

TOWN PLAN AND ZONING COMMISSION  
MEETING MINUTES

January 14, 2019

Present were Chair Brenneman, Commissioners Doeg, Grabulis, Pogson, Donald and Alternate Commissioner Ogan and Assistant Town Planner and Clerk. Town Council Liaison Charette was also present. Chair Brenneman opened the meeting at 7:00 p.m.

**PLEDGE OF ALLEGIANCE** (Led by Commissioner Doeg)

Acting Secretary Doeg read the legal notice into the record.

Alternate Commission Ogan was appointed to vote on behalf of Commissioner Tucker.

**NEW BUSINESS**

Fore Group Inc. – Olcott Way

Request for modification of subdivision approval – release of bond regarding the finish of the road at Olcott Way. This matter was tabled to later in the agenda to provide additional time for Fore Group to be present.

Ion Bank – 4 Main Street

Attorney Philip R. Dunn, Jr. represented Ion Bank sign application tabled at the last meeting. This matter was tabled to later in the agenda to provide additional time to be present.

SBRA, LLC – 62 Spring Lane

Site plan application for 23,100 sq. ft. addition with associated site improvements at 62 Spring Lane. Bryan Balicki, PE, Sage Engineering & Contracting, Inc., provided a detailed presentation of the proposed work at Raym-Co Inc. at 62 Spring Lane; the building addition will be between the existing building and rear parking lot within the existing developed area of the site. The addition is for the expansion of business. Parking requirements will remain compliant with the zoning regulations. Mr. Balicki noted the storm water management system is designed for zero net increase in storm water runoff. The Commission asked some clarifying questions regarding coverage, loading dock location and exterior building materials for the addition.

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

VOTED: To approve the SBRA, LLC site plan application for 23,100 sq. ft. addition with associated site improvements at 62 Spring Lane, as presented and on file in the Planning Office with the condition that the applicant address to the satisfaction of the Engineering Department comments dated December 12, 2018.

Eversource / Town Tree Warden

Scott Zenke, Highway and Grounds Superintendent, stated Eversource will be conducting routine maintenance of trees along their power lines on Mountain Spring Road. In addition, Mr. Zenke stated he has evaluated trees in this area that will be removed for safety and/or that are in the right-of-way, diseased or storm damaged. There are approximately 35 to 40 trees to be removed. Trees to be removed have been tagged/marked. The purpose of this presentation is for the Commission to determine if they feel the proposed work is routine maintenance or not. If they feel it is more than routine maintenance then a public hearing can be required.

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

VOTED: 5 in favor, 1 abstention (Pogson) to agree the Eversource/Town Tree Warden tree work proposed along Mountain Spring Road is routine maintenance.

L'Arc Architects LLC – 240 Main Street

Commissioner Donald recused herself from this matter.

Modification of prior approval regarding exterior building materials at 240 Main Street. Sheldon Crosby, L'Arc Architects LLC provided details on the material changes to the façade of the building. He presented photos of the building as it was constructed and displayed the building elevations approved pointing out the differences. Regarding the connector portion between the restored building and the addition, Mr. Crosby stated the approved boards were no longer produced and that they had to choose an alternate material; the trim approved above the windows he felt was “too fussy” and the windows looked better without this detail. Chair Brenneman commented changes should have been brought to the Commission for review/approval prior to being made. Mr. Crosby was asked if he received a copy of Staff comments that the building façade should be constructed as approved. Mr. Crosby said he did receive the comments but did not agree.

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

VOTED: To approve the L'Arc Architects LLC request for modification of prior approval regarding exterior building materials at 240 Main Street as presented with the condition of approval that all things Mr. Crosby stated will be installed in his letter dated December 26, 2018 must be installed.

CRCOG

2019 Appointment to CRCOG Regional Planning Commission. Alternate Commission Nowakowski was the 2018 appointed TPZ member to the CRCOG Regional Planning Commission. Mr. Nowakowski was not present at the meeting and it was recommended this matter be tabled to the next meeting to see if he would be interested in continuing his appointment.

### Architectural Design Review Committee Reappointments

Both Committee members' Dian Barnes and David Quisenberry terms have expired and they are interested in being reappointed.

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

VOTED: To reappoint Dian Barnes and David Quisenberry to the Architectural Design Review Committee.

### Fore Group Inc. – Olcott Way

Request for modification of subdivision approval – release of bond regarding the finish of the road at Olcott Way. Attorney Philip R. Dunn, Jr., represented Fore Group Inc. in their request to have their bond released. The private road is complete with the exception of a chip seal finish that was part of the original contractor's approval for this subdivision. The Homeowner's Association met and three of the four property owners voted in favor of not having the private road, Olcott Way, chipsealed and to having the bond released to the developer. The owner of 2 Olcott Way was not in favor and his correspondence (including photos) was provided to the Commission prior to the meeting for their review and consideration. The Commission asked clarifying questions on the private roadway condition, whether or not the road will become a Town road, and for the opinion of the developer why the owner of 2 Olcott Way was opposed to the elimination of the chipseal and for the release of the bond.

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

VOTED: To approve the Fore Group Inc. request for modification of subdivision approval to release the bond regarding the finish of the road at Olcott Way.

Member voting in favor of support the vote in favor of this release by a majority of property owners on the private road.

### Ion Bank – 4 Main Street

Attorney Philip R. Dunn, Jr. represented Ion Bank and their sign application tabled at the last meeting. A revised sign plan was submitted to the Commission in response to comments at the last meeting. The proposal is to move the lettering "The Corner House" to the north and south side of the building and reface the existing freestanding sign with the lettering "ion Bank" and to place the street number "4" in the upper "shell" portion of the sign. Room on the lower half of the sign will be left open for a future tenant. A small building sign over the entrance door is also part of this proposal. The freestanding sign was shown both with a blue background to match the existing Farmington Inn sign; and a white sign with colored lettering and street number. The Commissioners agreed the blue background was more appropriate for the freestanding sign in this location. Andy Ciaburri, Lauretano Sign Group, confirmed they plan to use the existing sign in its existing location.

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

VOTED: To approve the Ion Bank sign application at 4 Main Street as presented and on file in the Planning Office (Lauretano Print No. 7899GG-2 dated January 3, 2019 pages 1 and 2; 7106GG-3 dated December 7, 2018 pages 1 and 2; and 7787GG-3 dated January 6, 2019 pages 1 and 2).

5 Corners – Farmington Associates LLC – 345 Colt Highway

Accept application for special permit modification to add medical and business office uses at 345 Colt Highway. Commission to make a determination on whether a public hearing is required. If so, recommended public hearing date is February 11, 2019. Attorney Robert Reeve, Scully, Nicksa & Reeve, stated that the approved uses for the building are restaurant and retail and that the restaurant use occupy at least 40% of the building. Currently they have two restaurant uses that will occupy approximately 50% of the building. They have another tenant, New York Bariatric, interested in occupying one of the two remaining spaces. This tenant would require medical office special permit. They would also like to obtain approval for business office use. Attorney Reeve reviewed the parking table summary which indicates there is ample parking for these uses. The bariatric consulting tenant would have the equivalent of one doctor on site. There are no changes to the approved site plan or the hours of operation.

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

VOTED: To make the determination that no public hearing was required to modify the special permit approval for the addition of medical and business office uses.

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

VOTED: To approve the 5 Corners – Farmington Associates LLC application for special permit modification to add medical and business office uses at 345 Colt Highway with the following conditions:

- The medical office use is for one doctor only; and
- Hours of operation for businesses within the proposed building shall be 6 AM – 10 PM. The addition of uses does not change this restriction.

Lois R. Wadsworth – 107 Main Street

Accept application for two-lot re-subdivision of 107 Main Street, R20 zone and schedule public hearing (recommended public hearing date February 11, 2019).

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

VOTED: to accept the Lois R. Wadsworth application for two-lot re-subdivision of 107 Main Street, R20 zone and schedule a public hearing for February 11, 2019.

**PUBLIC HEARING**

Farmington West Estates Ltd. Ptrs. – Coyote Court

Chair Brenneman recused herself from this matter.

Application for Phase IV - seven-lot subdivision on Coyote Court on Snowberry Lane, AH zone and schedule public hearing. Ken Hrica, Hrica Associates, presented the seven house layout for the development of Coyote Court and reviewed the stormwater design commenting it is designed for zero net increase in runoff. When asked what size the houses will be Mr. Hrica responded that will be limited by the size of the lots and setbacks but will be approximately 2,000 sq. ft. There are no concerns addressing Engineering staff comments. The commission asked a few clarifying questions regarding the layout and drainage system.

The following public comments were received:

Wioletta Donor, 8 Aztec Trail, expressed concern with further construction of this development because her foundation is cracked, she has water in her basement, generally not happy with the quality of construction and feels blasting conducted approximately one year ago is one of the reasons for some of these issues. The residents have talked to the association; the developer and on-site contact for the developer and are not happy with the response to these issues.

Robert Pendleton, 8 Finch Blvd., expressed concern with the same issues. He stated he did not receive notice of the blasting nor was he offered a pre-blast survey. Mr. Pendleton asked what type of fill material was used; wondering if it is contributing to the foundation crack issues.

Michael Flors, 4 Acorn Lane, expressed concern with drainage issues, foundation cracks; adding in the fourteen years in his home he had not experienced until this past summer. He feels these issues are also a result of blasting. Mr. Flors stated he never received notice of blasting or was offered a pre-blast survey.

Yvonne Bear, 5 Sable Court, expressed concern with cracks in her foundation and that she never received notice that blasting would take place. She also felt the drainage system was not installed correctly.

Ursula Skierkowski, 5 Holly Lane, expressed the same concerns regarding drainage and foundation cracks.

William Green, 4 Finch Blvd., commented on the same issues.

Jean Flors, 4 Acorn Lane, stated she wants the developer to meet with the association to work with them on these issues. She asked that further construction stopped until these issues are addressed.

Nancy Ralston, 7 Arrowhead Drive, expressed concern with water in her basement and resulting water damage.

Bill Nadolny, 6 Arrowhead Drive, expressed concern with drainage and blasting that took place. He would like the Commission to look into their concerns.

Mr. Hrica responded he was surprised with all the issues expressed. Blasting is regulated through the Fire Marshal's Office. This past year was the fifth wettest year on record. The homes are designed with elaborate footing drains below the basement level and inspections are conducted throughout construction by the Town. He works closely with the Town Engineering

Office throughout the design process. Mr. Hrica was asked by the Commission to look at the types of drainage systems in place and why they may have a foundation cracking issue. The Commission would also like elevations of the proposed houses to review. Mr. Hrica was asked if four weeks would allow him enough time before coming back to the Commission. He confirmed that four weeks was sufficient time to provide the additional documentation. Mr. Hrica will see what he can find out about the drainage and foundation issues. He will also provide house elevations when he returns.

Sandy Martin, Whites Katzman – Property Manager for Snowberry Village. Ms. Martin noted that the owners were initially instructed by the developer to contact him within the first year if they noticed water in their basement.

Robert Pendleton, 8 Finch Blvd., spoke again and requested that information regarding the type of fill material used for the construction of the homes be provided.

At 9:28 p.m. a motion was made and seconded (Pogson/Ogan) and it was unanimously

VOTED: To continue this matter to the February 11, 2019 meeting.

#### Town of Farmington – Text Amendment

Application for text amendment to the Zoning Regulations Article II, Sec. F.1. and F.2. Standards for Development within the Flood Perimeter Overlay Zone Where Flood Elevations Have Been Provided and to the Subdivision Regulations Article IV, Sec. 4.05.5 Street Lighting Facilities. Assistant Town Planner Rutherford stated the proposed text amendments will bring the regulations into compliance with updated requirements of the 2015 International Residential Code which became effective October 1, 2018. Significant changes were made to the flood elevation requirement for new construction. The amendment to the Subdivision Regulation is an update since the Town of Farmington purchased street lights in Town in 2018 and converted them to LED. The amendment requires developers to install street lighting fixtures that are compatible with the LED fixtures installed over the summer. There was a brief discussion for clarification.

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

The public hearing closed at 9:38 p.m.

Upon a motion made and seconded (Pogson/Ogan) it was unanimously

VOTED: To approve the Town of Farmington application for text amendment to the Zoning Regulations Article II, Sec. F.1. and F.2. Standards for Development within the Flood Perimeter Overlay Zone Where Flood Elevations Have Been Provided and to the Subdivision Regulations Article IV, Sec. 4.05.5 Street Lighting Facilities as presented and on file in the Town Clerk's Office.

## **PLANNER'S REPORT**

### **345 Colt Highway**

Assistant Town Planner Rutherford stated a rooftop unit has been installed at this location that is currently not screened from view. This matter will likely be on the next agenda for discussion.

### **CBA Education & Training**

Assistant Town Planner Rutherford commented that on March 23, 2019 a Planning & Zoning seminar called Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions is being offered. If any of the Commissioners are interested they are asked to contact staff.

### **Patio String Lights**

Chair Brenneman commented she received a complaint that patio string lights are on when restaurant/bar businesses are not using their patios. There was a brief discussion on whether or not they are specifically noted in approvals or if they are part of the overall lighting portion of approvals.

## **MINUTES**

### **December 10, 2018 Meeting Minutes**

Upon a motion made and seconded (Pogson/Donald) it was

VOTED: 5 in favor, 1 abstention (Doeg) to approve the minutes of the December 10, 2018 meeting.

The meeting adjourned at 10:31 p.m.

*SJM*