

Minutes are considered "Draft" until approved by the Commission. Please contact the Planning and Zoning Office for a copy of final minutes.

TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MINUTES

December 12, 2016

Present were Chairman Dunn, Commissioners Brenneman, Fraprie, Jarvis and Tucker and Alternate Commissioners Charette, Donald and Houf and the Town Planner and Clerk. Acting Secretary Tucker opened the meeting at 7:00 p.m.

Acting Secretary Tucker read the legal notice into the record.

Chairman Dunn explained the process of the meeting to the public.

Alternate Commissioner Houf was appointed to vote on behalf of Commissioner Doeg.

PUBLIC HEARINGS

Mark – Termini – 504 Main Street

Application for special permit for fence business use located at 504 Main Street, C1 zone. Tabled from the November 14, 2016 meeting. Mr. Termini would like to obtain a special permit to continue operating his fence business at 504 Main Street. He has a small display of fence style samples along the front of his space. He does not anticipate the need to expand the display area. Mr. Termini added he has a construction company and he uses warehouse space to store materials at 504 Main Street as well. Commissioners asked clarifying questions about storage of material, display area and if fabrication work was done on site. Mr. Termini said they do not typically perform fabrication work on site but if they did it would be done in the warehouse area. The Commissioners asked if the bay door to the warehouse is open or closed while work is being done. Mr. Termini said it depends on the weather and the only noise generated would be from construction equipment like a circular saw or air nailer. When asked about a number of gas cans at the site Mr. Termini explained he has gas operated equipment but that he does not need to keep the gas cans on site so they have been removed.

Allen Quigley, 486 Main Street, stated they had concerns with noise and the storage of gas at the site. He has talked to the business owner and these issues seem to have been resolved.

The public hearing closed at 7:15 p.m.

Commissioner Fraprie moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission received an application for a special permit for a fence business use located at 504 Main Street, C1 zone; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 8-3(c); and

Whereas the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant;
2. There will be no outdoor storage of junk or debris. Any gasoline storage shall be on the outside of the building and located in covered storage area providing secondary containment;
3. Display of product shall be limited to the space immediately adjacent to the front of the building; and
4. Doors shall remain closed while fabrication work is being done.

The motion passed unanimously.

JDA Farmington LLC – 788 Farmington Avenue

Application for special permit and site plan approval for development of a twelve-unit condominium located at 788 Farmington Avenue, FC/FV zone. Tabled from the November 14, 2016 meeting. Attorney Robert Reeve, Scully, Nicksa & Reeve, LLP, submitted certified mail receipts for the record and stated the sign noticing the hearing was posted as required. This application proposes to construct a twelve unit condominium building at the former Chuck's Steakhouse Restaurant site on the new backage road. Tom Daly, P.E., Milone & MacBroom, reviewed the existing conditions of the site. The existing building will be demolished and a twelve-unit building will be constructed in essentially the same location. Parking for residents will be provided underneath the building. Mr. Daly reviewed the details of the site development plans. Jack Kemper, Kemper Associates, reviewed the architectural design of the building. The units will range between 1,630 sq. ft. and 1,945 sq. ft. Half of the units will be two-bedroom and the other half three-bedroom. All of the units will have a deck/porch at the back of the building. Mr. Kemper also reviewed building elevations. The first floor will be stone veneer and the siding on the rest of the building a Hardee plank/cement fiber board siding. He proposed a traditional white building with black shutters. Twenty-four parking spaces are proposed underneath the building. Dian Barnes, Landscape Architect, described the details of her landscape plan for the site.

Commissioners asked about accessibility of the units. Mr. Kemper responded all the units are accessible and when needed can be outfitted internally for the specific needs of the occupant(s).

Karen Fallo, 12 Winterwood Terrace, spoke in favor of the application.

Attorney Reeve summarized the project meets the requirements of the zone and asks that the application be approved.

The public hearing closed at 7:46 p.m.

Commissioner Tucker moves and Commissioner Houf seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for development of a twelve-unit condominium located at 788 Farmington Avenue, FC/FV zone; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 8-3(c); and

Whereas the proposal has received approval from the Farmington Inland Wetlands Commission and advisory review by the Architectural and Design Review Committee; and

Whereas the Commission evaluated the proposal in accordance with the FC/FV zone regulations and Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant;
2. The proposal shall adhere to the latest Engineering Division memorandum dated December 9, 2016;
3. The final landscape and architectural design, including building, landscape and hardscape material selection, shall be reviewed and approved by the Architectural/Design Review Committee.

The motion passed unanimously.

Eliza Pinette – 68 Farmington Avenue

Special permit for personal service shop (dog grooming) at 68 Farmington Avenue, B1 zone. Ms. Pinette would like to operate a dog grooming business on the second floor at 68 Farmington Avenue. She will reside on the first floor unit behind the existing package store at the same location. When asked for further information about the business operation Ms. Pinette responded she would likely not have more than five or six dogs per day. Her hours of operation will be from 8 a.m. to 8 p.m. and the driveway will be used from drop off/pick up. Ms. Pinette also has a pet sitting business that is primarily done at the customer's home. The Commission asked about licensing requirements of the business. Ms. Pinette stated she does not believe a license is required. The Commission asked for confirmation that no dogs will be kept overnight. Ms. Pinette responded no. After a brief discussion the Commissioners suggested a condition of approval that the applicant obtain necessary licenses from the Department of Agriculture and the State.

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

The public hearing was closed at 7:55 p.m.

Commissioner Houf moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission received an application for a special permit for dog grooming business at 68 Farmington Avenue, B1 zone; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 8-3(c); and

Whereas the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant;
2. There will be no outdoor activity associated with the use. When on the property for grooming all dogs shall be kept inside;
3. There shall be no more than three (3) client dogs on site for grooming at any time;
4. There shall be no overnight kenneling of dogs; and
5. The applicant shall comply with all requirements of the Department of Agriculture and State regulations including all licensing requirements.

The motion passed unanimously.

Jadwiga Karwowski – Text Amendment

Text amendment to the Farmington Zoning Regulations to add Section 1.B.26. to Article II to allow a special permitted use to keep up to 40 Homing/Racing Pigeons in Residential 80, 40, 30 zones (R80, R40, R30). Attorney Martin Rizzi, Petroski & Rizzi, LLC, represented Mr. Karwowski's request to add the housing/keeping of homing/racing pigeons as a use allowed by special permit only in residential zones. Attorney Rizzi handed out information regarding racing/homing pigeons for the record. He then explained the events that lead to this application. He explained his client constructed a pigeon loft on his property and began the hobby of pigeon racing. A neighbor complained about the birds and the location of the loft. A Cease & Desist Order was issued for the non-conforming use and location of the accessory building; they appealed the Order to the Zoning Board of Appeals. The Board determined the loft was not in a conforming location per the setback requirements for an accessory structure and has since been moved to a conforming location. In addition, the Board made the determination that the use was more appropriate for the Town Plan and Zoning Commission to consider as a special permitted use, which lead to the submission of this text amendment. Attorney Rizzi explained the keeping of homing/racing pigeons is a recognized and regulated sport. He commented homing pigeons can be removed but that they will return to their home. Attorney Rizzi talked about the care and keeping requirements of homing/racing pigeons and added the approval of the text amendment would allow an application for special permit to be submitted for this use. Bob Carney, 2042 South Finch Blvd., South Windsor, spoke as a representative of a pigeon club in CT. Mr. Carney provided further details on the keeping of racing/homing pigeons.

Karen Fallo, 12 Winterwood Terrace, spoke in opposition to the proposed text amendment.

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

VOTED: 0 in favor and 6 opposed to approve the text amendment to the Farmington Zoning Regulations to add Section 1.B.26. to Article II to allow a special permitted use to keep up to 40 Homing/Racing Pigeons in Residential 80, 40, 30 zones (R80, R40, R30).

The motion failed and the application was denied.

Commissioners voting in opposition to this application felt the releasing of pigeons could create a nuisance to neighbors and that it would be difficult to monitor/limit the number of birds permitted.

Robert Schechinger – 592 New Britain Avenue

Special permit and site plan approval for Sale, Service, Storage and Repair of Motor Vehicles (school bus company use) at 592 New Britain Avenue, C1 zone. Attorney Christian Hoheb represented the property owner. He commented on the difference between this application and the application they presented in June. Jon Hipsher, M & J Bus, Inc., stated the site will be used for the routine maintenance of buses and passenger vans. Vans, driver's personal vehicles and buses requiring maintenance will park on site in addition to the couple of employees that work on site. Three bay doors will be installed to the rear of the building for maintenance of vehicles. Robert Schechinger, Landscape Architect, reviewed site details for parking and landscaping. Six down lit wall mounted lights are proposed on site. The Commission asked for clarification on idling of vehicles, the extent of maintenance to be done on site, lighting, whether bay door will be open when maintenance is performed on vehicles.

John Brockelman, 22 Juniper Drive, stated he was not opposed to the application but expressed concern with backup alarms and asked if the hours the bay doors can be left open be limited.

Tim Marsh, 11 Blueberry Lane, expressed concern with idling vehicles and noise from vehicle maintenance.

Paul Jackie, 20 Juniper Drive, expressed concern with noise.

Attorney Hoheb summarized their presentation by stating the proposal complies with the Plan of Conservation and Development and the Town's Regulations and asked the Commission to approve the application.

During discussion the Commission asked if the applicant would agree to accept staff comments as a condition of approval. The Commission also asked that buses be staged in the afternoon prior to scheduled maintenance. Attorney Hoheb agreed to both requests.

The public hearing closed at 9:24 p.m.

Commissioner Fraprie moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for storage of 15 vans, service and repair of Farmington school buses at 592 New Britain Avenue, C1 zone as displayed on the plans in the Zoning Office; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 8-3(c); and

Whereas the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit request with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations and representations made by the applicant and the latest Engineering Division memorandum dated December 12, 2016; and
2. There shall be no parking on unpaved surfaces;
3. Buses scheduled for service shall be staged in the afternoon the previous day; and
4. The overhead doors shall not be left open before 9 a.m. or after 5 p.m.

The motion passed unanimously.

DiMatteo Construction Inc. – Bridgehampton Crossing Subdivision

Special permit for blasting to extend the Bridgehampton Crossing roadway north of Dunstable Close, to construct new houses on Lot 38 Bridgehampton Crossing (behind 4 Gateshead Way) and Lot 61 Newcastle Place (across the street from 6 Newcastle Place), R40C zone. Armand DiMatteo presented the application and stated the blaster was unable to attend the meeting. After reviewing the proposal the Commissioners asked for confirmation that the applicant would conduct blasting between the hours of 9 a.m. and 3 p.m. Mr. DiMatteo responded yes.

Rakeshkumar Kansara, 74 Alpine Drive, asked for clarification on the distance between the proposed blasting and his home. He expressed concern with the impact of the proposed work on his home.

The Commission asked the applicant if they would be willing to offer a pre-blast survey to Mr. Kansara. Mr. DiMatteo responded yes, he would relay the information to his blaster.

The public hearing closed at 9:27 p.m.

Commissioner Fraprie moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit as required pursuant to Article IV Section 27 of the Farmington Zoning Regulations (regulations) to allow for blasting to extend the Bridgehampton Crossing roadway north of Dunstable Close, to construct new houses on Lot 38 Bridgehampton Crossing (behind 4 Gateshead Way) and Lot 61 Newcastle Place (across the street from 6 Newcastle Place), R40C zone; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 8-3(c); and

Whereas the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

Now therefore be it resolved that the Commission approves the special permit request with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations (Article IV Section 27) including post approval performance standards and representations made by the applicant;
2. Prior to the start of any work the plans shall be reviewed and approved by the Fire Marshal and a blasting permit shall be issued by the Fire Marshal;
3. Blasting shall be limited to the hours between 9 a.m. and 3 p.m. Monday through Friday only; and
4. The applicant shall offer a pre-blast survey to the owner of 74 Alpine Drive.

The motion passed unanimously.

NEW BUSINESS

Ad Hoc Sign – 30 Mill Street

ProHealth Physicians propose a double face aluminum monument sign with ground lighting and a 40 sq. ft. building sign with gooseneck lighting. The signs identify the location of their walk-in service. The proposed signs have been reviewed and by the Unionville Architectural Design Review Committee.

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

VOTED: To approve the Ad hoc Sign application building and monument signs as presented and on file in the Planning Office for 30 Mill Street.

CRCOG Regional Planning Commission

Commission Fraprie, the 2016 representative to CRCOG from the Commission stated this is his last meeting. The Commissioners told him his contributions will be missed and wished him well.

Chairman Dunn asked Alternate Commissioner Charette if he would be willing to be the representative from the Commission for 2017.

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

VOTED: To appoint Alternate Commission Charette to the CRCOG Regional Planning Commission.

The appointment of an alternate was deferred.

PLANNER'S REPORT

Raym-co – 62 Spring Lane

Raym-co worked with Town staff regarding the location of the two proposed directional signs at 62 Spring Lane and submitted a new plan for the Commission's consideration.

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

VOTED: To approve the two directional signs as submitted and on file with the Planning Office for 62 Spring Lane.

Charles W. House Aquifer

Town Planner Warner reviewed the latest aquifer addition to the zoning map for the Charles W. House Well Field Aquifer Protection Area. The zoning map will be updated to include this new aquifer area as required by statute.

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

VOTED: To add the Charles W. House Well Field Aquifer Protection Area to the Town of Farmington Zoning Map.

Farmington Center Update

Town Planner Warner provided an update on the Farmington Center Study and the resulting plans for the Center.

MINUTES

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

VOTED: To approve the minutes of the November 14, 2016 meeting.

The meeting adjourned at 10:25 p.m.

SJM