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TOWN PLAN AND ZONING COMMISSION
SPECIAL MEETING MINUTES

January 8, 2018

Present were Chair Brenneman, Commissioners Doeg, Donald, Matava, Pogson, Tucker, Alternate Commissioners Grabulis, Nowakowski, O'Brien and Town Planner and Clerk. Chair Brenneman opened the meeting at 7:10 p.m. and Secretary Tucker read the legal notice into the record.

PUBLIC HEARING

Margaret Rush – 125 Waterside Lane

Application for special permit to raise poultry (up to six hens) at 125 Waterside Lane. The matter was tabled to the January 22, 2018 meeting.

Jadwiga Karwowski

Application for text amendment to the Farmington Zoning Regulations to add Section 1.B.26 to Article II to allow a special permitted use for the housing/keeping of homing/racing pigeons (up to 40 in number) in Residential 80, 40, 30, 20 zones (R80, R40, R30, R20). Attorney Martin Rizzi represented the applicant and reviewed the history of previous applications submitted to the Commission and the Zoning Board of Appeals. Attorney Rizzi stated they only intend the amendment to apply to the R80, R40, R30 and R20 zones and no other residential zone. He then commented on the sport of racing pigeons; by-laws from the International Federation of American Homing Pigeon Fanciers and the National Pigeon Association; AU Code of Ethics; American Racing Pigeon Union, Inc. policies, procedures and rules; Association of Avian Veterinarians Position Statement on the keeping of birds in captivity; information from Faircount Northeast Pigeon & Dove Club; clarification on the PETA; and stated there are other residents in Town that keep/raise pigeons. Attorney Rizzi stated the text amendment would provide a process for a property owner to apply for a special permit to have pigeons which is the same process currently available for the raising of poultry and fur bearing animals. Secretary Tucker read correspondence from Karen Fallo, 12 Winterwood Terrace, in opposition to the application dated January 8, 2018 into the record. The letter states the raising of over a hundred pigeons has caused a public nuisance and is a health issue. Attorney Rizzi did not agree that this hobby/sport created a public nuisance or health issue.

The Commission asked for clarification about other such uses in Town. Attorney Rizzi responded a resident on Plainville Avenue has raised/keep pigeons for seventeen or eighteen years. The Commission also asked for clarification on how pigeons are kept, how far they travel, and how often they are released for exercise. Mieczyslaw Karwowski, 10 Winterwood Terrace, stated that new birds are let out from time to time to get acclimated to their home and that they do not travel far. In general, birds are exercised one time a day but not every day. There is a large area in the loft for the birds to exercise. The Commission expressed concern with the number of birds, enforcement of the number of birds and whether or not this use makes sense for Farmington.

Giuseppe Melluzzo, 591 Plainville Avenue, stated he has had pigeons for well over seventeen years and asked if anyone has ever heard or seen his birds. He explained that when the birds are let out for quick exercise they are not fed prior to release. Their feed is used to get them to return to their loft quickly. Mr. Melluzzo added he has no mess and he sells birds to keep the number of birds down. The Commission asked for clarification on abutters and size of his property. Mr. Melluzzo responded he has residential abutters on both sides and across the street and the rear of his property is abutted by the Town Forest. His parcel is approximately one acre in size.

Attorney Rizzi closed by stating that if it weren't for one complaint by one person they would not be here before the Commission.

The public hearing was closed at 8:01 p.m.

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

VOTED: 0 in favor to 6 opposed to approve the Jadwiga Karwowski application for text amendment to the Farmington Zoning Regulations to add Section 1.B.26 to Article II to allow a special permitted use for the housing/keeping of homing/racing pigeons (up to 40 in number) in Residential 80, 40, 30, 20 zones (R80, R40, R30, R20).

The motion failed and the application was denied.

Members voting in opposition felt that although Mr. Karwowski may take good care of his birds they do not believe the use is good for the Town as a whole and that this use would be challenging to enforce.

NEW BUSINESS

Sign Pro Inc. – 2 Bridgewater Road

Robert Kuszpa, Sign Pro, Inc., commented this project started with one tenant and he decided to work on a uniform design for the building. He submitted a revised plan with the final sign design to the Commission. The Commission asked for clarification on the material proposed. Mr. Kuszpa stated the proposed sign is made of ¼" aluminum die-cut white letter and logos stud mounted to the existing exterior building façade. All sign areas are approximately 21 sq. ft. There was some discussion regarding that although the proposed signs are an improvement from previous building signs, some Commissioners would prefer to ask the Architectural Design Review Committee to review the proposal and offer their input. There was a brief discussion about whether or not it was appropriate to install building signs at this location. The Commission had previously required the building signs be removed once the free-standing tenant signs were installed.

A motion was made and seconded (Tucker/Donald) to approve the Sign Pro Inc. sign application for 2 Bridgewater Road as presented. Discussion ensued and some Commissioners felt the signs were not necessary and others preferred to have the Architectural Design Review Committee review and provide input to the Commission.

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

VOTED: To table this matter so that the Architectural Design Review Committee may review this application and report back to the Commission.

CHK LLC – 145 Main Street

Rodolfo Garcia, AIA, CHK, LLC, presented the request to install a freestanding sign at Saint Mary's Church at 145 Main Street, Unionville. Mr. Garcia stated they met with the Architectural Design Review Committee and received favorable comments regarding the application. The proposed sign will be located in front of the church approximately twelve feet from the property line and set in a stone mulch bed. A portion of the existing wrought iron fence will be removed. Proposed lighting will be provided by a grade light source that will not be visible. The proposed sign is a painted PVC two-sided sign panel with carved graphic/lettering mounted between two columns. The size and location meet the requirements of the zoning regulations.

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

VOTED: To approve the CHK, LLC sign application for 145 Main Street, Unionville as presented and on file in the Planning Office.

Artfx – 801 Plainville Avenue

Denise Lysak, Artfx, presented the proposed twelve sq. ft. monument sign at 801 Plainville Avenue. The Zoning Board of Appeals approved the proposed size. Ms. Lysak stated the sign location has moved from 50 feet from the edge of roadway to 35 feet for more visibility. The proposed two-sided carved sign mounted on two columns. Attorney Anthony Sheffy, Sheffy, Mazzaccaro, DePaolo & DeNigris, LLP, stated the location of the sign was changed because of safety concerns. Town Planner Warner commented if the sign location presented to the Zoning Board of Appeals was 50 feet from the edge of roadway then they may need to go back to that Board to change the location. He will investigate further and get back to the applicant.

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

VOTED: To approve the Artfx sign application to install a monument sign at 801 Plainville Avenue as presented with the condition that the Zoning Board of Appeals approves the proposed location of the sign at 35 feet from the edge of roadway. If the Board does not approve the location then the sign shall be located at 50 feet from the edge of roadway as originally presented.

Mormon Temple – 1 Central Way

Town Planner Warner stated he has been in touch with representatives of the Temple but no one was able to attend this meeting. A condition of approval for construction of the Temple was that the Commission review lighting a year after completion of the Temple. Town Planner Warner recommended the lights shown in red on the site plan provided be turned off at 8 p.m. unless those sections of the parking lot are in use for an event.

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

VOTED: To require that the lighting shown in red on the BL Companies Plan AB-1 at 1 Central Way be turned off at 8 p.m. unless those sections of the parking lot are in use for an event.

AJ&S Associates II LLC – 1 & 3 Farmglen Road

Site plan approval for expansion of parking area at 1&3 Farmglen Road. This matter is tabled to the January 22, 2018 meeting.

Town of Farmington – 1 Monteith Drive

Site plan approval and 8-24 referral for parking lot improvements at Town Hall, 1 Monteith Drive. This matter is tabled.

PLANNER'S REPORT

Airbnb

Town Planner Warner commented his office responds to complaints. For some time he has been monitoring Airbnbs in Town and there are currently twelve. This use has been a discussion matter between Planners of many towns for some time and most towns have determined the use is a Bed & Breakfast use. He has received a complaint about one Airbnb in Town and the Planning Office will be starting enforcement.

788 Farmington Avenue

Commissioner Tucker asked questioned how chimneys were installed at the condominium building under construction at 788 Farmington Avenue when they weren't part of the approved plans. Town Planner Warner stated the chimneys were not approved by the Commission or the Architectural Design Review Committee and they were not included in the construction plans during the permitting process. The contractor installed them without approval. The Planning Office is working on resolving the issue and if the contractor wants to keep them the Architectural Design Review Committee and this Commission will have to approve them.

Chair Brenneman

Chair Brenneman commented that as Chair she will not typically voice her personal opinion about any application. She would also like to go back to the Commissioners creating their own motions unless an application is very complicated and there are many conditions. Discussion ensued and there were some legal concerns with not having a more formal motion structure but the overall consensus was that the Commission would not have prepared motions except when presented with a more complicated development application.

Plan & Zoning Workshop

The Town Manager has asked the Town Planner to contact the Town Attorney to conduct a workshop for the Commission. He has a request in with the Town Attorney and will keep the Commission provide details of the workshop as they become available.

MINUTES

December 11, 2017

Upon a motion made and seconded (Tucker/Doeg) by the five returning Commissioners (Brenneman, Doeg, Donald, Matava and Tucker) it was unanimously

VOTED: To approve the minutes of the December 11, 2017 meeting.

The meeting adjourned at 9:05 p.m.

SJM

DRAFT