

TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MINUTES

February 13, 2017

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Jarvis and 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.

Commissioner Houf was appointed to vote on behalf of Commissioner Fraprie.

PUBLIC HEARING

Farmington West Estates – Windswept Lane

Commissioner Brenneman recused herself from this matter. Alternate Commissioner Charette was appointed to vote on behalf of Commissioner Brenneman.

Special permit for blasting related to construction of the Windswept Lane subdivision off Snowberry Lane. Rob Hiltbrand, R. R. Hiltbrand Engineers & Surveyors, LLC, explained the proposed blasting is related to installation of utilities for Windswept Lane and some of the foundations for the new houses. Andrew Nagy, Blastech, Inc., reviewed the blasting plan submitted with the application. Blastech Inc. will be conducting the drilling and blasting operation. Pre-blast surveys of structures within 250 feet will be done by an independent company. The Commissioners asked how long the blasting work will last. Mr. Nagy responded between one and two weeks.

Wanda Gostebski, 4 Wildcat Drive, expressed concern with blasting and existing storm water issues. Mr. Hiltbrand responded the approved subdivision plan includes a drainage improvement design that will address the storm water issue. Mr. Nagy reiterated pre-blast surveys will be done of structures within 250 feet.

The public hearing closed at 7:09 p.m.

Commissioner Doeg moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commissioner (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 related to development/construction of Windswept Lane subdivision off Snowberry Lane, AH 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 Section 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:

- 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;
- 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;
- Blasting shall be limited to the hours of 9 a.m. and 2 p.m. Monday through Friday unless otherwise approved by the Fire Marshal; and
- The blasting work shall not take more than two weeks.

The motion passed unanimously.

304 Main Street, LLC – 304 Main Street

Special permit and site plan approval for wellness center use at 304 Main Street, BR zone. Attorney Robin Messier Pearson introduced the application providing the history of the site. She explained the proposed wellness center use is an alternative holistic and healing arts center. A comprehensive list of possible uses is included in the application packet. Mike Cegan, Richter & Cegan Inc., reviewed the plan set in detail; the existing condition of the site comprising of 7.94 acres and the existing coverage is 18.9%. Mr. Cegan reviewed the parking lot improvements and the area of proposed deferred parking spaces. The existing sign will be modified in content only; maintaining the same size, location and color scheme. Mr. Cegan briefly reviewed the engineering staff comments and stated they agree with and are working on addressing them. Attorney Pearson responded to the Planner's Report regarding sidewalks strongly urging that the Commission not require installation of a sidewalk citing the lack of sidewalks in the area. Mr. Cegan displayed a photo of the area highlighting where sidewalks were and were not located. Attorney Pearson stated they are working on an exit plan for the building after meeting with the Fire Marshal. Additionally, she asked that the use "Astrology, Angel and Medium Readings" not be excluded from the list of possible tenants/practitioners of the wellness center. The existing building will be preserved. Additionally, she noted the certified mail receipts were submitted for the record. The Commissioners asked clarifying questions about the parking areas, access to the building, internal layout of the building, outdoor activity and the proposed types of possible tenants/practitioners.

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

The public hearing closed at 8:26 p.m.

Commissioner Doeg moves and Commissioner Tucker seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commissioner (Commission) received an application for a special permit for a wellness center at 304 Main Street in the currently unoccupied spaces in the buildings and locations described in the application; and

Whereas the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS Section 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:

- The proposal shall adhere to all relevant sections of the regulations , the submitted plans and representations made by the applicant;
- Tenants shall be strictly limited to those identified on the list entitled “*List of Types of Possible Wellness Center Tenants/Practitioners for 304 Main Street, Farmington. Noninclusive.*” And specifically excluding “Astrology, Angel and Medium Readings” and “Art Studio and Shop for making articles to be sold on primarily on premises” from said list;
- Any deviation from the above tenant list shall be approved by the Town Planner or in his/her discretion the TPZ;
- Prior to filing the special permit on the land records the applicant shall post a \$25,000 cash bond / letter of credit to guarantee the completion of the proposed improvements;
- Sidewalks – if the Commission determines a sidewalk and public easement along the road frontage is warranted (either on state property or on the applicants property) an additional \$20,000 bond should be posted;
- The list of types of possible tenants/practitioners shall not include traditional gym use;
- No outside activities (except lunch) or music are permitted;
- The applicant shall comply with all engineering comments; and
- The applicant shall supply an exit plan to the Fire Marshal’s Office as requested by the Fire Marshal.

Discussion of this motion ensued. Commissioner Brenneman suggested an additional condition of approval that one automatic door be installed. Chairman Dunn supported the request given the proposed use of the building.

After discussion a motion was made and seconded (Doeg/Brenneman) to amend the original motion to remove the exclusion of “Astrology, Angel and Medium Readings” from the list of types of possible tenants/practitioners. The motion was voted 5 in favor to 1 opposed (Dunn). The motion passed.

Next, a motion was made and seconded (Brenneman/Tucker) to amend the original motion to add the condition of approval that the applicant installs one automated door on the building. The motion was voted 5 in favor to 1 opposed (Houf). The motion passed.

Following further discussion, a motion was made and seconded (Doeg/Jarvis) to amend the original motion to add the condition of approval to the original motion that a sidewalk shall be installed within 48 months and if ownership of the property changes the sidewalk shall be installed immediately prior to change of ownership. The motion passed unanimously.

Lastly the original motion as amended was voted unanimously by the Commission.

NEW BUSINESS

Artfx Signs – 21 South Road

UConn Health proposes a 21.70 sq. ft. sign at 21 South Road. Town Planner Warner stated the proposed sign meets the zoning requirements.

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

VOTED: To approve the Artfx Signs application to install the UConn Health sign on the building at 21 South Road as per plan submitted and on file in the Planning Office.

Jill Jarrett – 172 Scott Swamp Road

Ms. Jarrett has submitted an application to install a sign on the farm stand located at 172 Scott Swamp Road. The proposed 2' 10" x 14' sign will be lit with gooseneck light fixtures. Town Planner Warner confirmed the sign meets the requirements of the zoning regulations.

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

VOTED: To approve Jill Jarrett's sign application to install a sign on the farm stand at 172 Scott Swamp Road as per plan submitted and on file in the Planning Office.

8-24 Referral – West Woods Upper Elementary School

Dave Tabol presented the proposal to construct an approximately 16,500 sq. ft. playground at West Woods Upper Elementary School at 50 Judson Lane. The project has received the endorsement of the Board of Education, the PTO and has been approved by the Inland Wetlands Commission. Commissioners commented on their support of the project and expressed some concern with the use of woodchips, specifically discussing injury cases resulting from poor maintenance of woodchip areas.

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

VOTED: To recommend the Town Council approve the project to construct a playground at West Woods Upper Elementary School at 50 Judson Lane. The Town Plan & Zoning Commission recommends the Recess Expansion Project Committee consider alternate surfaces under the playground equipment.

Fore Group Inc. – 80 Mountain Spring Road

Commissioner Doeg recused himself from this matter. Alternate Commissioner Charette was appointed to vote on behalf of Commissioner Doeg.

The applicant needs more time to prepare the necessary maps for filing on the land records and has requested an extension of time as allowed by state statute.

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

VOTED: To approve the request for ninety-day extension of time of subdivision approval to file mylar maps for 80 Mountain Spring Road.

PLANNER'S REPORT

Plan of Conservation and Development

South Farmington and Robbins Neighborhoods of the Plan of Conservation and Development. Discussion was tabled to the next meeting.

Farmington Center/Farmington Village

FC/FV design guidelines will be presented at the next meeting.

MINUTES

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

VOTED: 5 in favor and 1 abstention (Doeg) to approve the minutes of the January 23, 2017 meeting.

The meeting adjourned at 9:11 p.m.

SJM