

TOWN PLAN AND ZONING COMMISSION  
PUBLIC HEARING AND REGULAR MINUTES

April 24, 2017

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Matava, Tucker and Alternate Commissioners Charette, Donald and Houf and the Town Planner and Clerk. Secretary Doeg opened the meeting at 7:00 p.m. and read the legal notice into the record. Town Council Liaison Mastrobattista was also present.

Chairman Dunn explained the process of the meeting to the public and appointed Alternate Commissioner Houf to vote on behalf of Commissioner Jarvis.

**NEW BUSINESS**

Thomas Brown – 353 Scott Swamp Road

Dr. Brown presented a request to install two building signs at 353 Scott Swamp Road. Proposed are two 27 sq. ft. Kathy's Urgent Care carved, painted cedar signs. He proposes to install a light above each sign. Town Planner Warner explained the building was approved with a uniform sign plan but that since that time the building has transformed and that plan is no longer appropriate for the building. The building owner understands the need for a new sign plan. There was some discussion about the hours of operation. Dr. Brown stated Monday through Friday the hours will be 8 a.m. to 8 p.m. and 8 a.m. to 5 p.m. weekends.

Upon a motion made and seconded (Doeg/Houf) it was unanimously

VOTED: To approve Thomas Brown's sign application to install two building signs at 353 Scott Swamp Road as per plan presented and on file in the Planning Office.

**PUBLIC HEARING**

Estate of Paul Krell – 373 Meadow Road

Chairman Dunn recused himself from this matter and appointed Commissioner Doeg as Acting Chair.

Application for two-lot re-subdivision of property located at 373 Meadow Road, R40 zone. Attorney T. J. Donohue, Jr., Executor of the Estate of Paul Krell, explained this subdivision plan is for the settlement of this estate. In response to a request at the March 27, 2017 meeting Jim Cassidy, Hallisey, Pearson & Cassidy, handed out a color-coded site plan showing the addition of a proposed conservation easement over the area of wetlands. This conservation easement is 10 percent of the entire development area. Mr. Cassidy said he would like the conservation easement area to be taken into consideration for any future development of this property. The Commission thanked the applicant for providing the conservation easement area to protect the wetlands on site.

Commissioners eligible to vote: Brenneman, Doeg, Matava, Charette and Houf.

There was no public comment in favor or in opposition to the application.

The public hearing closed at 7:12 p.m.

Upon a motion made and seconded (Brenneman/Houf) it was unanimously

VOTED: To approve the Estate of Paul Krell application for two-lot re-subdivision of property located at 373 Meadow Road, R40 zone as per plan presented and on file in the Planning Office.

Lovley Development Inc. – 50 Junior Road

Application for two-lot re-subdivision of property located at 50 Junior Road, R12 zone. Severino Bovino, Kratzert, Jones & Associates, Inc. represented the applicant and presented the re-subdivision plan for 50 Junior Road. The existing structures are proposed to be removed from the site. The R12 lot will be re-subdivided to two lots and two new houses will be constructed; serviced by sanitary sewer and private waters. The new single-family houses will be closer to Junior Road than the existing house. Mr. Bovino reviewed the erosion and sedimentation control plan, drainage plan noting that both lots will have underground storage units. The Commission asked for clarification on the project and for confirmation that no development would take place on the Plainville portion of the site.

There was no public comment in favor or in opposition of the application.

The public hearing closed at 7:21 p.m.

Upon a motion made and seconded (Tucker/Houf) it was unanimously

VOTED: To approve the Lovley Development Inc. application for two-lot re-subdivision of 50 Junior Road, R12 zone as pre plan submitted and on file in the Planning Office.

Mary Alice Moore Leonhardt – 152 Town Farm Road

Special permit to create interior lot at 198 Talcott Notch Road, R80 zone. This application has been withdrawn.

Tom Kurczewski – 240 Main Street

Alternate Commissioner Donald recuses herself from this matter and Alternate Commissioners Charette is appointed to vote on her behalf.

Application for special permit for general office, personal service/retail use and site plan approval for property located at 240 Main Street, B1 zone. Sheldon Crosby, L'Arc Architects, presented the plan for development. The plan proposed to renovate the historic home listed on the National Registry of Historic Places. The structure will be expanded for the proposed general office, personal service/retail use of the site. A new connector space between the existing and new buildings will have a handicap accessible entry door. The applicant met with the Architectural Design Review Committee to review the project. The Committee likes the concept with the addition varying from the original structure and has made some suggestions to the architect. Kevin Clark, P.E., Clark Engineering, described site details; twenty proposed parking spaces consisting of fifteen full size spaces, four compact and one handicap space. The

dumpster will be located at the end of the parking lot. The proposed parking lot will be raised to provide relatively level access to the building. A concrete sidewalk is proposed along Main Street. The project proposes 49% lot coverage with additional landscape buffer on the western property line. Mr. Clark described details on the site utility, storm water management and erosion control plans. Commissioners asked for further information regarding basements, snow storage, proposed uses and lighting in the parking lot. Messrs. Crosby and Clark responded the basement space is for storage only and then used the site plan to indicate where snow would be stored on site. The primary uses of the building will be general office and personal service. No residential use of the building is proposed. Four twelve foot light posts on concrete posts with LED down lit fixtures are proposed in the parking lot. Recessed lights are proposed over the rear entry door. The Commission asked for the anticipated hours of operation and for clarification on the size of the addition. The hours of operation will likely be 7 a.m. to 8 or 9 p.m. weekdays and Saturday hours but closed Sundays. The footprint of the new construction is approximately 1,100 sq. ft.

James Pogson, 256 Main Street, expressed concern with granting a special permit without knowing the specific tenants. There have been issues with tractor trailers parked on Main Street for other businesses in the area. He also expressed concern with the proposed site coverage.

The public hearing closed at 8:05 p.m.

Upon a motion made and seconded (Tucker/Houf) it was

VOTED: 5 in favor to 1 opposed (Brenneman) to approve the Tom Kurczewski request for waiver of site coverage to allow 49% site coverage as per plan presented.

Upon a motion made and seconded (Doeg/Houf) it was unanimously

VOTED: To approve the Tom Kurczewski application for special permit for general office, personal service/retail use and site plan for property located at 240 Main Street, B1 zone with the condition that retail is only permitted as an ancillary use connected to a personal service business use.

#### Town Farm Development LLC – 152 Town Farm Road

Special permit for tent structures and event use located at 152 Town Farm Road, R20/FW Zone. Attorney Christian Hoheb represented the applicant and stated for the record the applicant submitted revised site plan. The site has historically been used for many events and polo/equestrian use. Since the last meeting they have worked to address concerns raised at the last meeting. Attorney Hoheb stated that since the last meeting he has talked to two of the three neighbors that expressed concern. Dave Falt, Town Farm Development, said they have made some revisions to their request. The request is to relocate the two main event tents to the center of the site between the polo fields and riding rings. Twelve vendor/spectator tents will be set up between the polo field and Town Farm Road throughout the polo season. Two campers/trailers are proposed to be used for special guests for no more than fourteen days at a time in addition to event trailers. Proposed modifications to the 2016 conditions of approval originally submitted with the application were changed and the revised requests for modification include: all polo and equestrian events and entertainment shall conclude by dusk; recreational camper/trailer use shall be in accordance with the flood regulations found in the Zoning Regulations; Minor

changes proposed under the “Non-Equestrian/Polo Events” list of conditions of approval modified to revise hours, public address and small scale music amplification. The indoor K-9 facility request was withdrawn from the application. Mr. Falt commented the main event side walls will be up as much as possible to allow sunlight in under the tent for turf maintenance.

Ken Giantonio, 243 Waterville Road, expressed concern with noise and asked for clarification on the proposed location of the campers/trailers. He asked if any activity will take place in the Farmington River and expressed concern again for the number of events.

John Kuk, 275 Waterville Road, stated he was in support of last year’s approval and opposed to an increase in events.

Norma Hartley, 32 Girard Avenue, expressed concern with the increased number of events.

John Schoenhorn, 155 Town Farm Road, asked about the height of the main event tents and questioned the need for their location to change. Asked why smaller vendor tents cannot be taken down after each event, why they can’t obtain a special permit for major events and asked how many people can be expected to attend polo events.

David Dahle, 151 Town Farm Road, expressed concern with traffic and the proposed increase in events would adversely impact the neighborhood. Mr. Dahle submitted a petition into the record.

Michael Smith, 24 Girard Avenue, submitted a letter from Cory Lanza, 26 Girard Avenue in opposition to the application. Mr. Smith expressed concern with noise, light pollution and the reduction in the vegetative buffer between the Polo Grounds and Girard Avenue.

Carol Whelan, 158 Town Farm Road, stated she has issues with trespass issues of people using her driveway and parking on her property expressing concern with safety.

Jessica Painter, 149 Town Farm Road, commented she supports the polo grounds. Noise is a concern but she is ok with it. She said she was no in support with the proposed new location of the tents.

Attorney Marsha McCormick represented the Estate of Suzanne McNamara, 31 Girard Avenue. Expressing concern with noise and supported the criticisms voiced tonight.

Steve Josey, 30 Girard Avenue, asked how often tanks of the campers/trailers will be emptied and if they will be powered by generator or on site electricity.

Jim McCahill, 126 Town Farm Road, commented the current owner has done a phenomenal job with the site compared to the previous property owner. Mr. McCahill asked for clarification on the location of the campers/trailers. Mr. Falt used the site plan to clarify.

Annie Smith, 24 Girard Avenue, expressed concern with the new location of the main event tents.

Mr. Falt responded to concerns expressed; they will follow the noise ordinance; used the site plan again to show the proposed location of campers; no recreation will take place in the river;

they are not asking to double the number of events they are keeping the same number as previously approved; proposing polo event every weekend; an eight foot tall fence was proposed along the southerly property line but the resident of Girard Avenue did not want it; the main event height is similar to the house height on the site; the length of the smaller tents is much shorter than the frontage of property; any event non-charitable will come back to staff or the Commission; campers will be powered by electricity available on site; camper/trailers tanks will be emptied as often as needed; regarding comments on noise from the announcement system, they have not used it yet.

The Commission asked if the tents proposed along the fence line of Town Farm Road could be taken down after events. Mr. Falt responded yes. The main event tents require heavy equipment to set up and tear down. When asked the number of events anticipated this season Mr. Falt responded their list is almost identical to last year for events other than polo events. It was recommended the applicant talk to Town staff for any events with concert level music. Town Planner Warner explained the public event permit process through the Town Manager's Office that all major events go through, including the applicant. Event permit applications are reviewed by multiple Town officials. The Commission asked the applicant how they will eliminate trespass issues voiced. Mr. Falt responded they need to work with their security people to ensure it doesn't happen. The Commission recommended adding "weekday" to Item No. 13 of the proposed amended list of conditions. Mike Bozzuto apologized to Ms. Whelan about trespass incident and said he will address with his staff. It is their intent to be part of the community. Mr. Bozzuto explained the purpose of the main event tents and stated the sides will be up most of the time so people will be able to look through them.

Ms. Dahle asked for clarification on the earlier comment that the applicant "spoke to neighbors". Attorney Hoheb stated three neighbors spoke at the last meeting expressing concern and he was able to speak to two of those people.

The public hearing was closed at 9:45 p.m.

Commissioners eligible to vote on this matter: Brenneman, Doeg, Dunn, Jarvis, Matava, Donald and Houf.

Upon a motion made and seconded (Doeg/Matava) it was unanimously:

VOTED: To approve the application of Town Farm Development LLC for special permit for tent structures and event use located at 152 Town Farm Road, R20/FW zones with the following conditions:

1. As submitted in the Town Farm Development LLC, Special Permit Application list with a revision date of April 24, 2017;
2. This special permit is limited to one year and shall be considered for renewal based on the events of the coming year;
3. The twelve vendor tents along Town Farm Road shall be taken down between events;
4. Campers/trailers shall have no generators;
5. The word "Weekday" shall be added to the beginning of Item No. 13 listed in condition of approval No. 1 of this decision.

**PLANNER'S REPORT**

No Planner's Report.

**MINUTES**

Upon a motion made and seconded (Houf/Doeg) it was unanimously

VOTED: To approve the minutes of the April 10, 2017 meeting.

The meeting adjourned at 10:08 p.m.

*SJM*