaluate such information and, on the basis of this evaluation, may modify the conclusions stated in this report.

ADDITIONAL SERVICES

13. GZA recommends that we be retained to provide services during any future investigations, design, implementation activities, construction, and/or property development/ redevelopment at the Site. This will allow us the opportunity to: i) observe conditions and compliance with our design concepts and opinions; ii) allow for changes in the event that conditions are other than anticipated; iii) provide modifications to our design; and iv) assess the consequences of changes in technologies and/or regulations.

Archived: Tuesday, January 12, 2021 9:23:44 AM
From: [Pade, Neil](#)
Sent: Thu, 7 Jan 2021 11:30:58
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Strongly Urge P&Z to Flatly Reject Greenberg Application, please
Importance: Normal

Please add to the record,

Neil

From: Judy Sharp [mailto:judyhsharp@att.net]
Sent: Thursday, January 7, 2021 11:27 AM
To: Pade, Neil
Cc: Jenny Abel
Subject: Strongly Urge P&Z to Flatly Reject Greenberg Application, please

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade, and Members of the Commission:

My wife and I have lived in Canton for over 19 years, and appreciate how its development has been managed to avoid the ugliness and dysfunction we see in other towns. It is time to stand up and defend Canton's vision of responsible planning.

We are in full support of the many valid objections raised by Jane Latus of Care, the MDC -we have a water main here on Allen Place- and other interested parties.

Greenberg reportedly seeks special approval(s); the question is, for exactly what benefit to Canton? His proposal has many more potentially damaging negatives than positives. This is his business: surely he can come back with a less dangerous proposal which will still give Canton tax revenue.

Dangerous? Yes! That Swift Chemical Superfund site only 1500 feet away is nothing to mess with. A prudent person would conclude that if it is stable now, DO NOT RISK messing with it. If Greenberg's protracted blasting causes problems, his development company will be dissolved, he will be in another state, and there will be nobody to sue for damages and the cost of another horrible containment effort. I hope we have learned from Swift.

A "green" project? He is not being honest with you. He proposes to bury enough gasoline tanks in the (blasted out) ground to service 20 pumps! This after he ties the commuter traffic on 44 in knots for 15 months, while his lawyers are busy setting up the dissolution of the development company. This is exactly what the contractor did who put in the sewers in Secret. They vanished legally in order to duck any complaints.

Ms. Latus' allegation that this is a \$1.5 million mining operation sounds reasonable. Greenberg would have that money in hand even if he never built a blessed thing on the property. You are all capable people: watch the magician's other hand, not the rabbit. Please do the right thing for Canton by rejecting this application.

The artist's rendering is a clever but deceitful touch. We all know that the proposed trees depicted would not attain those sizes for 10 or 15 years. Mr. Greenberg's company should be able to do better than this -John and Judith Sharp, 18 Allen Place, Canton

Archived: Tuesday, January 12, 2021 9:24:15 AM
From: [Pade, Neil](#)
Sent: Tue, 5 Jan 2021 07:55:10
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: concerns about NEW gas station
Importance: Normal

Hi Renee – please add to the hearing record,

Thanks,

Neil

From: Tim [<mailto:timbaseman@gmail.com>]
Sent: Monday, January 4, 2021 6:01 PM
To: Pade, Neil
Subject: concerns about NEW gas station

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hi Mr. Pade,

I have recently moved back to Collinsville into my parents house and I am really against this new gas station on RTE 44, La Trat location. I cannot see what the purpose of this and why Canton would ever agree on this. Can you imagine the traffic that will build up and all the traffic that will defer to Lawton road. Its insane for 20 more gas pumps, don;t we have enough over priced gas stations in the area. My mom has to drive to New Hartford just to get gas. Is this for the rich who can afford to go there and have an electric cars to get free electricity? Please let me know when the vote on this is as I want to make sure I get mine in and others I know that are opposed.

Also is there a historical committee? I don't understand who authorized the apartment buildings on East Street. I mean I can't get new windows in my early 1900's house yet someone built those? Is this still a historical district? All I can fathom is someone got paid off to have these built. Seriously I don't get it. Can you clarify, maybe this is no longer a historical area. If so I definitely need to upgrade my house.

Regards,
Tim Larson

Archived: Tuesday, January 12, 2021 9:24:39 AM
From: [Pade, Neil](#)
Sent: Mon, 4 Jan 2021 12:51:24
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Dumb Development
Importance: Normal

Please add to the hearing record,

Thanks

Neil

From: Alden Paye [mailto:aldenemail1@gmail.com]
Sent: Saturday, January 2, 2021 3:09 PM
To: Pade, Neil
Subject: Dumb Development

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Members of the Canton Planning and Zoning Commission,

Why?

Why on earth would you approve a special permit for a gas station on this site? The trap rock ridge that greets residents and visitors alike as they enter Canton from the east on Rt. 44 is distinctive. It marks a transition from the suburban sprawl of the suburbs of Hartford to our unique community. Clearly the "electric vehicle showroom" is the lantern dangling before the wide open jaws of 'more of the same'. There is nothing unique or special about this vision of development that warrants its costs:

- The unique landform of the ridge forever destroyed
- The potential damage to the aquifer and wells of nearby residents
- The disturbance of a superfund site
- The disruption that YEARS of blasting rock will cause

Why? So that we can have 20 more gas pumps? For the opportunity to eat....at a gas station??

This makes no sense.

Don't be suckered.

This is dumb development.

Sincerely,

A disturbed and concerned resident of Canton,

Archived: Tuesday, January 12, 2021 9:25:10 AM
From: [Pade, Neil](#)
Sent: Mon, 4 Jan 2021 12:28:38
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Plan for route 44 ledge and rock removal:
Importance: Normal

Please add to the hearing record,

Thanks

Neil

From: ANTHONY DEVITO [mailto:jdevito844@sbcglobal.net]
Sent: Sunday, January 3, 2021 11:09 AM
To: Pade, Neil
Subject: Plan for route 44 ledge and rock removal:

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

As a fifty year plus resident of Collinsville and owner of a home on Allen Place and another multifamily residence on Dunne Ave, it causes me great concern that it might be possible that the plan to remove the cliff outcropping on route 44 at the site of the old Trot property and turn it into yet another service center for charging, gas and a retail shop might become a reality. The blasting required to accomplish this alone might seriously alter an already fragile eco-system (the Swift debacle) and damage wells and septic systems of neighbors for who knows how far down the line. When I was a member of the ZBA for many years a proposition such as this would have certainly have raised eyebrows and led to many negative commentaries. I implore you to consider what a nightmare such a project would create for traffic on 44, especially during AM and PM drive time. One last point, what if the project is so complicated that it gets abandoned before completion. Who gets left holding the bag? There certainly better uses for the property as it exists now.

Anthony DeVito, 20 Allen Place Collinsville

POB224

January 3, 2021

Neil Pade, Director of Planning and Community Development
Town of Canton
PO Box 168
4 Market Street
Canton, CT 06022

I am submitting this letter to the Canton Planning and Zoning Commission for the continued public hearing to oppose the special permits detailed in File 475, Apin 2000, for the property at 9 and 15 Albany Turnpike:

If the Plan of Conservation and Development means anything, it cries out for these proposed permits to be rejected. The plan talks of the proper balance between preserving the character of the town against the need for economic development.

As far as I can see, this project in no way recognizes this kind of balance.

1. The applicant is asking the town for permission to alter the landscape, deface the eastern entrance to the town with a visual monstrosity looming over the highway (Albany Turnpike) and create a commercial structure of dubious viability.
2. At the same time, the project is a close neighbor to a Superfund site, an old chemical dump formerly operated by the J. Swift Chemical Company, and has a potential to disturb the dump by blasting.
3. And finally, the economic plan for the project is puzzling, as it is described as a showroom for electric vehicles – a nod to concerns about the environment – combined with a bizarrely large gasoline station that would be decidedly contrary to environmental

concerns.

Aesthetics

At the eastern end of town along Route 44, people drive past a sign welcoming them to Canton and a steep hill that fits in the landscape of Western Connecticut.

I appreciate that construction of something that fits on such a hillside is a challenge, but the approach here is to blast away a good deal of the hill – for a commercial development that is out of place in the landscape and out of character for the rural/suburb nature of our town.

The drawing below of the development has all the charm of a huge billboard:

From the opposite direction, the gas pumps and the tall retaining wall are the main features. I imagine the whole lot will be lit up like a beacon, adding to the already large amount of light pollution in the night skies above our town.

If I understand it, the recently adopted form-based zoning is supposed to relax the picayune regulations of zoning in most places in the country, and instead let local authorities focus on whether a development fits what people want to preserve in their town, the look and character of the community, how the project functions and whether it furthers the long-term vision of the town.

Canton's plans for the future talk about pedestrians, bicycles and public transit; diametrically opposed to the another gasoline station of any size, much less this gigantic one.



The Swift Superfund Site

The cleanup by state and federal authorities is incomplete. The Environmental Protection Agency shows this in a summary of the status of Superfund sites. It says that the site is not ready for its anticipated use, that it cannot determine the status of whether human exposure levels or groundwater migration is under control.

The Connecticut Department of Energy and Environmental Protection reports that some work and some testing has been performed, but that “remediation of the remaining contamination at the site will be dependent on pending bond funding” of about \$4.5 million.

The developer's engineers offer a sanguine view of the safety of process of leveling the hillside for the commercial building, but the language of the assurances is conditional. For example, “the contaminate plume is located more than 1,500 feet from the Property, outside of the *likely*

radius of influence from blasting.” And, “the groundwater plume *appears* to be concentrated”

I also want to know more about who is responsible in the event that these expectations fall short. I note that the zoning application is sought by 9-15 Albany Turnpike L.L.C. As is common in real estate, an ad hoc corporation like this serves to insulate the developers and investors. This is not necessarily a bad thing, but it requires care on the part of all parties involved in the project.

The Need for the Project

It's hard to imagine that a developer would begin this effort without a clear business plan, that is, a notion of who the tenants might be, what is the need for these services, what is likely to happen if it is built.

As one drives from East to West through Canton, on opposite sides of the highway there are a pair of gasoline stations of much smaller size than the proposed new one, and I cannot recall ever waiting at either one for the next pump. Likewise, at the west end of town there are another two stations, both on the same side of highway, are never crowded.

One has to wonder about the need for another station that's double the size of any of the existing ones.

More puzzling is the idea that the showrooms are for electric vehicles. From the drawings of the project, the developers envision competing automakers leasing these showrooms. Is there a reasonable expectation that automakers will want to coexist with their competition.

For the most part, the sales techniques in the showrooms are intended to keep potential customers in that dealership and to work hard to keep the person from driving away.

Many large auto companies are developing electric vehicles and it seems

unlikely they would segregate their line of electric cars from the traditional gasoline powered cars.

Actually, I don't see any way of requiring the owner of retail space to be limited to particular kinds of products as long as those products are not barred by regulation or law in the jurisdiction.

Two other types of spaces are envisioned by the developer: a convenience store, which is a common accompaniment to a gas station, and which makes sense, and a restaurant, which is hard to comprehend. This part of the plan is beginning to look like a truck stop, and I don't think that fits in any way the town's conservation and development plan.

I was struck by the comments of Scott Macbeth, who is a supporter of the project. He cites the example of the failure of the industrial park off Dowd Avenue to meet expectations.

“The Town of Canton is filled with buildings that do not meet the needs of the market.”

I understand that he foresaw problems with the location of the industrial park at the time it was put forward 20 years ago, but I take the opposite lesson from the story.

We want to be very conservative about altering the landscape for the uncertain promises of development.

Regards,

Barry Schiffman
12 Tanglewood Drive
Canton

Archived: Tuesday, January 12, 2021 9:26:59 AM

From: Pade, Neil

Sent: Mon, 4 Jan 2021 12:20:25

To: Deltenre, Renee

Cc: Kyle, Emily

Subject: FW: Jenny's Plea - PLEASE WRITE to oppose Rt 44 blasting and development proposal

Importance: Normal

Attachments:

[Greenberg Pendell Letter Opposing 12-20.pdf](#)  [Greenberg Application Letter from C.A.R.E.pdf](#) 
[Executive Summary, Zoning Regs & Case Against Special Permits for Rock Removal, Car Dealership, Gas Station at Canton Gateway.docx](#); 

Hi Renee,

Please add the correspondence below, inclusive of attachments to the hearing record.

Thank you

Neil

From: Jennifer Violette [mailto:jennifer.s.violette@gmail.com]

Sent: Saturday, January 2, 2021 7:18 PM

To: Pade, Neil

Subject: Fwd: Jenny's Plea - PLEASE WRITE to oppose Rt 44 blasting and development proposal

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Mr. Pade,

I am writing as a concerned citizen about the proposed electric car showroom on the Canton/Simsbury line. To be clear, I oppose this proposal and I completely agree with the attached letter that was written by Attorney Pandell. This development will be an eyesore on the landscape of our town. I believe the town should instead investigate the use of vacant retail spaces on Route 44, which could also be a lucrative source of tax revenue. As a former resident of the Secret Lake area, I have concerns about the traffic for that area (as it is already dangerous) as well as the environmental risk of contamination of wells of my old neighbors. Thank you for your consideration.

Sincerely,

Jennifer Violette
630 Cherry Brook Road

Canton Advocates for Responsible Expansion, Inc.

C.A.R.E. ... It's your town, too.

P.O. Box 196, Canton CT 06019

Nov. 15, 2020

To: Canton Planning and Zoning Commission
4 Market St.
Collinsville, CT 06022

Re: File 475; Apln 2000; 9 and 15 Albany Turnpike

Dear Commissioners:

This application causes us great concern.

This would be the perfect application to approve if Canton wished to tell those entering town on Route 44 from the east, "You are now entering Canton, a town that places no value on its natural landscape."

This would be the appropriate design and size of development if we wished to tell visitors, "Welcome to Canton, home of the universe's new Intergalactic Headquarters."

It would be the right mix of uses if we wish to adopt the motto, "Canton – Home of Irony", where we demolish a unique trap rock ridge in order to showcase green vehicles, and where we display cars of the future behind glass, but where the actual main feature is 20 pumps from the petroleum age.

However, this application is antithetical to the Plan of Conservation and Development. In its scale, design, proposed uses and – foremost – its assault on the natural character of the property, this proposed development is inappropriate for Canton, even on Route 44.

Beyond inappropriate, the application is, more precisely, pointless. What is the point of blasting and hauling away an iconic trap rock ridge, and conducting two years of preparatory site work, only to build a convenience store and gas station, uses that are already plentiful along Route 44?

This ridge dramatically defines Canton's eastern gateway. We assume the applicant was aware of the land's topography before advancing this proposal. The town has no obligation to allow a two-year, 6-day-a-week quarry operation in order to reshape the property to fit his preferred development. In fact, the POCD urges the opposite: to design *for* the land.

Aside from the noise and traffic impacts on adjacent property owners, blasting 1,500 feet away from the Swift Chemical Superfund site would be a reckless risk to the aquifer. This application should not be approved without financially guaranteeing the future availability of safe drinking water to nearby property owners.

We are fully in favor of commercial development on Route 44, but of a scale and design that suits the land and Canton's character. An appropriate development would *not* require two years of site work.

Thank you for your attention and your commitment to the town of Canton.

Sincerely,
Jane Latus
President

Executive Summary,

Canton Zoning Regs & Case Against Special Permits for Rock Excavation & Car Dealership

These are all the Special Permits sought by the applicant:

1. Section 4.1.C.1.a., retail/service businesses and personal service businesses greater than 2,500 square feet;
2. Section 4.1.C.2.b., outdoor dining when accessory to restaurant classes I, II, or III;
3. Section 4.1.C.3.a., drive-thru uses;
4. Section 4.1.C.10.a., new car dealership, as defined by CGS Section 14-51(1); *[The applicant has not submitted market research demonstrating the demand for an electric vehicle showroom of any size, let alone one that is 23,500 sq. ft., and the Commission has a right to think about what the town is left with if this business model fails.]*
5. Section 4.1.C.10.e., gasoline filling stations; *[There are no gas stations in any of the surrounding towns, including West Hartford, with 20 pumps. Typically, gas stations with that many pumps are located on interstate highways, not in small New England towns with a population of 10,000. The applicant has not submitted market research demonstrating the demand for a 20-pump gas station, and the Commission has a right to think about what the town is left with if this business model fails.]*
6. Section 7.3.F.8.a., sign approval by special permit; ... (a. Any sign not conforming to the standards of this Section (7.3) may be acted on by the Commission as a special permit application;) *[Applicant seeks far more signs than are permitted, adding to the uncharacteristic appearance of this development.]*
7. Section 7.5.D.3., earthwork and grading over 2,000 cubic yards; *[Applicant proposes removing nearly 147K cubic yards]*
8. Section 7.7.C.3., retaining wall by special permit; *[Required for retaining wall over 8 ft. tall; applicant seeks 50 ft. high wall, the equivalent of 5 stories tall; it's existing rock ledge with a fence on top.]*
9. Section 7.10.B.2, outdoor storage and display;

and Site Plan Application: Section 4.1.B.3., restaurant classes I & II; Section 9.1.A., request to construct a 8,384 sq. ft. gas station/convenience store with restaurants and drive-thru, and 23,500 sq. ft. electronic vehicle showroom with 117 associated parking spaces

9.1 Site Plan Application

9.1.A. Application Requirements

On a special permit application involving notice to adjoining municipalities under Section 9.9.H or notice to water companies under Section 9.9.J, the Commission shall give due consideration to any report or testimony received.

4. Before approving a special permit, the Commission shall determine that any accompanying site plan application is in conformance with the applicable provisions of these regulations. In approving a special permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote:

a. Public health, safety or welfare;

b. The environment;

c. Improved land use, site planning and land development, and sound planning and zoning principles;

d. Property values; or

e. Better overall neighborhood compatibility.

[We believe this project, as proposed, poses risks to public health, safety and welfare; the environment; property values; and the character of the overall neighborhood; we believe it does not represent improved land use, site planning, and land development and violates sound planning and zoning principles. It is incompatible with the Eastern Gateway District as defined in the Plan of Conservation and Development.]

5. When warranted by the size, location or nature of a proposal, or when determined to be in the public interest, the Commission may require a three dimensional physical representation or a computer simulation of the proposal at an appropriate scale. The Commission may also require that the model include three dimensional representation of all or portions of the abutting lots if this would significantly aid the Commission and the public to visualize and understand the proposal.

[Because of the dramatic negative impact this will have on the gateway to the town – both the iconic rock removal as well as the design and size of the car dealership and size of the gas station – we agree with the Town Planner that a three-dimensional physical representation or computer simulation of the proposal at an appropriate scale is warranted and urge the Commission to require it.]

7. A complete site plan application must be submitted a minimum of ten days before a regular meeting in order to be considered by the Commission at that meeting. Nothing in this section shall be construed to extend the time limits for action as specified in the CGS. *[We respectfully request that the public hearing be kept open to allow the Commission, staff, and public time to review the applicant’s hydrologist report and the evaluation of that report hired by the Town.]*

9.1.D. DECISION CONSIDERATIONS

2. On a site plan application involving notice to adjoining municipalities under Section 9.9.H or notice to water companies under Section 9.9.J, the Commission shall give due consideration to any report or testimony received.

9.2.E. SPECIAL PERMIT CRITERIA

In considering any application for a special permit, the Commission shall, in addition to other standards in these Regulations, evaluate the merits of the application with respect to the following factors:

1. **Plan of Conservation and Development** – Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended. *[This proposed development contradicts the spirit and letter of the POCD. Because of the extent of the site work required, the design of the car showroom and the size of the gas station, this proposed development is out of balance with Canton. Here are just a few excerpts from the POCD:*

“The Plan of Conservation & Development (POCD) represents a guide for:

- Nurturing and promoting the image and identity of Canton;

- Enhancing and sustaining the vitality of Canton; and,
- Securing a good quality of life for Canton.

Keeping in mind that there are many other important themes and topics presented in this POCD, two prominent themes of recurring significance emerged as a result of the public input process, the Committee deliberations, and the POCD document itself:

- Preserving community character, and
- Building and sustaining the economic vitality of Canton.

These two themes may “pull” in different directions, but are not incompatible. With a commitment to coordinated and balanced planning and management, both themes will work together to enhance the overall quality of life in Canton. Consequently, ‘balance’ is the paramount theme of the POCD.”

3. Environmental Protection and Conservation – Appropriate consideration shall be given to the protection, preservation, and/or enrichment of natural, scenic, historic, and unique and environmental resources and features which enhance the character of the community. *[Traprock ridges are a finite resource that, once gone, are gone. The rock at the entrance to Canton from the east is a signature landscape feature. The ridgeline creates a visual and symbolic barrier to the big box “Everytown, USA” feel of Rte. 44 to the east.]*

4. Suitable Location for Use – with respect to:

- a. The size of the lot;
- b. The nature and intensity of the activities involved in or conducted in connection with the use;
- c. The streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the neighborhood in which it is located; and,
- d. The impact on neighboring properties and residences or the development of the district.

[We contend that the intensity of the activities involved in site preparation in order to build as proposed make this location incompatible with the planned development. The two years of truck traffic onto and off the site, the rock blasting, scraping, and removal will have a negative impact on the neighboring properties and residents; it will negatively impact their quality of life and has the potential to lower property values if the wells are contaminated and the water becomes unpotable.]

5. Appropriate Improvements

a. The design elements shall be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future character of the neighborhood. *[The futurist car dealership’s design and size is not suitable in relation to the site characteristics or the style of other buildings in the immediate area. A 20-pump gas station is not a suitable use in a town of 10,000 that is a 20-minute drive to the nearest highway.]*

b. The location, nature and height of buildings, walls, and fences, planned uses and the nature and extent of landscaping on the lot shall not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof. *[If these businesses fail, or if the developer doesn’t complete development, this project could impair the value of the neighborhood.]*

We respectfully request the applicant share any market research showing the viability of the proposed businesses. The nature and planned uses proposed put this plan at risk of becoming a ‘white elephant.’]

c. The proposed use shall have no material adverse impact upon the neighborhood. *[The two-year excavation and construction project proposed, including the excavation of 146,688 cubic yards of basalt rock and the removal of 139,741 c.y. of rock, will have a significant material adverse impact on the neighborhood by virtue of the noise pollution, truck traffic and its wear and tear on Canton roads, and the potential adverse impact on the neighborhood aquifer, wells, and foundations.]*

6. Suitable Transportation Conditions

- a. The design, location, and specific details of the proposed use or activity shall not:
- i. adversely affect safety in the streets;
 - ii. unreasonably increase traffic congestion in the area;
 - iii. interfere with the pattern of vehicular circulation in such a manner as to create or increase unsafe traffic conditions.

7.5.E. ADDITIONAL SPECIAL PERMIT CONSIDERATIONS

1. In addition to the special permit criteria set forth in Section 9.2.E, the Commission may also consider the following when reviewing an application under this section:

a. Potential soil erosion and sedimentation affecting all land, bodies of water and public works, both on-site and off-site;

b. Effects on drainage and groundwater table;

c. Lateral support slopes, grades and elevations of abutting streets and properties;

d. Effect of the operation and any related traffic on circulation and road condition on streets serving the parcel under consideration;

g. The recommendation of the Commission’s engineer, the Conservation Commission, and the Town Planner; and *[Town Planner Neil Pade’s 12/11/2020 letter states, “Page A-19 Item #25.29, Section 7.3 Signage – The ZEO is reviewing the revised plans for additional comments. Please see the ZEO’s 10-19-20 signage review for prior comments. A special permit is requested to allow signage that does not comply with the current standards. The Commission is cautioned by staff to administer the published standards with little discretion.”]*

h. The scope and duration of the project and effects on neighboring properties. *[The applicant’s plan to conduct an excavation operation for 1 year and 3 months, with the total project projected to take two years, will have a considerable scope and duration for not only neighboring properties, but all those residents who have to take Rte. 44 to get to work, medical appointments, or errands. It will negatively impact those residents on secondary roads who will face increased traffic as motorists try to avoid the bottleneck caused by the construction project, similar to what has been happening further east on Rte. 44 in Avon, during the lengthy construction of a Whole Foods store, which did not require nearly as extensive a site-preparation plan.]*

2. The operation of earth material processing, screening or crushing equipment is allowed as part of an approved subdivision or site plan on site by special permit. *[As Neil Pade’s 12-11-20 letter states, “Staff continues to recommend caution in the granting of the maximum 24-month permit. As stated*

two months ago, this is a site development plan that is preceded by a quarry operation. This may be [a] perfectly acceptable way to develop a site, however the site development plan is given primacy. Earthwork operations of a commercial nature are not permitted outside of a site plan or subdivision approval. It must be clear that the rock is being removed to accommodate the site development, not at the schedule and convenience of the sand and gravel company processing orders for materials to be filled from the site (reducing costs associated with transporting material more than once, or storing materials offsite.) Conditions to ensure this does not occur should be considered.]

3. The operation of earth material processing, screening or crushing equipment as a standalone operation/ not as part of an approved subdivision or site plan is allowed in the Industrial District by special permit. *[9-15 Albany Ave. is not in an Industrial District, so while the applicant wants to excavate 146,688 cubic yards of trap rock and remove 139,741 c.y., the applicant proposes a development that requires far more site work than other commercial developments approved in the past 20+ years. Town Planner Neil Pade's letter to the Commission advises that the site work is the largest part of the project and requires careful scrutiny. Regarding Earthwork and Grading, his 12-11-20 letter states, "The Commission must consider the criteria of Section 7.5.E, Additional Special Permit Considerations, in addition to the criteria of Section 9.2.E. It is the responsibility of the Applicant to demonstrate that this criteria is met.]*

4. In approving a special permit, the Commission may specify the overall time period within which a grading or processing activity shall be completed, but in no event shall that time period exceed two (2) years.

6. The Commission may require the applicant to submit periodic reports, prepared by and bearing the seal of a professional land surveyor or engineer, showing the status and progress of the work. *[We urge the Commission to require INDEPENDENT periodic reports, at least every six months, bearing the seal of a professional land surveyor or engineer showing the status and progress of the work. We urge the Commission to allow the Town Planner so select and hire the independent professional to conduct the review of the work, paid for by the applicant.]*

7. As a condition of any special permit, the Commission may require that the applicant furnish a performance and/or maintenance bond, acceptable to the Commission in form, amount, and surety, securing to the Town of Canton the faithful performance of the work proposed, pursuant to both the provisions of this or other applicable sections of these regulations and to the specific conditions of approval. *[We urge the Commission to make, as a condition of any special permit, the performance bond as written above, to protect the Town in case the development doesn't proceed according to the approved plans.]*

9. In order to prevent activities which would be detrimental to the character of the Town and the value of adjacent properties, blasting, and grading shall be done in accordance with the following standards:

a. The use of jersey barriers or waste concrete blocks for retaining slopes is not permitted. Concrete or metal cribbing, rip-rap, or gabion wall systems used for retaining slopes shall not be visible from the street or adjoining properties. Decorative block, tinted, formed, concrete resembling stone or brick, or concrete covered by a course of brick or stone are recommended for retaining slopes in highly visible locations;

b. Earthen slopes shall contain a suitable ground cover of grass, ivy, creeping varieties of shrubs or similar treatment;

c. Ledge walls or retaining walls visible from the public street or adjoining properties are not recommended and shall be reduced through grading, terracing, or other means; and

d. to reduce the visual impact of tall, ledge walls or retaining walls, the Commission may require landscaping along the base of walls.

7.7.C. RETAINING WALLS

2. Except as provided in Section 7.7.C.3 below:

a. No retaining wall shall be located closer than four (4) feet to any lot line. Retaining walls more than 4 feet in height may be up to 8 feet in height provided that it is 1 foot removed from the lot line for each 1 foot of height;

b. In a series of retaining walls, each wall shall be separated by a distance equal to at least twice the height of any adjacent retaining wall and the area between the retaining walls shall not have a grade steeper than three feet horizontal to one foot vertical (3:1 slope) and shall be landscaped (in accordance with Section 7.1.C) to mitigate the appearance of the retaining wall(s); and

c. A retaining wall may be combined with an open fence (on top of the wall) (such as a wrought iron fence or a fence where no more than fifty percent (50%) of the fence is opaque) provided that such fence is not more than four (4) feet high.

5. Page A-20, Item #25.31, Earthwork and Grading –a. A performance/ maintenance bond estimate for an amount to be associated with the Excavation and Grading Permit is to be provided in accordance with Section 7.5.E.7. – *["Opinion of costs provided. Additional information necessary to determine an adequate amount to stabilize the site into a stable 'pad' if work is interrupted midstream or at various stages of progress," writes Town Planner Neil Pade to the Commission.]*

Page A-20, Item #25.33, Section 7.7 Fences and Walls –a. A special permit is required for walls of this nature per this section. b. Standard maximum height of a retaining wall is 8' per Section 7.7.C.2.



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-Ron Motley (1944-2013)

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Michael J. Pendell
Licensed in CT, NY
direct: (860) 218-2722
mpendell@motleyrice.com

December 14, 2020

BY ELECTRONIC MAIL - NPade@townofcantonct.org

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
P.O. Box 168
4 Market Street Canton, CT 06022

Re: File 475 - Proposed Retail/Service and Personal Services Business Application

Dear Mr. Pade:

I write on behalf of a group of concerned Canton residents (of which I am one) in opposition to File 475; 9 and 15 Albany Tpke; Assessors Map 32 and 36; Parcels 1010009 and 10100015; proposed retail/service and personal services business application.

Canton's elected officials, residents, business owners, and this Planning & Zoning Commission (the "Commission") all have an interest in ensuring that Canton remains a place where people want to live, raise their families, work, and visit. Although town officials have identified this particular area for economic development activities, it is clear from Canton's zoning regulations, its Plan of Conservation and Development ("POCD"), and the relevant facts that a development project of this size and scale was never contemplated for that location.

As the Commission is aware, Canton's zoning regulations were adopted for the express purpose of promoting "the health, safety, and general welfare of the community, lessening congestion in the streets, to prevent overcrowding of land, avoid undue concentration of population, provide light and air, and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public improvement." Zoning Regs. 1.2.A(2). At the same time, recognizing the need for the development of necessary and sufficient infrastructure to support the community economically, the regulations are also intended to "promote the orderly growth and development of the Town in accordance with the adopted Plan of Conservation and Development." Zoning Regs. 1.2.A(1). Any use of land, buildings, or structures not expressly permitted by the regulations in a particular district is prohibited in that district. Zoning Regs. 1.4.A(1).

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
December 14, 2020
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A special permit¹ “allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. . . . Nevertheless, special exceptions, although expressly permitted by local regulations, must satisfy [certain conditions and] standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property values [as required by General Statutes § 8-2]. . . . Moreover, we have noted that the nature of special exceptions is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site. . . . We have also recognized that, if not properly planned for, [such uses] might undermine the residential character of the neighborhood. . . . Thus, we have explained that the goal of an application for a special exception is to seek permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district.” *Mun. Funding, LLC v. Zoning Bd. of App.*, 270 Conn. 447, 453-54 (2004) (internal quotation marks omitted).

General Statutes § 8-2 “authorizes municipal zoning commissions to enact regulations providing that certain . . . uses of land are permitted only after obtaining a special permit or special exception from a zoning commission [That subsection] further provides that the obtaining [of] a special permit or special exception . . . [is] subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. Thus, in accordance with § 8-2 (a), an applicant’s obtaining of a special exception pursuant to a zoning regulation is subject to a zoning commission’s consideration of these general factors.” *A. Aiudi & Sons, LLC v. Planning & Zoning Comm’n*, 267 Conn. 192, 205-06 (2004). The special exception process is discretionary, and the zoning board may base its denial of such an application on “general considerations such as public health, safety and welfare, which are enumerated in zoning regulations” *Irwin v. Planning & Zoning Comm’n*, 244 Conn. 619, 627 (1998).

In considering the application for the nine special permits sought here,² the Commission is required to consider, in addition to the general health, safety, and welfare requirements set forth in Canton’s zoning regulations, the following factors: (1) the POCD; (2) the purposes of the regulations; (3) environmental protection and conservation; (4) suitable location for use (including the size of the lot, the nature and intensity of the activities in or conducted in connection with the use; whether the streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development of the neighborhood; the impact on

¹ “Special permits” and “special exceptions” are synonymous terms and are used interchangeably. *Mobil Oil Corp. v. Zoning Comm’n*, 30 Conn. App. 816, 819 (1993).

² The sheer number of special permits required for this commercial development to lawfully proceed—currently, nine—strongly suggests that this is the wrong development for that location.

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
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neighboring properties and residences); (5) appropriate improvements; (6) suitable transportation conditions (which shall not adversely affect safety in the streets, unreasonably increase traffic congestion, or interfere with the pattern of vehicular circulation in such a manner as to create unsafe traffic conditions); (7) adequate public utilities and services; (8) nuisance avoidance (the use must be appropriate for the area and not create a nuisance, and should not hinder the public health, safety, and property values); and (9) long term viability. Zoning Regs. 9.2.E.

Where a use of property is not allowed as of right, but only by special exception, the zoning commission is required to consider whether concerns—such as parking or traffic congestion—would adversely impact the area. *Barberino Realty Dev. Corp. v. Planning Zoning Comm'n*, 222 Conn. 607, 613 (1992). Off-site traffic congestion can provide the basis for denying a special permit. *Id.* at 616.

Where geographically difficult locations are subject to applications for special permits, like here, the location's topography and traffic conditions can be grounds for denying the application. *Hayes Family Ltd. P'ship v. Town Plan and Zoning Comm'n of the Town of Glastonbury*, 115 Conn. App. 655, 661-62 (2009). In *Hayes*, for example, the applicant sought to build a 13,013 square foot CVS on a hill that would require the removal of 80,000 cubic yards of material and to build a steep sloped 225 foot long, 14 foot high retaining wall. *Id.* The commission denied the application and both the trial court and appellate court affirmed the denial, holding that Glastonbury's zoning regulations—much like Canton's zoning regulations—allowed the commission to consider the size and topography of the property, existing and proposed contours, compatibility with the neighborhood and other factors. *Id.*

Finally, failure to meet general health, safety and welfare requirements set forth in Canton's zoning regulations may be considered in determining whether to grant or deny a special permit. *Whisper Wind Development Corp. v. Planning Zoning Commission*, 630 A.2d 108, 111 (Conn. App. Ct. 1993).

Applying the law as set forth above to the facts (as set forth here and in other objections received by the Commission), the Commission has sufficient grounds to deny the application and should do so.³ First, the plans call for the blasting and removal of approximately 150,000 cubic

³ To the extent the denial is appealed, the denial will be upheld by an appellate court so long as the decision is reasonably supported by the record. *Felsman v. Zoning Commission*, 31 Conn. App. 674, 678 (1993); *see also Cameo Park Homes, Inc. v. Planning Zoning Commission*, 150 Conn. 672, 677 (1963) (“So long as it appears that an honest judgment has been reasonably and fairly exercised by the commission after a full hearing, courts should be cautious about disturbing [the commission’s] decision.”) Here, the record easily supports denial.

Canton Connecticut Planning & Zoning Commission
C/O Neil Pade, AICP
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Page 4

yards of trap rock. The blasting and removal of all that tonnage will take crews working six days a week and two years to complete. As the Canton Conservation Commission so aptly noted in its objection to the development, “this sounds more like a quarrying operation and less like a commercial development.” It would create serious quality of life issues for residents and already established local businesses. Importantly, Route 44 is Canton’s only real artery. Every day, people who live in Canton must travel this part of Route 44 to get to work, medical appointments, and other important endeavors east of Canton. Two years of blasting and removal of approximately 150,000 cubic yards of trap rock six days a week will no doubt create massive traffic tie-ups, particularly during peak commuting hours. This would be a tremendous inconvenience for commuters. Canton has no obligation to permit a developer to spend two years upending the lives of people who live and work in Canton to reconfigure a piece of land to make it suitable for the developer’s plans (and profits). Removal of 150,000 cubic yards of trap rock is not necessary for commercial development at this location, it is only necessary for this development.

Second, Jim Brook and Roaring Brook run through this area and feed the wetlands system associated with Secret Lake. This area also contains a Connecticut DEEP aquifer protection area—a natural resource as well as a public water supply—that requires additional consideration with regard to proposed development activities. According to Connecticut Water Company, the property is located within the aquifer recharge area of its Well #5. Blasting can affect well water quality as it can open new fractures, cause others to close, and dislodge sediment. Moreover, the former Swift Chemical superfund site is located nearby. Past industrial activities and discharges at that location resulted in groundwater contamination. Extensive blasting and excavation over a two-year period to prepare the site for development could cause further environmental impact, the severity and scope of which cannot fully be appreciated until excavation begins and it is too late.

Third, the development violates the purpose and the spirit of the POCD. Respecting the existing environmental landscape is fundamental to the POCD. Canton’s image and identity is tied to its rural and natural beauty and small-town feel. The existing trap rock ridge is a defining scenic quality of the East Gateway that identifies this historic and quaint New England village.

The development also runs afoul of the POCD’s other prominent theme—namely, the preservation of Canton’s character. In addition to providing a physical separation between Canton and Simsbury/Avon, the trap rock ridge serves as a symbolic dividing line between the purely strip mall/big box store nature of the Simsbury/Avon section of Route 44 and the smaller scale, local business-oriented nature of Canton’s commercial spaces. Removing that ridgeline and building this massive commercial development has little to do with Canton’s carefully

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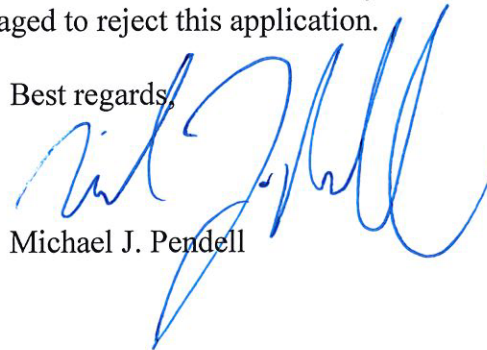
crafted and preserved character, and nothing to do with Canton's actual needs. The only benefit of the development is the addition to Canton's tax base. The proposed development does not otherwise contribute to the general health, safety, welfare, character, or long-term viability of Canton.⁴ Indeed, the gas station and drive-through convenience store are designed for through-traffic, not for attracting and keeping people here to walk through our village or shop in our locally owned businesses. The development is not tied in any way to other commercial parts of town in a way that lends itself to walkability or community.

Fourth, the special exceptions for the enormous retaining walls (the equivalent of five stories tall) invite dangerous hydrological and engineering situations that are prohibited by our zoning regulations (which were written with the purpose of avoiding these situations).

Fifth, in the event that a residential development is eventually added to the north (as has been suggested), access to that property for emergency vehicles would be from a dangerous section of Route 44. That development would also further create additional unneeded traffic congestion in an already crowded artery. It would also lengthen commutes and increase motor vehicle accidents.

In sum, the proposed benefits associated with the development—most of which will inure to the private interest behind the development—do not outweigh the significant harms and inconveniences associated with the construction of the project over the next two years, not to mention the permanent harms to the environment and character of Canton that would be its enduring legacy. Commercial development in Canton is beneficial and necessary, but not at this scale and cost. The Commission is strongly encouraged to reject this application.

Best regards,



Michael J. Pendell

/MJP

⁴ Although electric vehicles are consistent with Canton's values, character, and goal of environmental preservation, two-years of blasting and hauling away approximately 150,000 cubic yards of trap rock (and all the pollution, threat of contamination, and desecration of the natural beauty of the land) to showcase and sell those electric vehicles is anathema to those values, character, and goal of environmental preservation. Trading one for the other is short-sighted.

Archived: Tuesday, January 12, 2021 9:29:01 AM
From: [Pade, Neil](#)
Sent: Mon, 4 Jan 2021 12:46:55
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed project at 9-15 Albany Turnpike
Importance: Normal

Hi Renee –

Please add the following to the hearing record,

Thanks

Neil

From: Lee Carvalho [<mailto:leecarvalho6@gmail.com>]
Sent: Sunday, January 3, 2021 12:19 PM
To: Pade, Neil
Subject: Proposed project at 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

TO: Neil Pade
FROM: Lee Carvalho
RE: Proposed development project at 9-15 Albany Turnpike

Mr. Pade,

I am writing to express my concern about the proposed development at 9-15 Albany Turnpike. Having read all available reports on the subject I conclude that it would be a mistake to grant any special permits for the project.

Clearly the blasting and excavation, trucking, and related traffic involved over such an extended period will be a nuisance for residents, especially neighbors. The fact that the Swift Chemical Superfund site is nearby adds a threat to the water supply and quality. No engineer can guarantee the effect on the aquifer. Additionally, the project will destroy the unique geologic feature that the trap rock ridge represents. What a strange introduction it would be for visitors coming to Canton from the east.

I do not see that this project in any way enhances the character, well-being, or financial future of Canton. I am in agreement with the letters on file (File 475; Apin 2000) from Attorney Pendell and C.A.R.E.

Thank you.
(Ms) Lee Carvalho

Archived: Tuesday, January 12, 2021 9:29:15 AM
From: [Pade, Neil](#)
Sent: Mon, 4 Jan 2021 12:49:40
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: 9-15 Albany Turnpike resident concern
Importance: Normal

Please add to the hearing record,

Thanks

Neil

From: Colin Johnson [mailto:johnson.colin.e@gmail.com]
Sent: Saturday, January 2, 2021 2:27 PM
To: Pade, Neil
Subject: 9-15 Albany Turnpike resident concern

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Dear Mr. Pade and the Planning and Zoning Commission,

My name is Colin Johnson. I am a homeowner and resident of Collinsville, and I'm writing to express my opposition to the proposed development at 9-15 Albany Tpk. on the Canton/Simsbury border.

I understand that a number of hearings have already been held, but I'd be grateful if you would consider my comments.

Though I don't oppose the nature of the business proposed for the site, as many others have, I believe that the scale and scope of site development--namely the destruction of the taprock ridge and subsequent removal of rock--represents an unnecessary and detrimental adjustment to Canton's natural landscape and distinct identity. I understand that the town's POCD aims to assure the economic vitality of Canton and preserve community character. This project clearly runs antithetical to the latter while only potentially serving the former. As a resident, I hope that special permits are only granted when circumstances merit them: when they are necessary for the town to function or they benefit the community as a whole. The proposed development has failed to show that it would serve these purposes.

Swaths of residents work tirelessly to preserve and maintain Canton's natural landscape, its historical buildings, and its "mainstreet" culture, and I believe it is the work of town officials that has allowed so many projects to thrive. For example, I live on Allen Place, and have seen first hand the amazing work that citizens and officials have put into revitalizing the section of trail along my street. I would hate to see a development that runs contrary to these same efforts to permanently mar Canton's landscape and character.

Kenton C. McCoy
6 Center Street
Collinsville, CT 06010

December 21, 2020

Planning and Zoning Commission, Attn: Neil Pade
Town of Canton
P.O. Box 168
4 Market Street
Canton, CT 06022

Re: File 475, Proposed Retail/Service Business Application

Dear Neil,

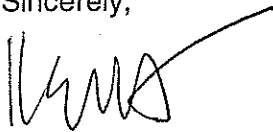
I would like to add my voice to those of other Canton residents who are adamantly opposed to the application cited above.

I feel that the amount of excavation and retention construction necessary to demolish the rocky site in order to create a flat area of the proposed size would be detrimental to the character of the Town of Canton. I remember that when I served on the Design Review Team, it was proposed to limit retaining walls in height to prevent the wholesale flattening of our natural landscape.

I have read with interest the letter written by Attorney Michael J. Pendell, and I strongly agree with his opposition to this application for each of the reasons he has stated. I encourage you and other members of the Commission to reject this application.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. McCoy', with a long, sweeping horizontal line extending to the right.

Kenton C. McCoy

Archived: Tuesday, January 12, 2021 9:30:30 AM
From: [Pade, Neil](#)
Sent: Mon, 21 Dec 2020 15:56:57
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Proposed Activities at 9-15 Albany Turnpike, Canton
Importance: Normal

Please add to the hearing record, thanks

Neil

From: Dianne Harding [<mailto:DHarding@fvhd.org>]
Sent: Monday, December 21, 2020 3:28 PM
To: Pade, Neil
Cc: Jennifer Kertanis
Subject: RE: Proposed Activities at 9-15 Albany Turnpike, Canton

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good afternoon Neil,

The hydrogeologic impact assessment by WSP appears to address the items in the DEEP guidance document. Although I have not seen a detailed site plan of the proposed project it appears that, based on the WSP research, 5 Albany Turnpike in Canton is the only well within the 500 foot area of concern.

The recommendations paragraph, at the end of the report, does account for conducting all of the pre and post blast surveys. Although not specified, these surveys should include sampling the well water for all of the parameters itemized in the DEEP guidance document, a yield test and static water level recording prior to blasting. Also, follow-up water sampling within 2 months once blasting is done & another after site stabilization.

Please send me a map of the proposed project (pdf if available).

Dianne

Dianne Harding, R.S.
Chief Sanitarian
Farmington Valley Health District
95 River Rd. Suite C
Canton, CT 06019
O-860-352-2333 X309 |C- 860-989-9582 |F- 860-352-2542
Email- dharding@fvhd.org
FVHD website- www.fvhd.org

From: Pade, Neil <NPade@TownofCantonCT.org>
Sent: Wednesday, December 16, 2020 11:36 AM

To: Dianne Harding <DHarding@fvhd.org>
Cc: Jennifer Kertanis <jkertanis@fvhd.org>
Subject: RE: Proposed Activities at 9-15 Albany Turnpike, Canton

Hi Dianne,

Attached is the results of the applicants well survey and findings from a hydro-geologist on the potential for impacts to wells or lack thereof.

If there is anything from a Sanitarian's perspective that you have concerns with or we should be aware of based on this information please let me know.

Thank you,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

From: Dianne Harding [<mailto:DHarding@fvhd.org>]
Sent: Monday, November 30, 2020 1:31 PM
To: Pade, Neil
Cc: Jennifer Kertanis
Subject: RE: Proposed Activities at 9-15 Albany Turnpike, Canton

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Hello Neil,

After consultation with Meg Harvey, CT Department of Public Health - Environmental & Occupational Health Assessment Program, we are in agreement that the DEEP's guidance document is good and comprehensive. Unfortunately Meg's office lacks the expertise to review any project plans. However, they would assist with evaluation of any baseline and post-project well water results and/or answering any questions about water quality for residents.

With reference to the location of existing wells within 500 feet of the project. This research should be the developer's responsibility. All of FVHD records are available on our website at www.fvhd.org. Additionally, site visits should be conducted in order to field verify the current conditions.

After a cursory review I found at least 10 wells located within the area of concern, most were found on West Mountain Road in Simsbury and a few on Albany Turnpike in Canton.

Please contact me if you have any additional questions or concerns.

Dianne

From: Pade, Neil <NPade@TownofCantonCT.org>

Sent: Friday, November 20, 2020 9:08 AM

To: Dianne Harding <DHarding@fvhd.org>; Jennifer Kertanis <jkertanis@fvhd.org>

Subject: Proposed Activities at 9-15 Albany Turnpike, Canton

Hi Jennifer and Dianne,

I am sure you are very busy, however we have received a substantial amount of public testimony in response to a proposed development. The testimony I am reaching out to you about pertains to concerns of potential impacts on nearby wells of residents as the result of a proposal that will require substantial blasting and rock removal.

I have had some calls back and forth with FVHD staff, but only phone tag. I imagine residents of Canton have reached out to you with questions and concerns already.

I do not have any input from the FVHD about this matter.

Guidance from the CTDEEP is located at the following:

https://portal.ct.gov/-/media/DEEP/site_clean_up/potable_water/Blasting-Guidance-Dec2019.pdf

If you have any comments or concerns, I would appreciate it if they could be provided for the benefit of the Commission and public that is currently evaluating this proposal.

It would also be beneficial if it was possible to efficiently ascertain the location of drinking water wells within the parameters recommended by the CTDEEP in the above referenced guidance document?

Thanks,

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
860-693-7891 Phone
860-693-7884 Fax
npade@townofcantonct.org
www.townofcantonct.org

Archived: Tuesday, January 12, 2021 9:30:46 AM
From: [Pade, Neil](#)
Sent: Mon, 21 Dec 2020 08:45:11
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Mark Greenberg application 9-15 Albany Turnpike
Importance: Normal

Please add to the hearing record.

Neil

From: DAVID SINISH [mailto:dsinish@comcast.net]
Sent: Sunday, December 20, 2020 12:34 PM
To: Pade, Neil
Subject: Mark Greenberg application 9-15 Albany Turnpike

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Planning and Zoning Commission members:

We share an understanding of the difficulty of serving on Canton Boards and Commissions. The responsibility of the multifaceted future of our chosen town falls on our shoulders.

My study of the issues re this application concludes that approval is most certainly not in the best interest of Canton.

You should rely on the facts and conclusion forwarded to you by Atty Michael Pendell.

Thank you for your consideration.

David P Sinish

Mobile 860-922-6170 Home 860-693-0073

- Selectman Town of Canton 1997-2007
- Many Commission and Agency appointed office positions
- Farmington River Advocate
- Resident since 1971



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WATER
CONSTRUCTION
MANAGEMENT

95 Glastonbury Boulevard
3rd Floor
Glastonbury, CT 06033
T: 860.286.8900
F: 860.633.5699
www.gza.com

December 7, 2020
File No: 05.0046589.01

VIA EMAIL

Neil S. Pade AICP
Director of Planning and Community Development
Town of Canton, Connecticut
4 Market Street
PO Box 168
Collinsville, CT 06022-0168
npade@townofcantonct.org

Re: Planning and Zoning Commission File 475, Proposed Development at 9 and 15 Albany Turnpike

GZA GeoEnvironmental, Inc. (GZA) is pleased to submit this proposal to the Town of Canton. GZA understands that the proposed project involves the development of land at 9 and 15 Albany Turnpike; Assessor Maps 32 and 36; parcels 1010009 and 1010015 and is the subject of a Special Permit Application before the Canton Planning and Zoning Commission (Commission). The project involves development of a new car showroom, gasoline filling station and outdoor dining facility on said parcels. Earthwork (blasting) and grading is proposed to support development of the parcel and we understand that the Town and its neighbors have expressed concern about the impacts of blasting on area wells and the potential impact to the underlying groundwater aquifer.

SCOPE OF SERVICES

To assess these potential impacts, we understand that the applicant has enlisted the services of a consultant to evaluate the hydrogeological impacts from the proposed development and their report is forthcoming. We understand that our scope of work will be to review the consultant with respect its assumptions, methodology and results and provide a memorandum to the Commission that evaluates these items and consistency with the Connecticut Department of Energy & Environmental Protection's *Guidance Document for Evaluating Potential Hydrogeologic Impacts Associated with Blasting & Development Activities, Revised 12-12-19*, as applicable. Our review will be summarized in a letter report to the Town. GZA may conduct a site visit; however, given the limited budget and depending on the level of review required, a site visit may not be feasible.

COST AND BASIS OF BILLING

GZA has estimated the cost of the Scope-of-Work outlined above at a not to exceed \$1,000.00 based upon a time and material basis. GZA will utilize our State DAS contract (attached) that included approved Term and Conditions and included a 5% mark-up on direct and out-of-pocket expenses and other expenses. Our cost assumes a desk top review of the documents only and no meeting or site visits (unless budget permits).



RESPONSIBILITIES OF CLIENT

To complete the investigations outlined above, GZA will require the following from the Town:

- Copies of the applicant's: 1) application, 2) hydrogeological impacts report, and 3) any other information pertinent to the project.
- A copy of the Town's tax-exempt status.
- Access to the parcel; should time permit a site visit.

SCHEDULE

GZA is prepared to commence the work upon authorization. GZA understands that time is critical because of the pending application. Once GZA receives the documents, we will provide our letter report within 7 to 10 business days.

PROJECT COMMUNICATION PLAN

GZA is committed to providing its clients consistent input on project performance, budget, and schedule, but recognizes each client wants this information delivered in a way that best meets his or her needs. Typically, we rely on regular scheduled phone calls, emails or letter reports which can be weekly, bi-weekly, or monthly. To establish the Communication Plan that works best for you, GZA's Principal-in-Charge (Mr. Richard J. Desrosiers, LEP, PG) will contact you directly upon our receipt of the signed contract or other authorization to proceed.

CONDITIONS OF ENGAGEMENT AND ACCEPTANCE

GZA is submitting this proposal with the belief that we will be able to fulfill the scope requirements during this COVID-19 Pandemic crisis. If performance is rendered impossible because of the impacts of COVID-19, GZA will notify Client of that Force Majeure event. Conditions of engagement are described in the Contract dated November 26, 2019. This Proposal for Services and the Terms and Conditions shall constitute the entire agreement between GZA and The Town of Canton. This change order may be accepted by signing in the appropriate spaces below and returning one copy along with the retainer to GZA. Issuance of a purchase order implicitly acknowledges acceptance of our Terms and Conditions.

Consultant is not responsible for delays caused by factors beyond Consultant's reasonable control, including but not limited to pandemics, epidemics, frustration, strikes, lockouts, work slowdowns, or work stoppages (whether by Client or by government action); accidents or acts of God; failure of governmental or other regulatory authorities to act in a timely manner; shutdown of governmental or other regulatory authorities; or failure of the Client to furnish timely information, review comments, in a timely manner. When such delays beyond Consultant's reasonable control occur, the Client agrees that Consultant is not responsible for damages, nor will Consultant be deemed to be in default of this Contract. If the performance of this Agreement is affected by the Force Majeure Event Consultant shall undertake reasonable measures to make up for the time lost through delay and Consultant shall be compensated for delays including but not limited to demobilization and mobilization, increased staffing, multiple shifts, additional materials and equipment. If performance by Consultant is delayed due to a Force Majeure Event, the Schedule will be extended for a period of time reasonably necessary to overcome the effect of the delay, subject to Purchaser's right to terminate this Agreement in whole or in part.



Thank you for the opportunity to provide these services to the Town of Canton. If you have any questions, please call Richard Desrosiers at 1-860-858-3130.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Richard J. Desrosiers, LEP, PG
Associate Principal, Hydrogeologist

Stephen L. Lecco, A.I.C.P., C.E.P.
Associate Principal

j:_46,500-46,999\46589.h89 town of canton\46589-01.rjd\project control\contracts\cantton peer review proposal.docx

This Proposal and the Terms and Conditions (08/08-Edition 05-9010) is hereby accepted and executed by a duly authorized signatory, who by execution hereof, warrants that he/she has full authority to act for, in the name, and on behalf of Client.

Town of Canton, Connecticut

By: _____

Its: _____

Printed Name: _____

Date: _____

Billing Address (if different from above): _____

MASTER SERVICES AGREEMENT
DAS CONTRACT RATES
2019-2024

Principal Level (All) / Senior Consultant	\$210.00 per hour*
Senior Project Manager.....	\$175.00 per hour
Sr. Technical Specialist	\$170.00 per hour
Project Manager	\$140.00 per hour
Assistant Project Manager	\$115.00 per hour
Engineer/Scientist I	\$100.00 per hour
Engineer/Scientist II	\$85.00 per hour
CADD Operator	\$100.00 per hour
Technician	\$85.00 per hour
Word Processor	\$80.00 per hour
Clerical	\$80.00 per hour

The above rates for personnel will be charged for actual time worked on the project. In addition, there will be charges for:

- Time required for travel from Company office to job or meeting site and return.
- For work requiring out-of-town overnight stay, the minimum charge for work on the project will be eight (8) hours per day.
- Technical and field equipment rental charges based on standard unit prices.
- Outside services and Out-of-Pocket Expenses - at cost plus 5%.

Archived: Tuesday, January 12, 2021 9:34:20 AM
From: [Pade, Neil](#)
Sent: Thu, 17 Dec 2020 10:54:55
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: proposal at 9 and 15 Albany Turnpike, File 475 Application 200
Importance: Normal

Please add to the record.

Thanks,

Neil

From: Mary Ducor [mailto:ducor@contactmd.us]
Sent: Wednesday, December 16, 2020 6:08 PM
To: Pade, Neil
Subject: proposal at 9 and 15 Albany Turnpike, File 475 Application 200

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

RE: Proposal at 9 and 15 Albany Turnpike, File 475 Application 200

I am responding to the above proposal. I understand the zoning commission is limited in their decisions regarding building requests by current zoning regulations. I do not pretend to be familiar with them. However, I am aware of the POCD and address the above proposal with those suggested guidances in mind.

I have reviewed the zoning commissions last meeting. The building that is proposed does not at all conform to the preservation, conservation, or enhancement of the rural character of Canton. The structure itself appears a major distraction for drivers on Albany Turnpike both in its massiveness, design, and proximity to the road. And associated objectionable lighting all seem likely to create safety issues. In addition, removing large amounts of ledge not only creates lengthy road blocks and constant noise but destroys a familiar, restful landmark.

The last thing Canton needs on the short span of Rt 44 it occupies is another traffic light. There already exist bottle necks at major intersections especially at Rt 44 and Rt 177.

I am not opposed to economic enhancement. But Canton should not be overly attracted by the tax incentives this organization estimates. Proper balance of commercial activity and size need to be carefully considered.

This commission, as well as all the others, should use the POCD as a basis for proper balance of commercial activity, size, and town enhancement .

Sincerely,

Archived: Tuesday, January 12, 2021 9:34:40 AM
From: [Pade, Neil](#)
Sent: Thu, 17 Dec 2020 09:11:18
To: [Deltenre, Renee](#)
Cc: [Kyle, Emily](#)
Subject: FW: Public Comment for File 475; Apln 2000
Importance: Normal

Please add to the file

Neil

From: Michael Jastremski [mailto:mj.hva@outlook.com]
Sent: Thursday, December 17, 2020 9:04 AM
To: Pade, Neil
Subject: Re: Public Comment for File 475; Apln 2000

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Thanks Neil! I really appreciate the heads-up.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Pade, Neil <NPade@TownofCantonCT.org>
Sent: Wednesday, December 16, 2020 10:23:13 PM
To: Michael Jastremski <mj.hva@outlook.com>
Subject: RE: Public Comment for File 475; Apln 2000

Hi Michael – The hearing was continued to January 19, 2021.

Best,

Neil

From: Michael Jastremski [mailto:mj.hva@outlook.com]
Sent: Wednesday, December 16, 2020 8:56 PM
To: Pade, Neil
Subject: Public Comment for File 475; Apln 2000

CAUTION: This email came from outside the organization. Do not click links or open attachments if you are unsure the message is safe.

Good evening Mr. Pade,
I live at 34 Forest Lane, in the Canton section of the Secret Lake neighborhood. My home is approximately 2000' from the proposed work.

I was made aware of the proposed work only two days ago. Having just learned about it, I'm not yet prepared to offer comments on the specifics of the design. However, the initial research I've done makes it clear the proposed work constitutes a dramatic change in land use and landscape that could potentially have significant impacts on our neighborhood.

Therefore, I respectfully request that the Canton Planning and Zoning Board keep this Public Hearing open, to accommodate further research and comment by the residents who could be most impacted by the proposed work. There are other Secret Lake neighbors who are only just learning about this proposal, and we all deserve the opportunity to carefully evaluate the details and provide informed suggestions for making it consistent with neighborhood and community goals.

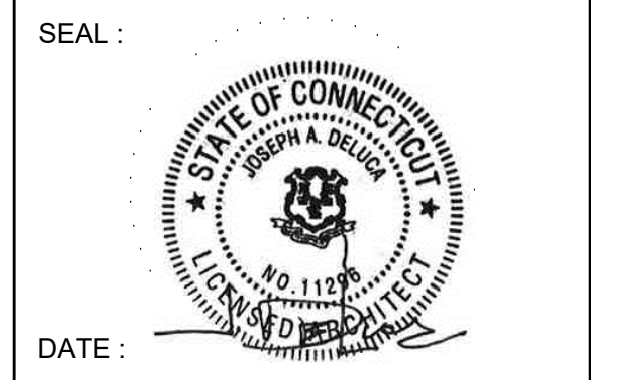
Thank you for the opportunity to make this request. I look forward to providing more substantive comments on this proposal before the end of the Public Hearing.

Sincerely,

Michael S. Jastremski, CFM

*Watershed Conservation Director
Housatonic Valley Association
150 Kent Road South
Cornwall Bridge, CT 06754
T:860-672-6678
C:315-212-4181
www.hvatoday.org*

PROJECT NO : SOL-1433



CONSULTANT :

SOLLI ENGINEERING
 501 MAIN STREET
 MONROE, CT
 06468

CLIENT :

KEY PLAN :

PROJECT LOCATION :

9-15 ALBANY TPKE
SIMSBURY &
CANTON, CT

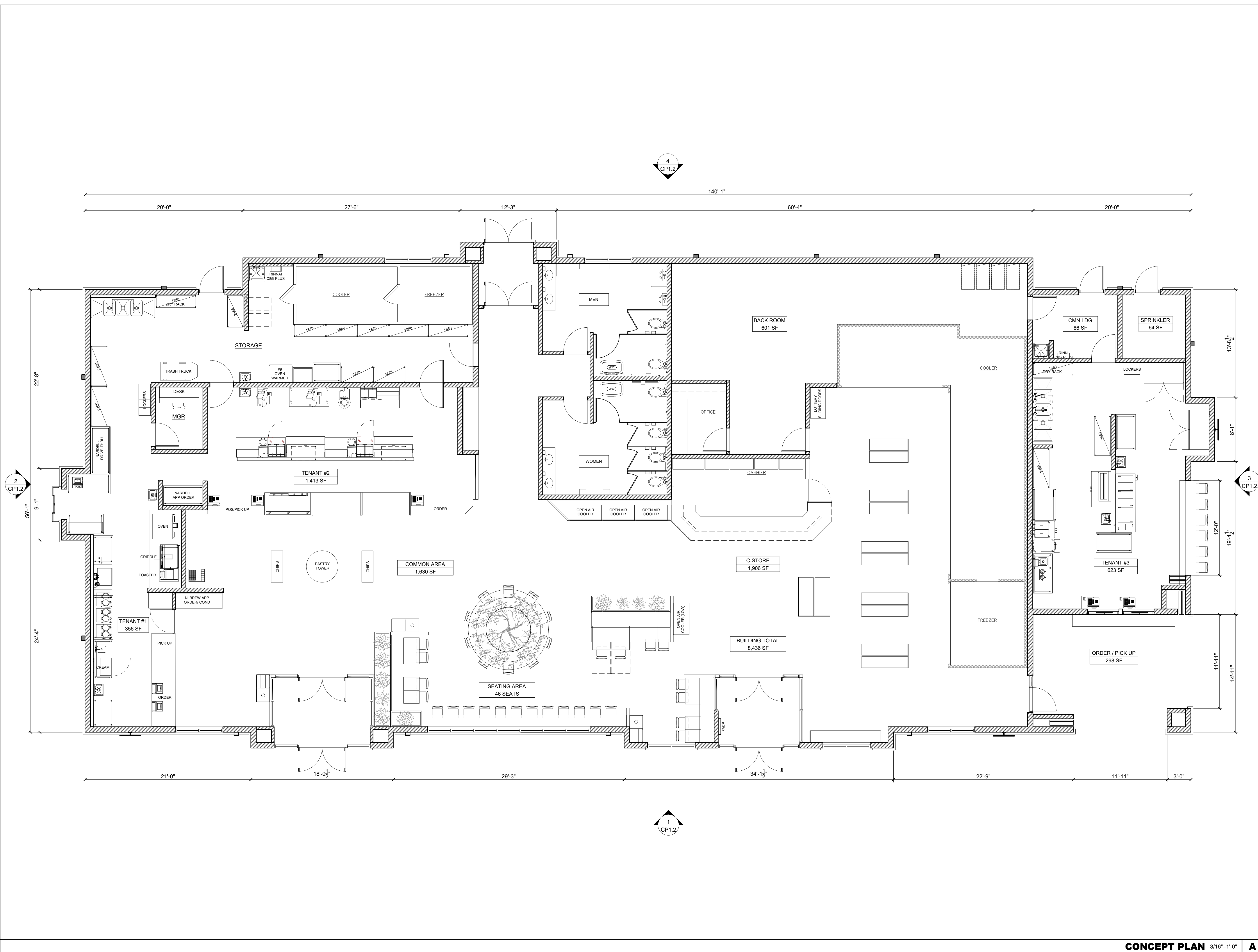
ORIGINAL ISSUE	DATE
ZONING SUBMISSION	08.11.20
REVISIONS & SUBMISSIONS	DATE
1 TOWN COMMENTS	10.06.20
2 CLIENT COMMENTS	10.16.20
3 REVISED PER STAFF COMMENTS - CANTON	11.24.20
4 ---	---
5 CLIENT COMMENTS	01.15.21
6	
7	
8	

DRAWING NAME :

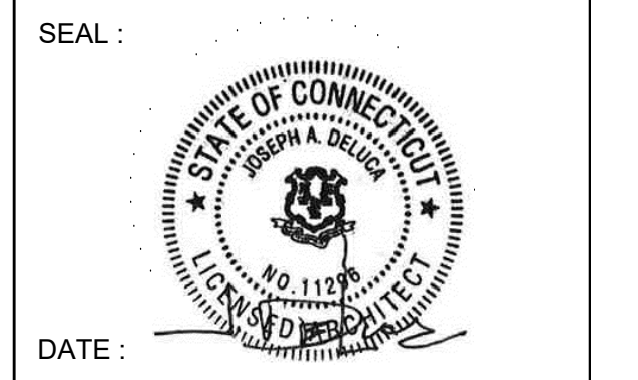
CONCEPT PLAN

DRAWING NO :

CP1.1



PROJECT NO : SOL-1433

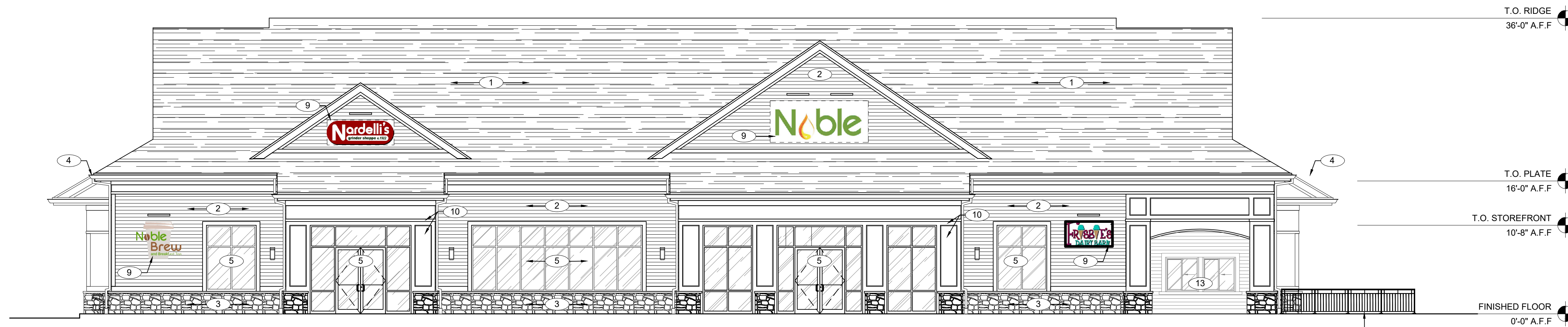


CONSULTANT :
SOLLI ENGINEERING
501 MAIN STREET
MONROE, CT
06468

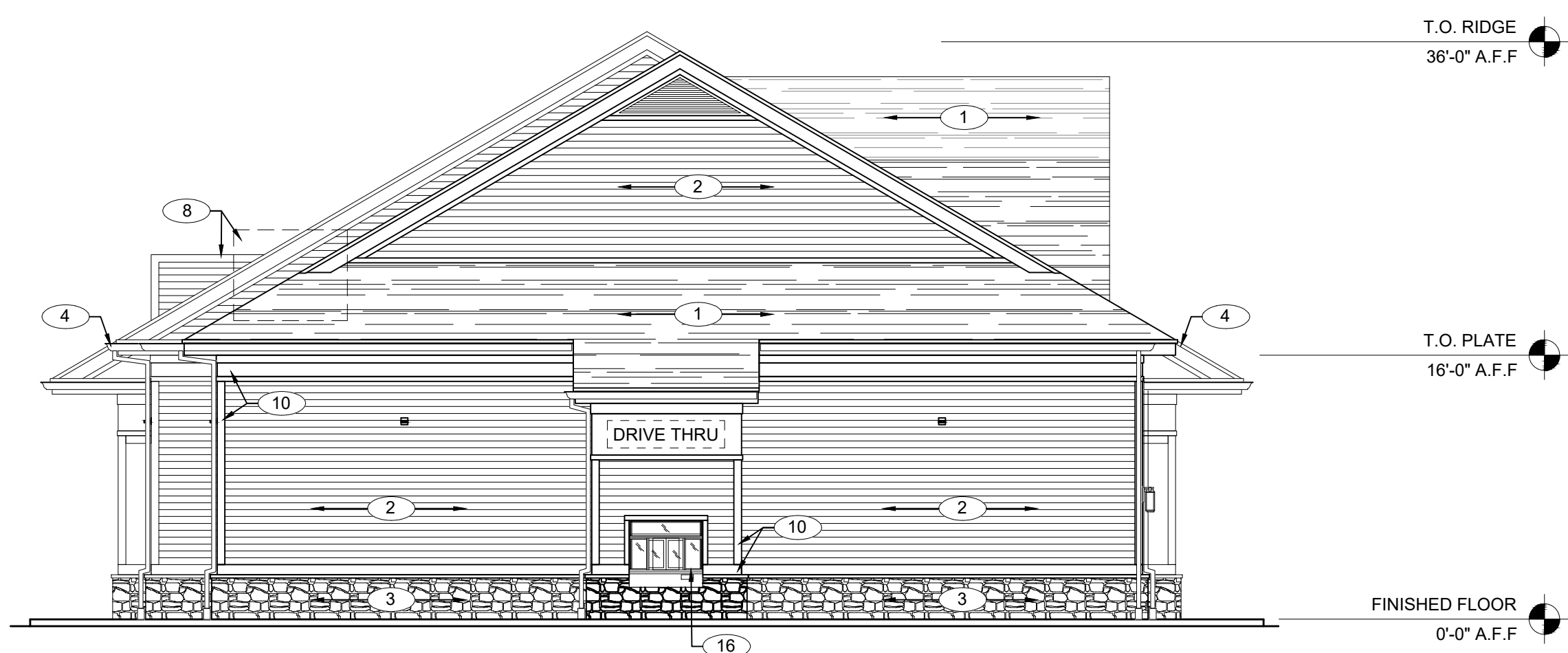
CLIENT :

KEY PLAN :

PROJECT LOCATION :
**9-15 ALBANY TPKE
SIMSBURY &
CANTON, CT**



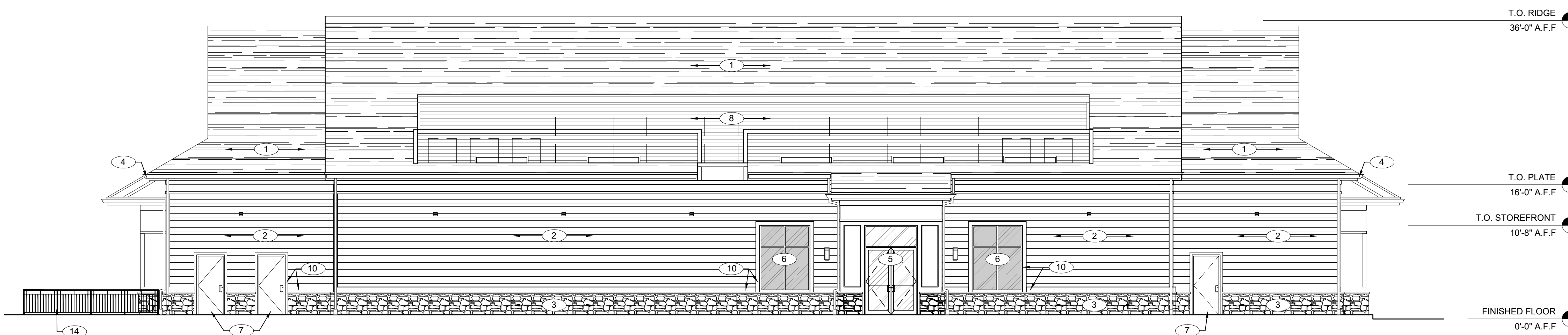
FRONT ELEVATION nts **1**



LEFT ELEVATION nts **2**



RIGHT ELEVATION nts **3**



REAR ELEVATION nts **4**

- KEY NOTE NUMBERS ON CANOPY ELEVATIONS DENOTED WITH THIS SYMBOL (#) → CORRESPOND TO THE FOLLOWING ITEMS:
1. TIMBERLINE ARCHITECTURAL SHINGLES. COLOR TO BE 'CHARCOAL'. 30 YR RATED.
 2. PREFINISHED HARDIE PLANK SIDING. COLOR TO BE 'EMBELLISHED CREAM'.
 3. PRO FIT CULTURED STONE - 'ALPINE LEDGE' - 'PHEASANT' W/ 3"x5" STONE CAP.
 4. 6" WHITE ALUMINUM GUTTER / RAIN LEADER TIED INTO UNDERGROUND DRAINAGE SYSTEM.
 5. ALUMINUM STOREFRONT SYSTEM WITH CLEAR GLAZING. COLOR: DARK BRONZE.
 6. ALUMINUM STOREFRONT SYSTEM WITH SPANDREL GLAZING. COLOR: DARK BRONZE.
 7. SERVICE DOORS - COLOR: ANTIQUE BRONZE.
 8. MECHANICAL EQUIPMENT WITH PARTIAL HEIGHT SCREEN WALL.
 9. EXTERNALLY ILLUMINATED SIGNAGE. SIZE AS PERMITTED BY LOCAL ZONING REGULATIONS.
 10. 1" X KLEER BOARD / TRIM - SMOOTH FINISH "WHITE"
 11. ICECREAM COUNTER WITH STOOLS.
 12. ICECREAM MURAL.
 13. SLIDING ORDER AND PICK UP WINDOWS.
 14. 36" HIGH DECORATIVE WROUGHT IRON PATIO FENCE. MANUFACTURER: FORTIN IRONWORKS. MODEL NO: R2S.
 15. DRIVE-THRU WINDOW.

ELEVATION KEY NOTES

ORIGINAL ISSUE	DATE
ZONING SUBMISSION	08.11.20
REVISIONS & SUBMISSIONS	DATE
1 TOWN COMMENTS	10.06.20
2 CLIENT COMMENTS	10.16.20
3 REVISED PER STAFF COMMENTS - CANTON	11.24.20
4 TOWN COMMENTS	01.08.21
5 CLIENT COMMENTS	01.15.21
6	
7	
8	

DRAWING NAME :
EXTERIOR ELEVATIONS

DRAWING NO :
CP1.2

PROJECT NO : SOL-1433



CONSULTANT :
SOLLI ENGINEERING
501 MAIN STREET
MONROE, CT
06468

CLIENT :

KEY PLAN :

PROJECT LOCATION :
**9-15 ALBANY TPKE
SIMSBURY &
CANTON, CT**



FRONT ELEVATION NTS **A**



LEFT ELEVATION NTS **B**



RIGHT ELEVATION NTS **C**



REAR ELEVATION NTS **D**

ORIGINAL ISSUE	DATE
ZONING SUBMISSION	08.11.20
REVISIONS & SUBMISSIONS	DATE
1 TOWN COMMENTS	10.06.20
2 CLIENT COMMENTS	10.16.20
3 REVISED PER STAFF COMMENTS - CANTON	11.24.20
4 TOWN COMMENTS	01.08.21
5 CLIENT COMMENTS	01.15.21
6	
7	
8	

DRAWING NAME :
**EXTERIOR
ELEVATIONS -
COLORED**

DRAWING NO :
CP1.3

PROJECT NO : SOL-1433

SEAL :
DATE :

CONSULTANT :
SOLLI ENGINEERING
501 MAIN STREET
MONROE, CT
06468

CLIENT :

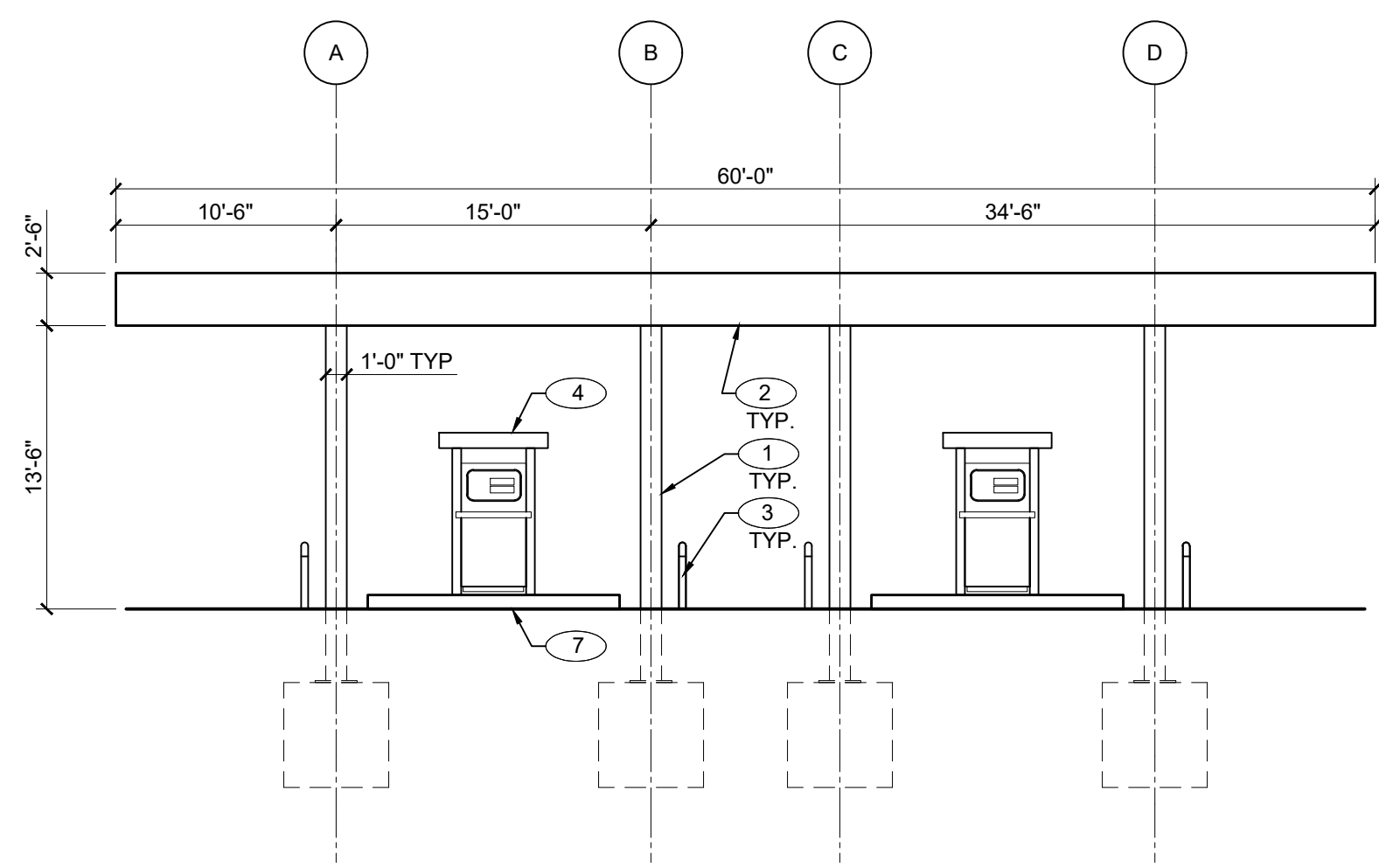
KEY PLAN :

PROJECT LOCATION :
9-15 ALBANY TPKE
SIMSBURY &
CANTON, CT

ORIGINAL ISSUE	DATE
ZONING SUBMISSION	08.11.20
REVISIONS & SUBMISSIONS	DATE
1	---
2	---
3	---
4	---
5	CLIENT COMMENTS
6	---
7	---
8	---

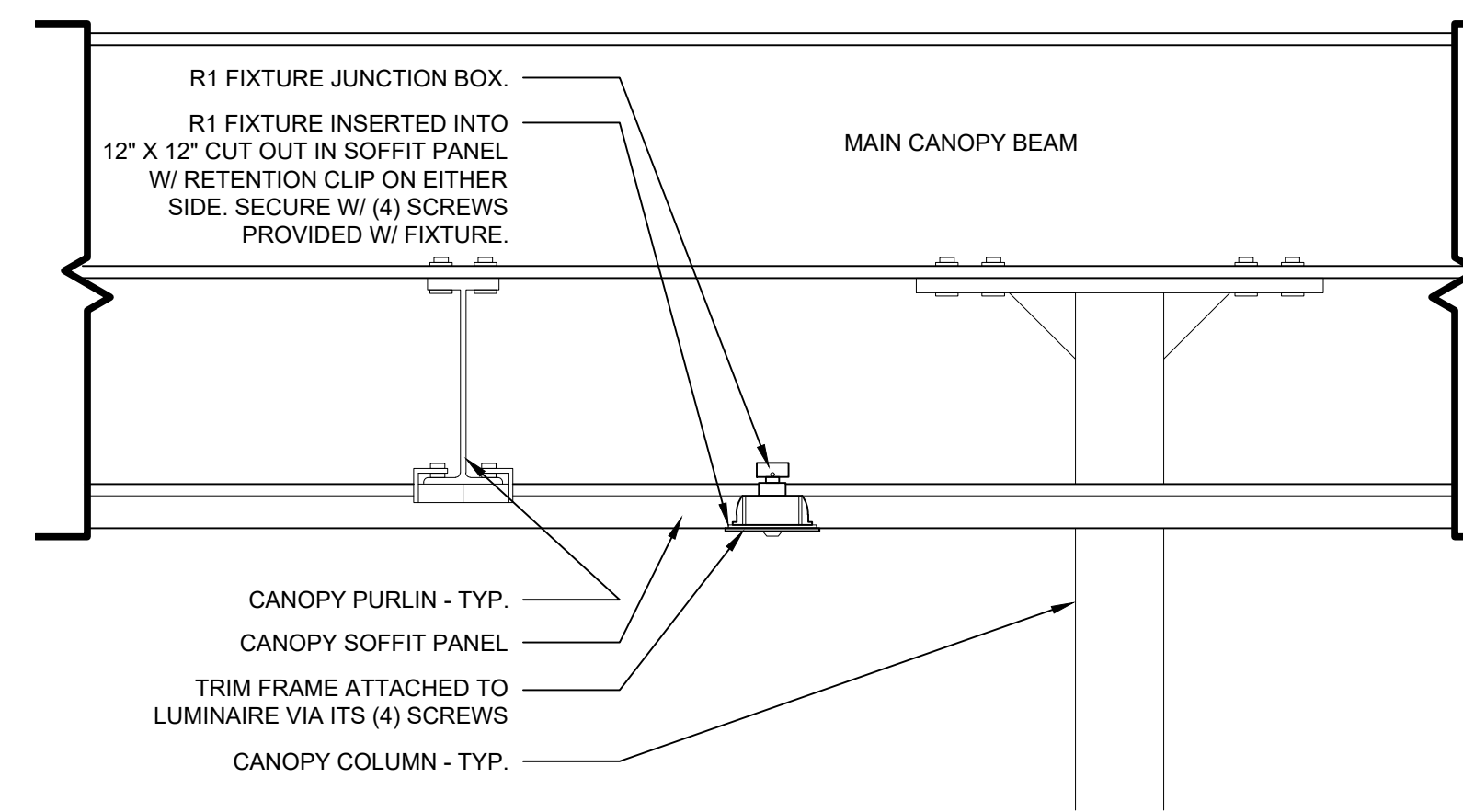
DRAWING NAME :
FUEL DISPENSER
CANOPY PLAN
& ELEVATIONS

DRAWING NO :
CP-1.4

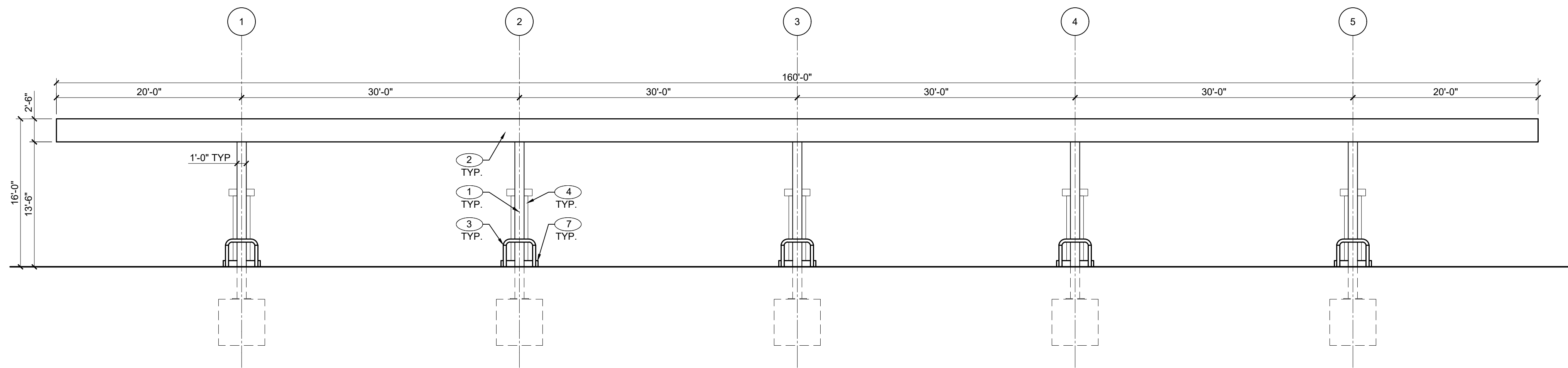


NOTE: BOTH SIDE ELEVATIONS OF CANOPY ARE IDENTICAL.

SIDE CANOPY ELEVATION 1/8" = 1'-0" **1**

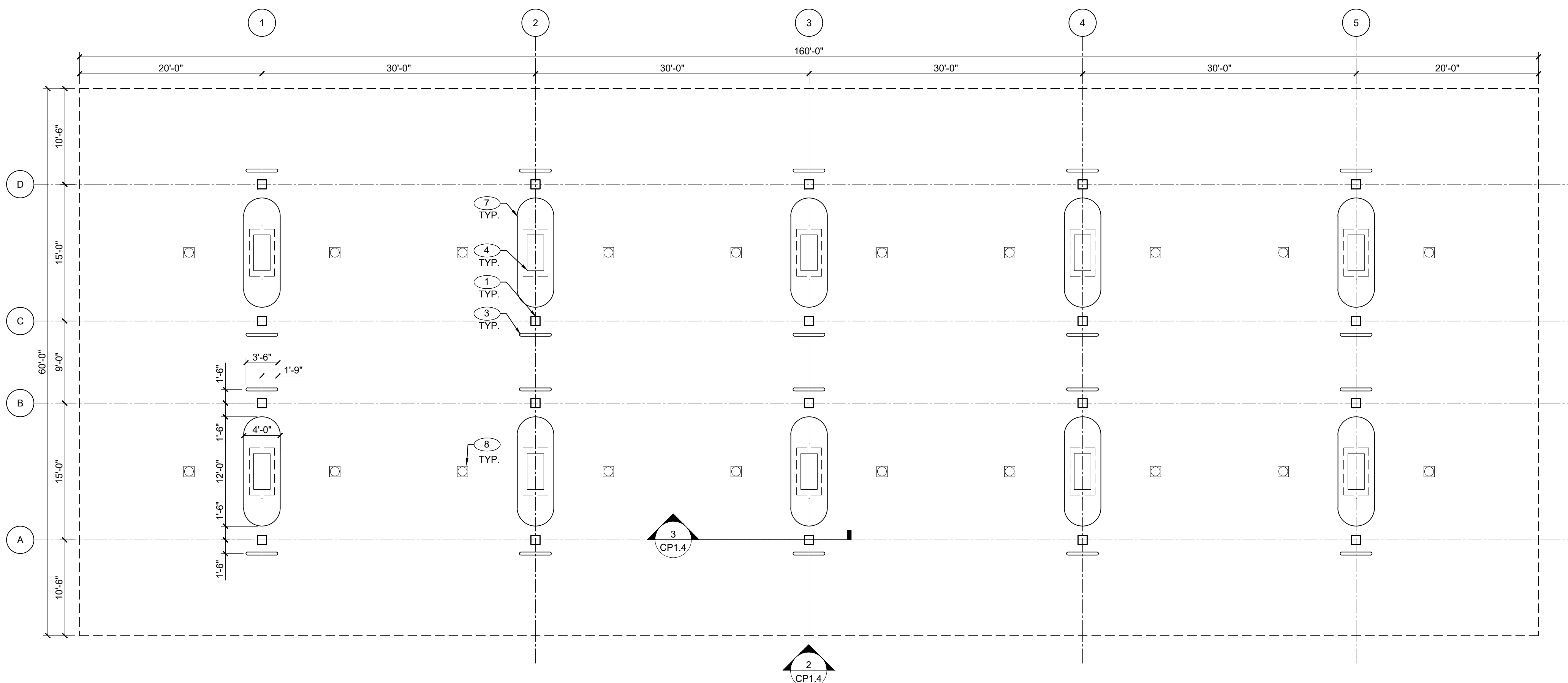


R1 - RECESSED CANOPY FIXTURE DETAIL NTS **3**



NOTE: FRONT AND BACK ELEVATIONS OF CANOPY ARE IDENTICAL

FRONT CANOPY ELEVATION 1/8" = 1'-0" **2**



CANOPY PLAN 1/8" = 1'-0" **A**

NOTE :

THE CANOPY DESIGN CONTAINED HEREIN IS SCHEMATIC AND IS PROVIDED FOR DESIGN INTENT AND FOUNDATION DESIGN ONLY.

CANOPY SHALL BE A FREE STANDING PRE ENGINEERED STEEL STRUCTURE DESIGNED AND FABRICATED BY THE OWNER'S CANOPY VENDOR AND INSTALLED ON FOOTINGS PROVIDED BY THE OWNER'S GC.

FOUNDATION HAS BEEN DESIGNED SPECIFICALLY FOR THE CANOPY SIZE AND CONFIGURATION INDICATED, ANY DEVIATION IN CANOPY SIZE AND CONFIGURATION MUST BE CONFIRMED BY A STRUCTURAL ENGINEER TO BE COMPATIBLE WITH THE BEARING CAPACITY, FOOTING AND ANCHOR BOLT DESIGN PROVIDED HEREIN.

FOOTINGS SHALL BE INSTALLED PRIOR TO CANOPY VENDOR BEING SELECTED. CANOPY COMPANY SHALL BE RESPONSIBLE FOR VERIFICATION AND COORDINATION TO ASSURE THE CANOPY, COLUMN AND BASE PLATE DESIGN IS COMPATIBLE WITH THE FOOTING, ANCHOR BOLT SIZE AND SPACING PROVIDED.

STRUCTURALLY ENGINEERED CANOPY DRAWINGS SHALL BE SUBMITTED BY THE CANOPY VENDOR DIRECTLY TO THE TOWN FOR APPROVAL PRIOR TO FABRICATION.

OWNER SHALL BE RESPONSIBLE FOR ANY AND ALL SPECIAL AND THIRD PARTY INSPECTIONS RELATED TO THE FOOTINGS, CANOPY AND/OR FIRE SUPPRESSION SYSTEMS.

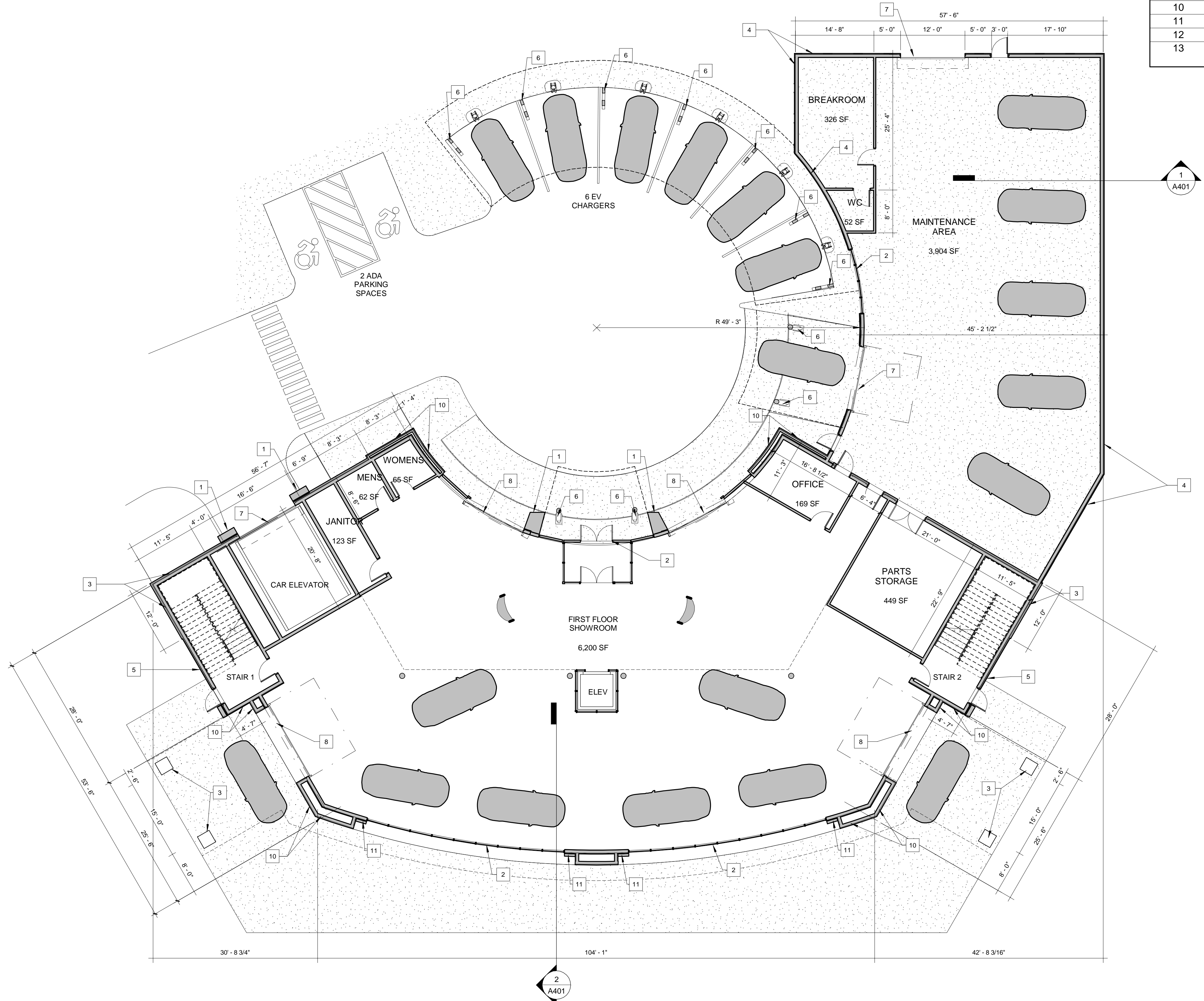
GENERAL CANOPY NOTES

- 12" SQUARE STEEL CANOPY COLUMN WITH INTERNAL ROOF DRAINS ROUTED TO STORM WATER MANAGEMENT SYSTEM, PAINTED WHITE, SEMI-GLOSS FINISH.
- 30" HIGH ALUMINUM CLAD PRE-ENGINEERED STEEL FRAMED CANOPY, PAINTED WHITE.
- 36" HIGH X 4" DIA. PIPE BOLLARDS PAINTED SAFETY YELLOW
- FUEL DISPENSERS - FINAL TYPE, SIZE AND SIGNAGE T.B.D.
- STEEL PANEL CANOPY CEILING SYSTEM, COLOR WHITE
- RECESSED LED CANOPY FIXTURES, LIGHT COLOR AND FOOTCANDLE OUTPUT SHALL BE IN CONFORMANCE WITH APPLICABLE ZONING / LIGHTING REGULATIONS.
- 8" HIGH CONCRETE FUEL DISPENSER ISLAND.
- RECESSED CANOPY FIXTURE IN SOFFIT PANEL SYSTEM ABOVE.

KEY NOTES

SEE CIVIL ENGINEERING DRAWINGS
FOR FULL SITE PARKING LAYOUT

#	DESCRIPTION
1	BAMBOO VENEER. SEE IMAGE 1 ON A303
2	ALUMINUM STOREFRONT. SEE IMAGE 2 ON A303
3	SPLIT FACE CMU. SEE IMAGE 3 ON A303
4	DARK METAL CLADDING. SEE IMAGE 4 ON A303
5	WOOD PLANK SIDING. SEE IMAGE 5 ON A303
6	PAINTED STEEL COLUMNS. SEE IMAGE 6 ON A303
7	OVERHEAD DOOR. SEE IMAGE 7 ON A303
8	GLASS OVERHEAD DOOR. SEE IMAGE 8 ON A303
9	NANAWALL SYSTEM. SEE IMAGE 9 ON A303
10	LEDGESTONE. SEE IMAGE 10 ON A303
11	PAINTED PVC TRIM. SEE IMAGE 11 ON A303
12	GLASS RAILING. SEE IMAGE 12 ON A303
13	MECHANICAL LOUVER SCREEN. SEE IMAGE 14 ON A303



ARCHITECT:
 PHASE ZERO DESIGN
 8 WILCOX STREET
 SIMSBURY, CONNECTICUT 06070
 PHONE: (860) 264-1624
 FAX: (860) 264-1628
 www.phasezerodesign.com

CONSULTANT:
 SOLLI ENGINEERING

**CAR SHOWROOM AND
MAINTENANCE BUILDING**
 CANTON
 9-15 ALBANY TURNPIKE
 SIMSBURY & CANTON, CT

PROJECT:

NO.	DATE	REVISIONS	DESCRIPTION

SEAL:
**PROGRESS
DRAWING**
 1/7/2021 3:26:28 PM
 NOT FOR
 CONSTRUCTION

ISSUED FOR: REVIEW
 ISSUED DATE: 1.8.2021
 DRAWN BY: JB
 CHECKED BY: CM
 PROJECT NUMBER: 1120247
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DRAWING NAME:
**PROPOSED FIRST
FLOOR PLAN**

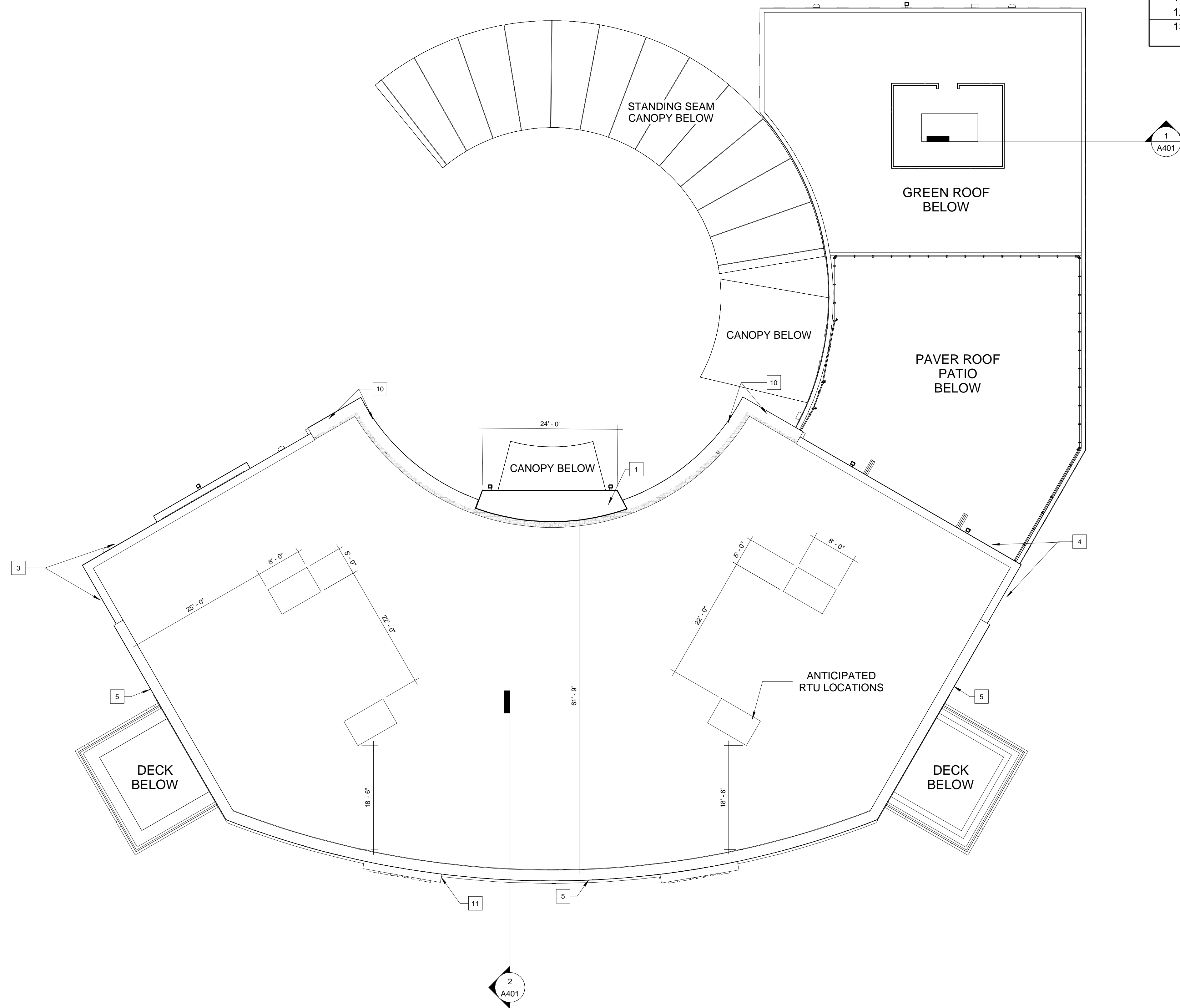
DRAWING NO.
A101

1 **PROPOSED FIRST FLOOR PLAN**
 3/32" = 1'-0"



Plot Date: 1/7/2021 3:26:32 PM Dwg Filename: C:\Users\j_brower\Documents\Noble Fuels - EV Building Prototype_j_brower\PP04.rvt

FINISHES CODED NOTES	
#	DESCRIPTION
1	BAMBOO VENEER. SEE IMAGE 1 ON A303
2	ALUMINUM STOREFRONT. SEE IMAGE 2 ON A303
3	SPLIT FACE CMU. SEE IMAGE 3 ON A303
4	DARK METAL CLADDING. SEE IMAGE 4 ON A303
5	WOOD PLANK SIDING. SEE IMAGE 5 ON A303
6	PAINTED STEEL COLUMNS. SEE IMAGE 6 ON A303
7	OVERHEAD DOOR. SEE IMAGE 7 ON A303
8	GLASS OVERHEAD DOOR. SEE IMAGE 8 ON A303
9	NANAWALL SYSTEM. SEE IMAGE 9 ON A303
10	LEDGESTONE. SEE IMAGE 10 ON A303
11	PAINTED PVC TRIM. SEE IMAGE 11 ON A303
12	GLASS RAILING. SEE IMAGE 12 ON A303
13	MECHANICAL LOUVER SCREEN. SEE IMAGE 14 ON A303



1 PROPOSED ROOF PLAN
3/32" = 1'-0"



ARCHITECT:
PHASE ZERO DESIGN
architects | interior designers
 8 WILCOX STREET
 SIMSBURY, CONNECTICUT 06070
 PHONE: (860) 264-1624
 FAX: (860) 264-1628
 www.phasezerodesign.com

CONSULTANT:
SOLLI ENGINEERING

**CAR SHOWROOM AND
 MAINTENANCE BUILDING**
 CANTON
 9-15 ALBANY TURNPIKE
 SIMSBURY & CANTON, CT

PROJECT:

REVISIONS			
NO.	DATE	REVISIONS	DESCRIPTION

SEAL:
PROGRESS DRAWING
 1/7/2021 3:26:32 PM
 NOT FOR CONSTRUCTION

ISSUED FOR: REVIEW
 ISSUED DATE: 1.8.2021

DRAWN BY: JB
 CHECKED BY: CM
 PROJECT NUMBER: 1120247

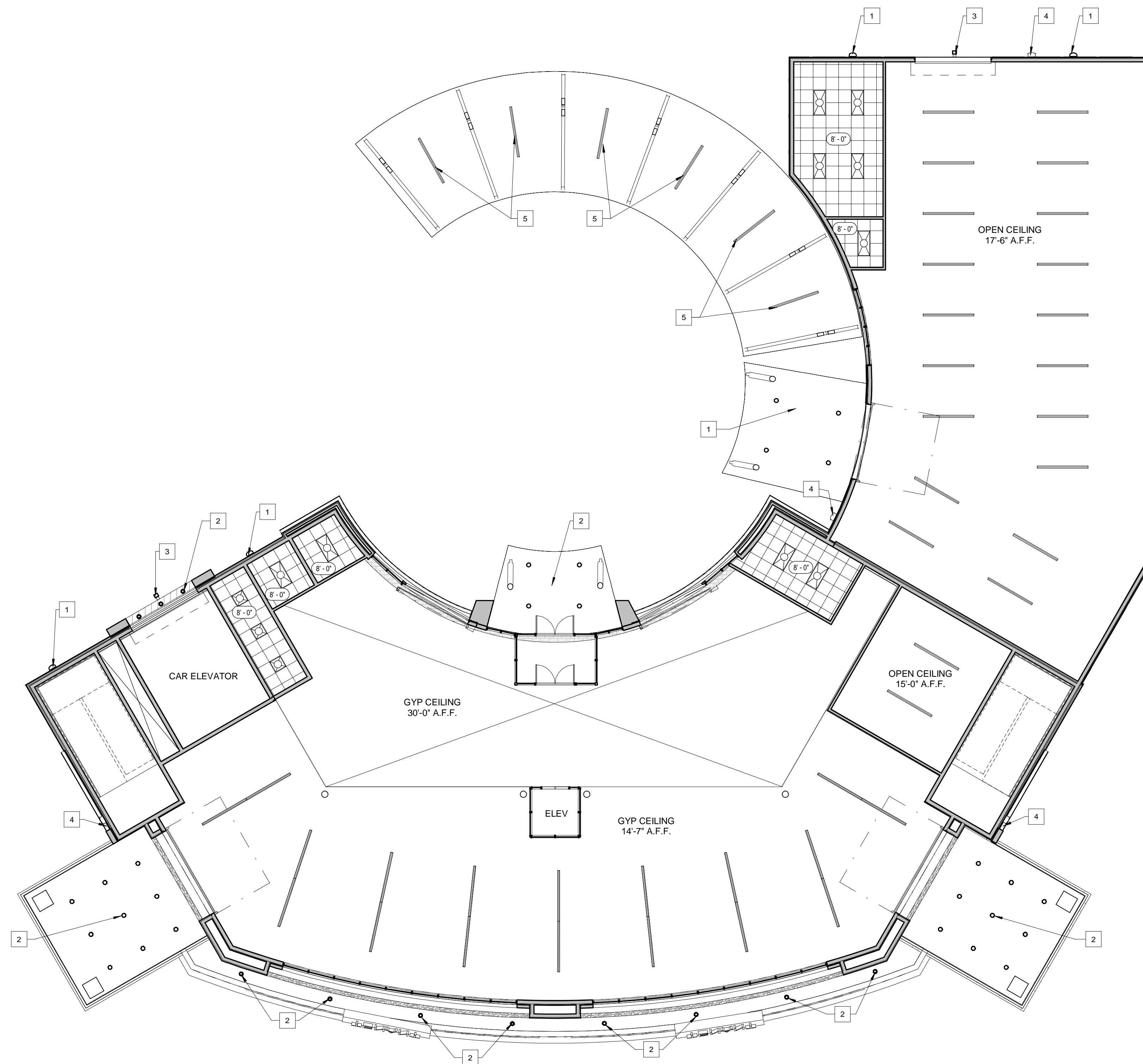
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 DRAWING NAME:

PROPOSED ROOF PLAN

DRAWING NO.
A103

Plot Date: 1/7/2021 3:26:34 PM Dwg Filename: C:\Users\j_brower\Documents\Noble Fuels - EV Building Prototype_j_brower.dwg

1 PROPOSED FIRST FLOOR LIGHTING PLAN
3/32" = 1'-0"



#	DESCRIPTION
1	BUILDING MOUNTED SITE LIGHTING, SEE ELEVATIONS FOR MOUNTING HEIGHTS
2	CAN FIXTURE MOUNTED IN SOFFIT
3	WALL WASH FIXTURE SEE ELEVATIONS FOR MOUNTING HEIGHTS
4	EGRESS DOOR LIGHT AT 9'-0" A.F.F. SEE ELEVATIONS FOR MOUNTING HEIGHTS
5	LINEAR PARKING CANOPY FIXTURE, SEE ELEVATIONS FOR MOUNTING HEIGHTS

ARCHITECT:
 **PHASE ZERO DESIGN**
 architects | interior designers
 8 WILCOX STREET
 SIMSBURY, CONNECTICUT 06070
 PHONE: (860) 264-1624
 FAX: (860) 264-1628
 www.phasezerodesign.com

CONSULTANT:
 **SOLLI ENGINEERING**

CAR SHOWROOM AND MAINTENANCE BUILDING
 CANTON
 9-15 ALBANY TURNPIKE
 SIMSBURY & CANTON, CT

PROJECT:

NO.	DATE	REVISIONS	DESCRIPTION

SEAL:
PROGRESS DRAWING
 1/7/2021 3:26:34 PM
 NOT FOR CONSTRUCTION

ISSUED FOR: REVIEW
 ISSUED DATE: 1.8.2021
 DRAWN BY: JB
 CHECKED BY: CM
 PROJECT NUMBER: 1120247
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DRAWING NAME:
PROPOSED FIRST FLOOR LIGHTING PLAN

DRAWING NO.
A201



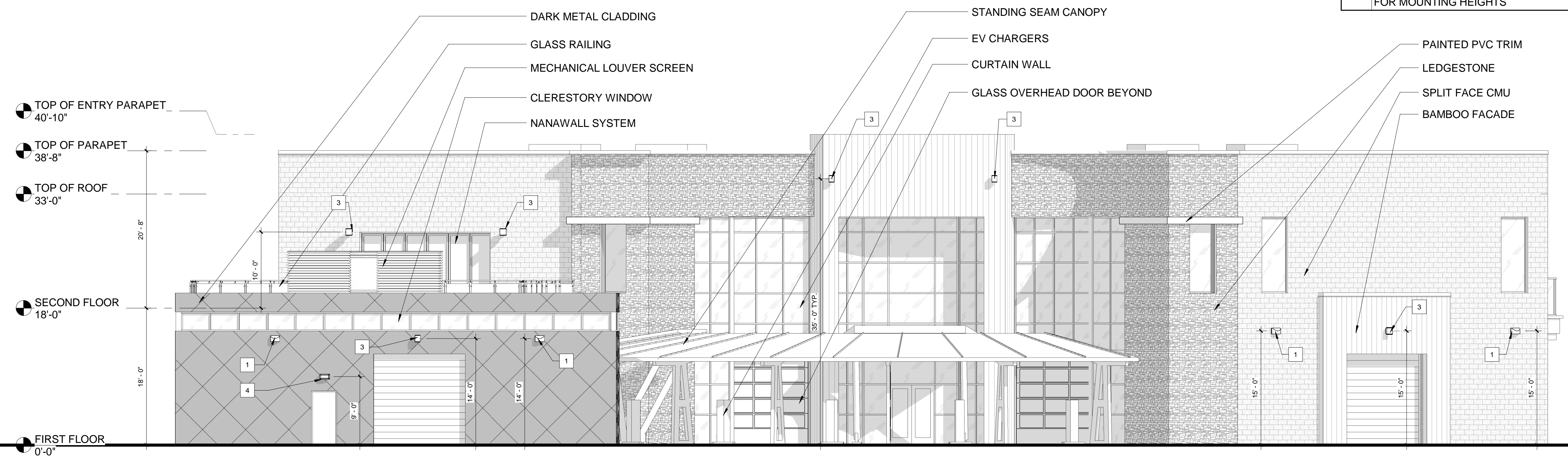
SEE A303 FOR FINISHES LIST, REFERENCE IMAGE AND DESCRIPTION

#	DESCRIPTION
1	BUILDING MOUNTED SITE LIGHTING, SEE ELEVATIONS FOR MOUNTING HEIGHTS
2	CAN FIXTURE MOUNTED IN SOFFIT
3	WALL WASH FIXTURE, SEE ELEVATIONS FOR MOUNTING HEIGHTS
4	EGRESS DOOR LIGHT AT 9'-0" A.F.F., SEE ELEVATIONS FOR MOUNTING HEIGHTS
5	LINEAR PARKING CANOPY FIXTURE, SEE ELEVATIONS FOR MOUNTING HEIGHTS

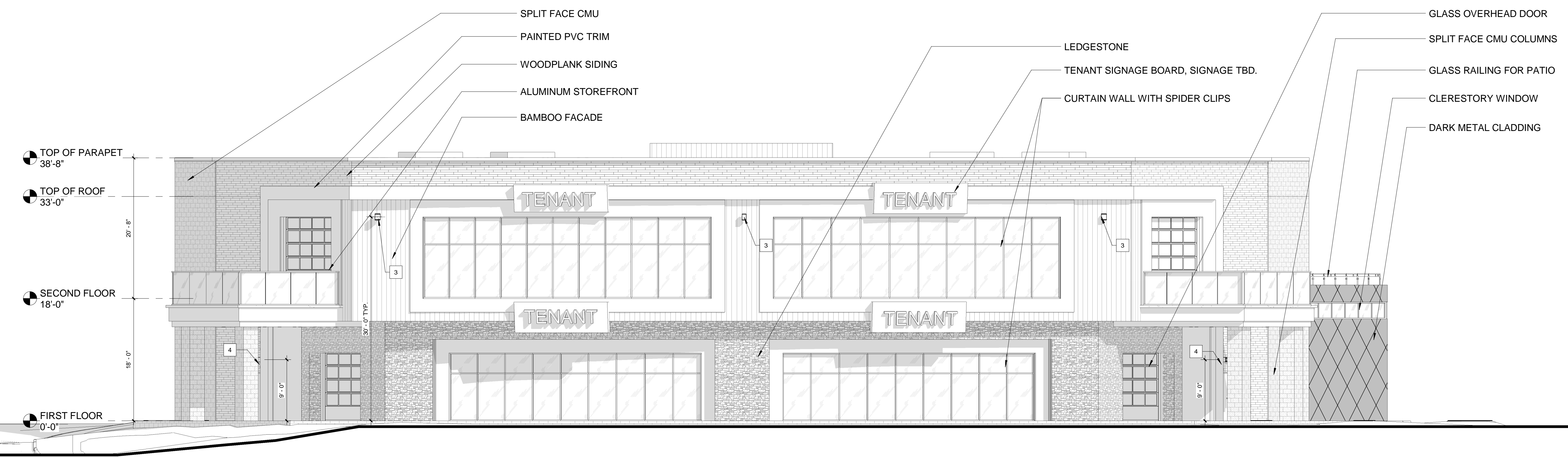
ARCHITECT:
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 SIMSBURY, CONNECTICUT 06070
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CONSULTANT:
SOLLI ENGINEERING

CAR SHOWROOM AND MAINTENANCE BUILDING
 CANTON
 9-15 ALBANY TURNPIKE
 SIMSBURY & CANTON, CT



② EXTERIOR ELEVATION 2
 1/8" = 1'-0"



① EXTERIOR ELEVATION 1
 1/8" = 1'-0"

PROJECT:

NO.	DATE	REVISIONS	
		DESCRIPTION	

SEAL:
PROGRESS DRAWING
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ISSUED FOR: REVIEW
 ISSUED DATE: 1.8.2021

DRAWN BY: JB
 CHECKED BY: CM
 PROJECT NUMBER: 1120247

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 DRAWING NAME:

EXTERIOR ELEVATION I

DRAWING NO.
A301

Plot Date: 1/7/2021 3:39:56 PM
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CAR SHOWROOM AND MAINTENANCE BUILDING
 CANTON
 9-15 ALBANY TURNPIKE
 SIMSBURY & CANTON, CT

PROJECT:

REVISIONS	
NO.	DESCRIPTION

SEAL:

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ISSUED FOR: REVIEW
 ISSUED DATE: 1.8.2021

DRAWN BY: JB
 CHECKED BY: CM
 PROJECT NUMBER: 1120247

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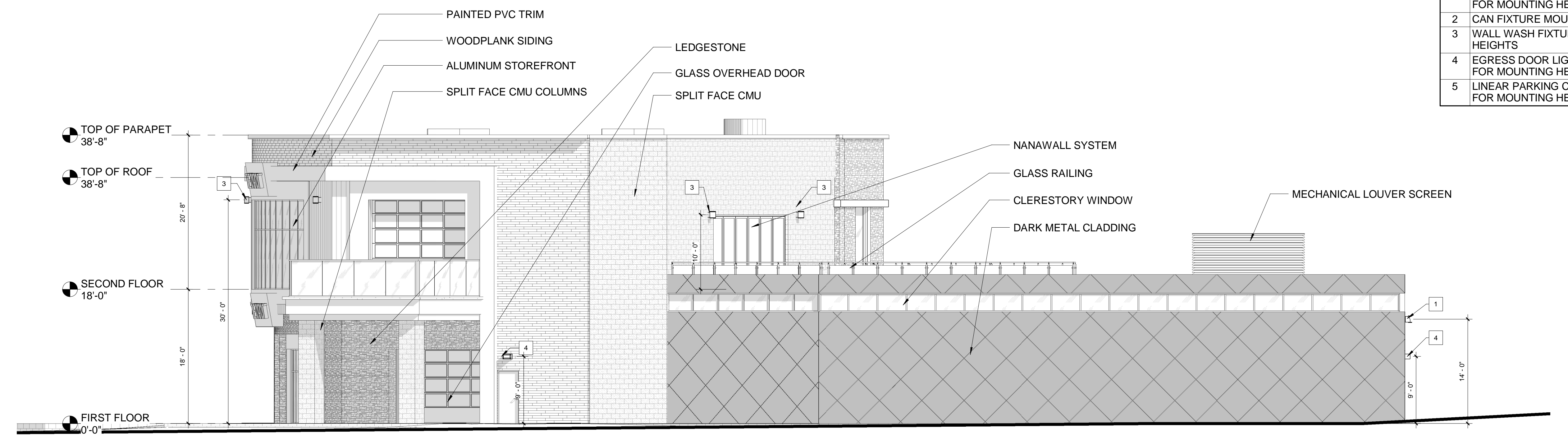
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EXTERIOR ELEVATION II

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A302

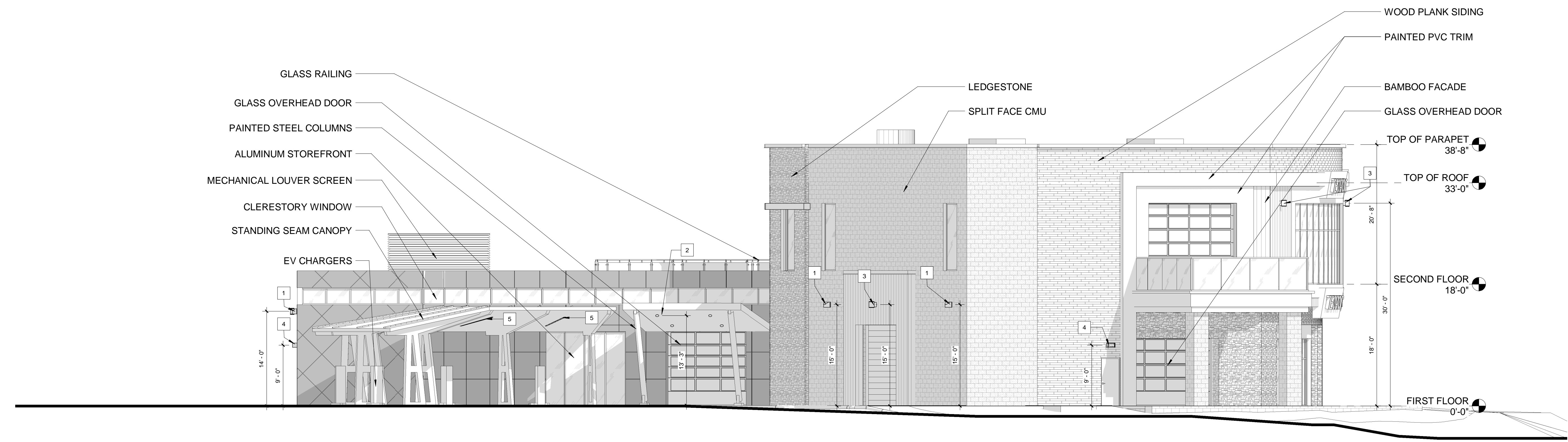
SEE A303 FOR FINISHES LIST, REFERENCE IMAGE AND DESCRIPTION

LIGHTING FIXTURE CODED NOTES

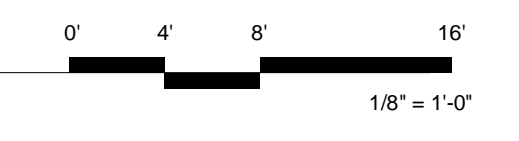
#	DESCRIPTION
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2	CAN FIXTURE MOUNTED IN SOFFIT
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5	LINEAR PARKING CANOPY FIXTURE, SEE ELEVATIONS FOR MOUNTING HEIGHTS



2 EXTERIOR ELEVATION 3
 1/8" = 1'-0"



1 EXTERIOR ELEVATION 4
 1/8" = 1'-0"



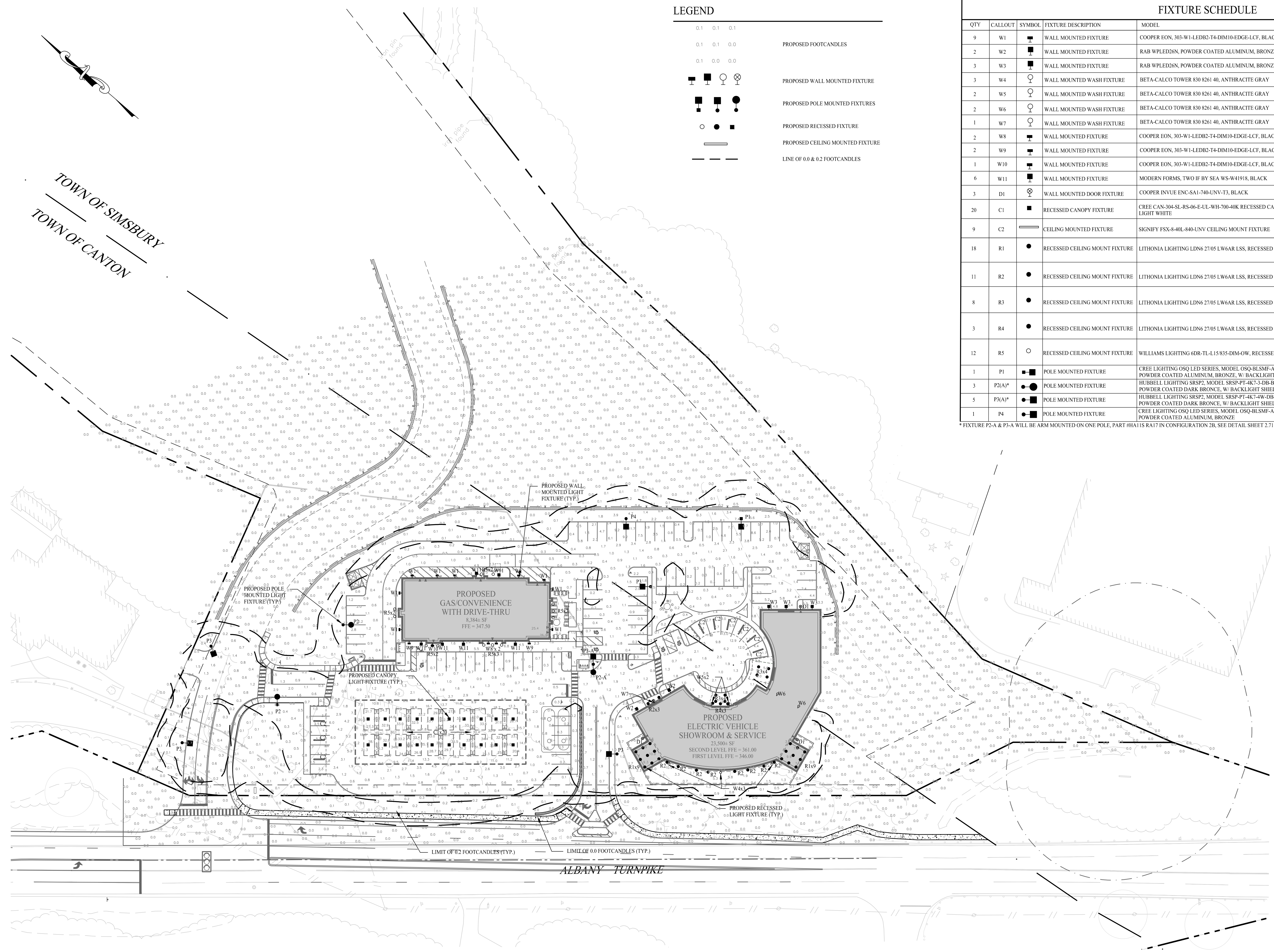
LEGEND

- 0.1 0.1 0.1
- 0.1 0.1 0.0
- 0.1 0.0 0.0
- PROPOSED FOOTCANDLES
- PROPOSED WALL MOUNTED FIXTURE
- PROPOSED POLE MOUNTED FIXTURES
- PROPOSED RECESSED FIXTURE
- PROPOSED CEILING MOUNTED FIXTURE
- LINE OF 0.0 & 0.2 FOOTCANDLES

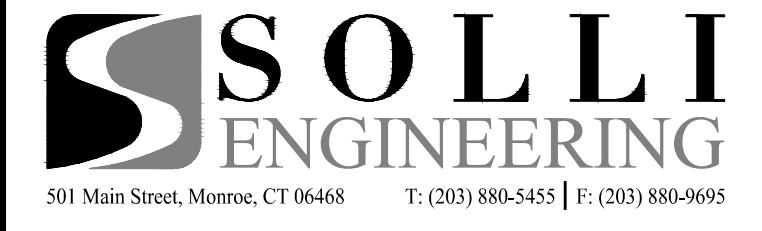
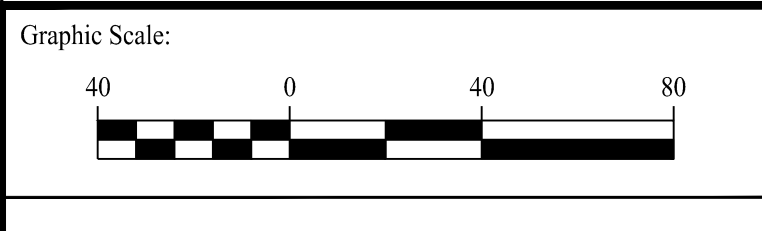
FIXTURE SCHEDULE

QTY	CALLOUT	SYMBOL	FIXTURE DESCRIPTION	MODEL	NOTES	LUMENS
9	W1		WALL MOUNTED FIXTURE	COOPER EON, 303-W1-LEDB2-T4-DIM10-EDGE-LCF, BLACK	15.5W 4K LED, 15'-0" MOUNTING HEIGHT	1,052
2	W2		WALL MOUNTED FIXTURE	RAB WPLED26N, POWDER COATED ALUMINUM, BRONZE	26W 4K LED, 15'-0" MOUNTING HEIGHT	3,527
3	W3		WALL MOUNTED FIXTURE	RAB WPLED26N, POWDER COATED ALUMINUM, BRONZE	26W 4K LED, 14'-0" MOUNTING HEIGHT	3,527
3	W4		WALL MOUNTED WASH FIXTURE	BETA-CALCO TOWER 830 8261 40, ANTHRACITE GRAY	39W 4K LED, 30'-0" MOUNTING HEIGHT	3,554
2	W5		WALL MOUNTED WASH FIXTURE	BETA-CALCO TOWER 830 8261 40, ANTHRACITE GRAY	39W 4K LED, 35'-0" MOUNTING HEIGHT	3,554
2	W6		WALL MOUNTED WASH FIXTURE	BETA-CALCO TOWER 830 8261 40, ANTHRACITE GRAY	39W 4K LED, 28'-0" MOUNTING HEIGHT	3,554
1	W7		WALL MOUNTED WASH FIXTURE	BETA-CALCO TOWER 830 8261 40, ANTHRACITE GRAY	39W 4K LED, 25'-0" MOUNTING HEIGHT	3,554
2	W8		WALL MOUNTED FIXTURE	COOPER EON, 303-W1-LEDB2-T4-DIM10-EDGE-LCF, BLACK	15.5W 4K LED, 25'-0" MOUNTING HEIGHT	1,052
2	W9		WALL MOUNTED FIXTURE	COOPER EON, 303-W1-LEDB2-T4-DIM10-EDGE-LCF, BLACK	15.5W 4K LED, 11'-0" MOUNTING HEIGHT	1,052
1	W10		WALL MOUNTED FIXTURE	COOPER EON, 303-W1-LEDB2-T4-DIM10-EDGE-LCF, BLACK	15.5W 4K LED, 23'-0" MOUNTING HEIGHT	1,052
6	W11		WALL MOUNTED FIXTURE	MODERN FORMS, TWO IF BY SEA WS-W41918, BLACK	15W 3K LED, 10'-0" MOUNTING HEIGHT	965
3	D1		WALL MOUNTED DOOR FIXTURE	COOPER INVUE ENC-SA1-740-UNV-T3, BLACK	13W 4K LED, 9'-0" MOUNTING HEIGHT	786
20	C1		RECESSED CANOPY FIXTURE	CREE CAN-304-SL-RS-06-E-UL-WH-700-40K RECESSED CANOPY LIGHT WHITE	132 W 4K LED, MOUNTED FLUSH WITH CANOPY CEILING	1,564
9	C2		CEILING MOUNTED FIXTURE	SIGNIFY FSX-8-40L-840-UNV CEILING MOUNT FIXTURE	54 W 4K LED, 12'-5" MOUNTING HEIGHT	3,955
18	R1		RECESSED CEILING MOUNT FIXTURE	LITHONIA LIGHTING LDN6 27/05 LW6AR LSS, RECESSED LIGHT FIXTURE	6IN LDN DOWNLIGHT, 2700K, 500LM, CLEAR, SEMI-SPECULAR REFLECTOR, FLUSH MOUNTING WITH CEILING 15'-0"	16,959
11	R2		RECESSED CEILING MOUNT FIXTURE	LITHONIA LIGHTING LDN6 27/05 LW6AR LSS, RECESSED LIGHT FIXTURE	6IN LDN DOWNLIGHT, 2700K, 500LM, CLEAR, SEMI-SPECULAR REFLECTOR, FLUSH MOUNTING WITH CEILING 12'-0"	16,959
8	R3		RECESSED CEILING MOUNT FIXTURE	LITHONIA LIGHTING LDN6 27/05 LW6AR LSS, RECESSED LIGHT FIXTURE	6IN LDN DOWNLIGHT, 2700K, 500LM, CLEAR, SEMI-SPECULAR REFLECTOR, FLUSH MOUNTING WITH CEILING 13'-3"	16,959
3	R4		RECESSED CEILING MOUNT FIXTURE	LITHONIA LIGHTING LDN6 27/05 LW6AR LSS, RECESSED LIGHT FIXTURE	6IN LDN DOWNLIGHT, 2700K, 500LM, CLEAR, SEMI-SPECULAR REFLECTOR, FLUSH MOUNTING WITH CEILING 30'-0"	16,959
12	R5		RECESSED CEILING MOUNT FIXTURE	WILLIAMS LIGHTING 6DR-TL-L15-R35-DIM-OW, RECESSED LIGHT FIXTURE	19W, 3500K, CLEAR SEMI-SPECULAR REFLECTOR, FLUSH MOUNTING WITH CEILING 13'-6"	1,500
1	P1		POLE MOUNTED FIXTURE	CREE LIGHTING OSQ LED SERIES, MODEL OSQ-BLSMF-A-NM-4ME-K-40K, POWDER COATED ALUMINUM, BRONZE, W/ BACKLIGHT SHIELD	130W 40K LED, TYPE IV DISTRIBUTION 15' MOUNTING HEIGHT	13,032
3	P2(A)*		POLE MOUNTED FIXTURE	HUBBELL LIGHTING SRSP2, MODEL SRSP-PT-4K7-3-DB-BC POWDER COATED DARK BRONZE, W/ BACKLIGHT SHIELD	135W 40K LED, TYPE III DISTRIBUTION 15' MOUNTING HEIGHT	3,242
5	P3(A)*		POLE MOUNTED FIXTURE	HUBBELL LIGHTING SRSP2, MODEL SRSP-PT-4K7-4W-DB-BC POWDER COATED DARK BRONZE, W/ BACKLIGHT SHIELD	135W 40K LED, TYPE IV DISTRIBUTION 15' MOUNTING HEIGHT	3,405
1	P4		POLE MOUNTED FIXTURE	CREE LIGHTING OSQ LED SERIES, MODEL OSQ-BLSMF-A-NM-3ME-K-40K, POWDER COATED ALUMINUM, BRONZE	130W 40K LED, TYPE III DISTRIBUTION 15' MOUNTING HEIGHT	13,389

* FIXTURE P2-A & P3-A WILL BE ARM MOUNTED ON ONE POLE, PART #HA1S RA17 IN CONFIGURATION 2B, SEE DETAIL SHEET 2.71



4	01/15/21	Revise Per Staff Comments - Canton
3	10/16/20	Revise Per Staff Comments - Canton
2	09/24/20	Site Mod. - Simsbury Submission
1	09/04/20	Revised Material - Canton



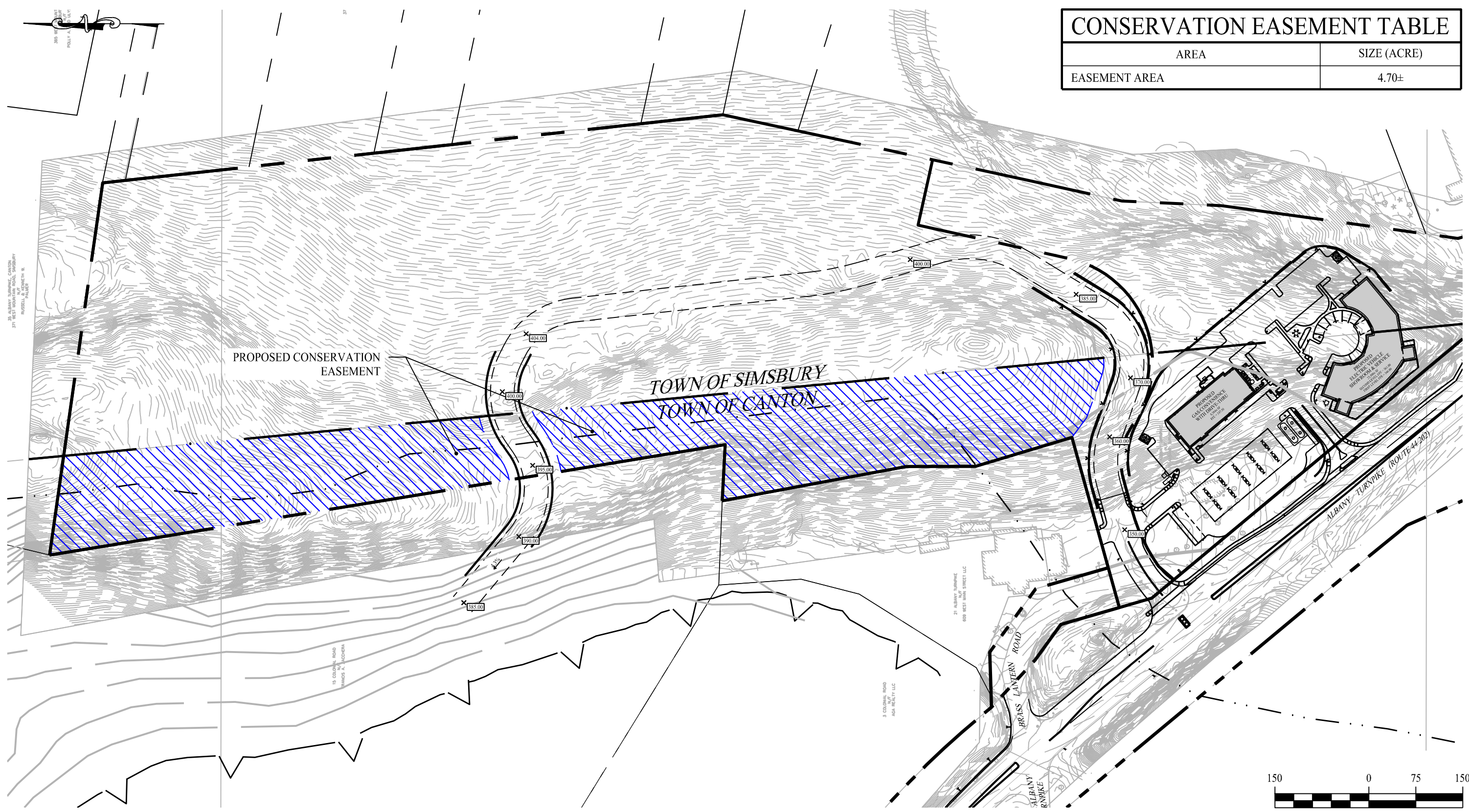
Drawn By:	MFB
Checked By:	KMS
Approved By:	KMS
Project #:	1904501
Plan Date:	08/11/20
Scale:	1" = 40'
Project:	Mary Blackburn, P.L.A. CT 1499

9-15 ALBANY TURNPIKE
SIMSBURY & CANTON, CONNECTICUT

Sheet Title:	Sheet #:
LIGHTING PLAN	2.71

Jun 15, 2021 - 11:27am mecy
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 Albany Turnpike, Simsbury\Good Data\Lighting for 2017\1904501-2.71 2013.dwg

CONSERVATION EASEMENT TABLE	
AREA	SIZE (ACRE)
EASEMENT AREA	4.70±



Rev. #:	Date	Description

SOLLI ENGINEERING
 501 Main Street, Monroe, CT 06468
 T: (203) 880-5455 | F: (203) 880-9695

Drawn By:	AWC
Checked By:	KMS
Project #:	1904501
Plan Date:	01/13/21
Scale:	1" = 150'

Project:
PROPOSED DEVELOPMENT
 9-15 ALBANY TURNPIKE
 CANTON/SIMSBURY, CONNECTICUT

Sheet Title:
**CONSERVATION
 EASEMENT EXHIBIT**

SHEET #:
FIG. 12



CAR SHOWROOM AND MAINTENANCE BUILDING



CAR SHOWROOM AND MAINTENANCE BUILDING



CAR SHOWROOM AND MAINTENANCE BUILDING







CAR SHOWROOM AND MAINTENANCE BUILDING





CAR SHOWROOM AND MAINTENANCE BUILDING



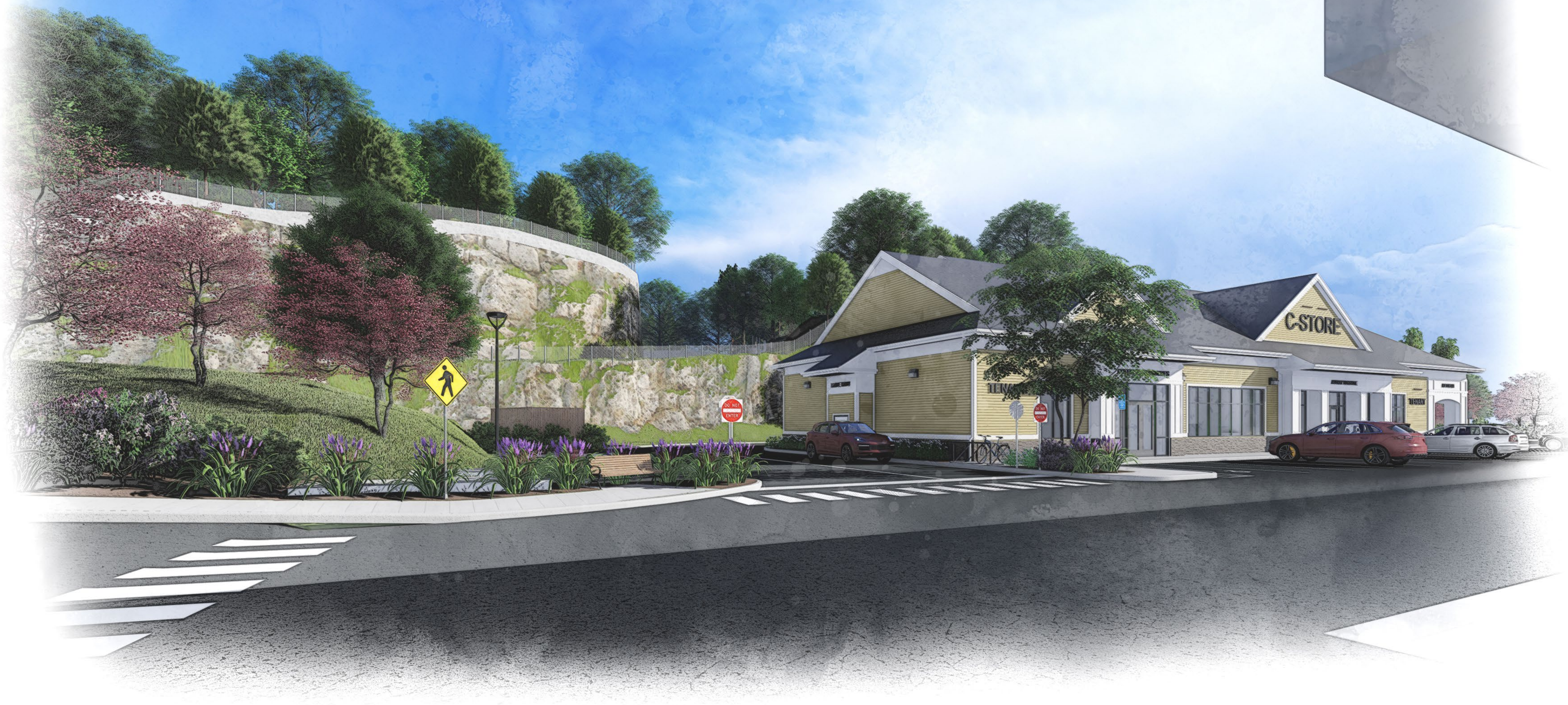
CAR SHOWROOM AND MAINTENANCE BUILDING



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CAR SHOWROOM AND MAINTENANCE BUILDING



**PHASE ZERO
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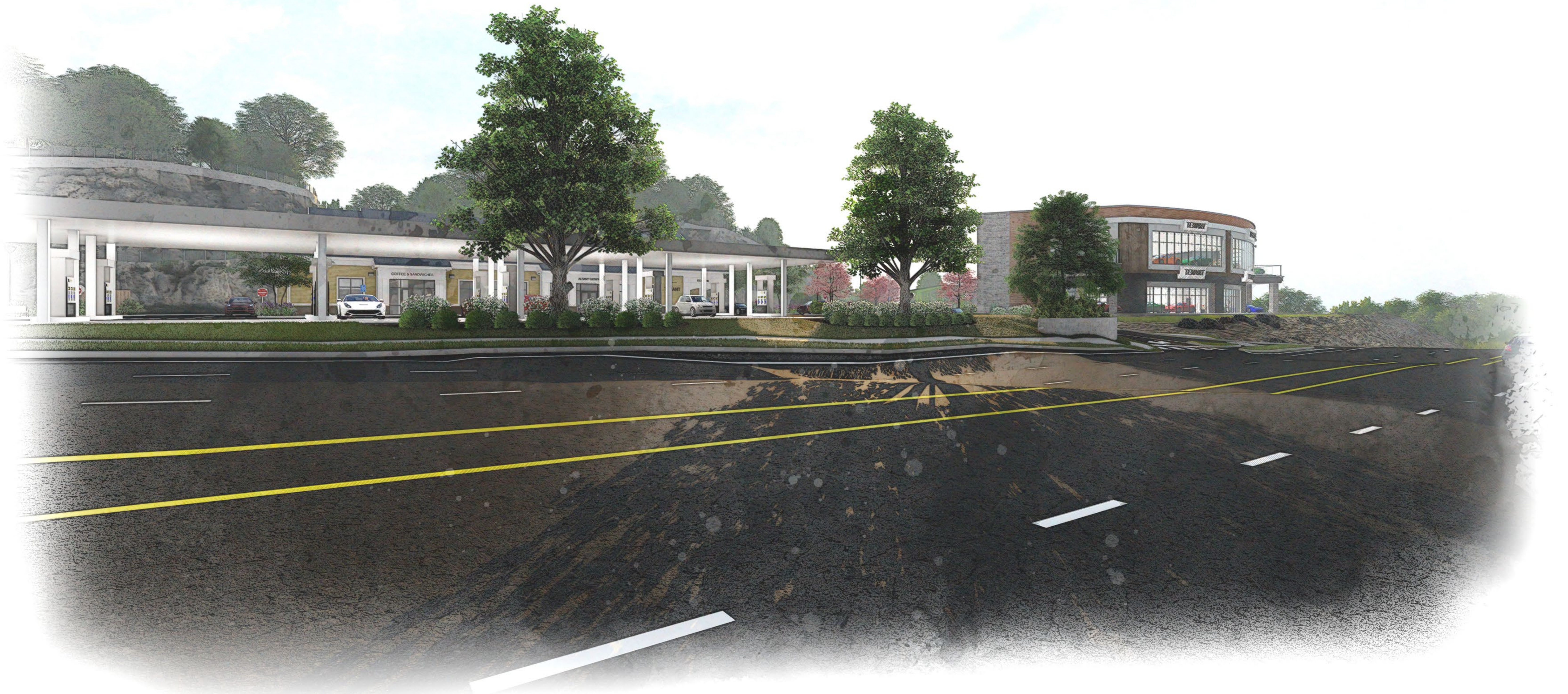
CAR SHOWROOM AND MAINTENANCE BUILDING

LOCATION: **9-15 ALBANY TURNPIKE,
SIMSBURY & CANTON,
CONNECTICUT**

PROJECT NUMBER: 1120247
DATE: 1.8.2021



CAR SHOWROOM AND MAINTENANCE BUILDING



CAR SHOWROOM AND MAINTENANCE BUILDING

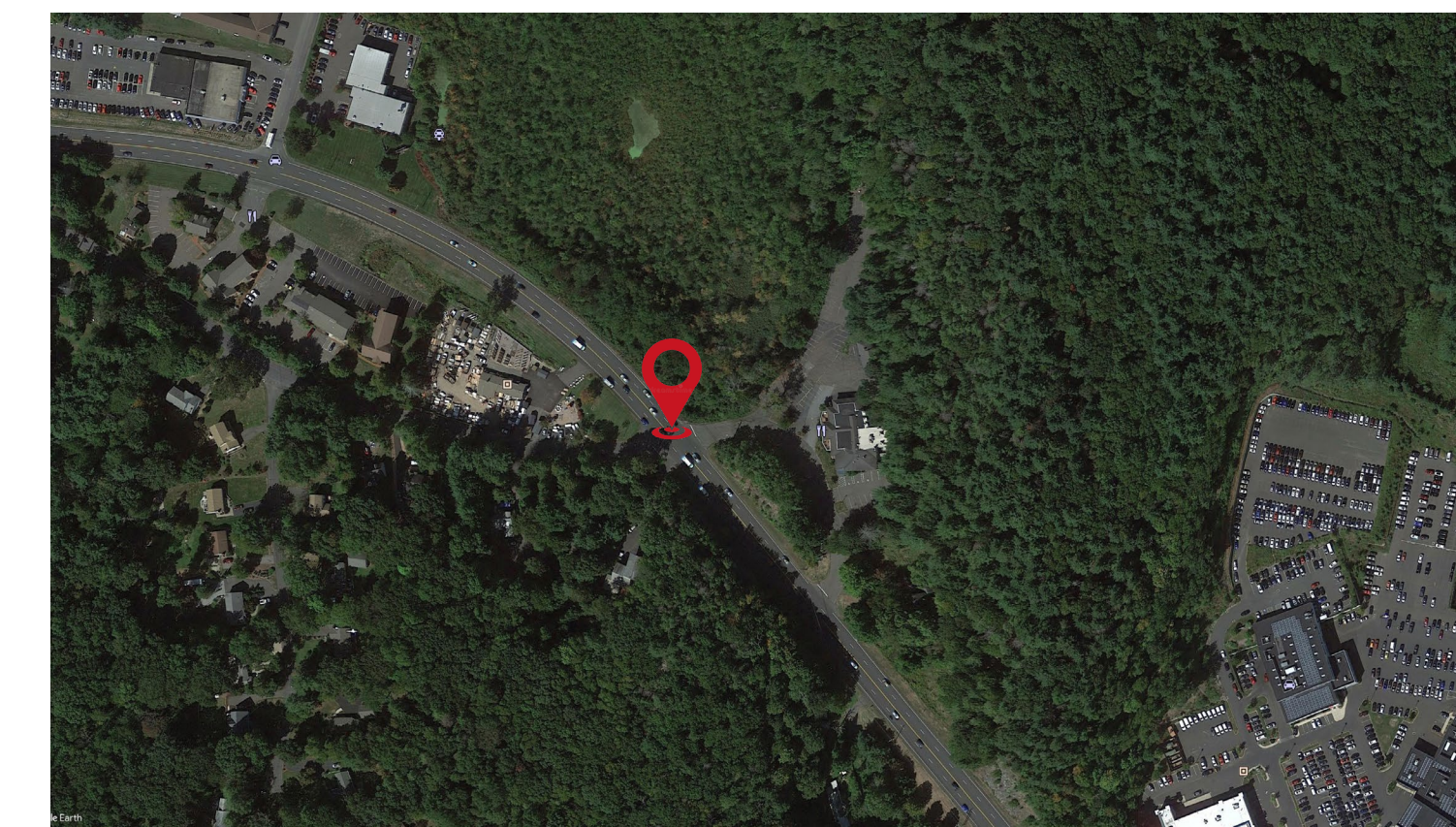


CAR SHOWROOM AND MAINTENANCE BUILDING

BEFORE



AFTER



**LOCATION:
INTERSECTION OF ALBANY
TURNPIKE AND OLD ALBANY
TURNPIKE**



8 WILCOX STREET
SIMSBURY, CONNECTICUT 06070

P: 860.264.1624
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CAR SHOWROOM AND MAINTENANCE BUILDING

**LOCATION: 9-15 ALBANY TURNPIKE,
SIMSBURY & CANTON,
CONNECTICUT**

PROJECT NUMBER: 1120247
DATE: 1.8.2021

BEFORE



AFTER



**LOCATION:
WEST CORNER OF CAPE COD
FENCE COMPANY**



8 WILCOX STREET
SIMSBURY, CONNECTICUT 06070

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