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TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MINUTES

October 23, 2017

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Jarvis, Matava, Tucker and Alternate Commissioners Charette, Donald and the Town Planner and Secretary. Secretary Doeg opened the meeting at 7:00 p.m. and read the legal notice into the record.

Chairman Dunn explained the process of the meeting.

PUBLIC HEARING

Loren Godfrey - 386 Old Mountain Road

Application for three-lot re-subdivision of 386 Old Mountain Road, R80 zone. This matter was tabled to the November 15, 2017 special meeting. (Doeg/Tucker)

David Olivo – 667 Plainville Avenue

Application for special permit for home business (barber/beautician) at 667 Plainville Avenue, R40 zone. Mr. Olivo presented his proposal for a barber/beautician home business. The site plan provided indicated parking for up to seven vehicles can be accommodated in his driveway, which he stated is more than he currently has at his 118 Plainville Avenue location. Mr. Olivo also stated he has two non-resident employees and his hours of operation are Tuesday through Saturday from 9 a.m. to 4 p.m. He further explained the proposed business layout inside his home. Mr. Olivo was asked to confirm whether or not he could accept proposed conditions of approval. There was further review and discussion about the floor plan and number of chairs (stations) proposed. Commissioner expressed concern with the number of chairs.

There were no public comments in favor or in opposition to this application.

The public hearing was closed at 7:18 p.m.

Commissioner Jarvis moved and Commissioner Doeg seconded the following motion resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for special permit for home business (barber/beautician) at 667 Plainville Avenue, R40 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 with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations and plans submitted and representations made by the applicant.
- The use shall occupy no more than 25 percent of the home; the use shall have no more than two nonresident employees; no products shall be sold from the home; the outside residential appearance of the dwelling is not changed; signage shall be no more than two square feet; use shall be limited to the installation and use of one chair (station); hours of operation shall be Monday – Saturday 9 AM – 4 PM. The granting of such approval is limited to this applicant and any change in ownership will render the special permit null and void.

The Commission voted 2 in favor to 4 opposed (Dunn, Doeg, Brenneman, Tucker).

The motion failed and the application was denied.

Commissioners voting in opposition to the application felt the representation regarding the number and use of chairs was too vague and did not meet the intent of the home business regulation.

George Taweh – 174 Batterson Park Road

Application for special permit for addition greater than 30 percent of existing house located at 174 Batterson Park Road, R20 zone. Mr. Taweh proposes to add onto the existing 1,850 sq. ft. house exceeding 2,400 sq. ft. of finished living area requiring a special permit. There was a brief discussion about the size of other homes in the neighborhood which are consistent with the proposed addition. The proposed addition does not expand the building envelop of the existing house.

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

The public hearing closed at 7: 24 p.m.

Commissioner Doeg moved and Commissioner Tucker seconded the following motion resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for special permit for addition greater than 30 percent of existing house located at 174 Batterson Park Road, R20 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 with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations and plans submitted and representations made by the applicant.

The motion passed unanimously.

Commissioners voting in favor of this project felt it was appropriate for the neighborhood.

Town of Farmington

Opt out of the provisions of Public Act No. 17-155 an act concerning Temporary Health Care Structures. The Act approves temporary health care structures as allowable accessory units in single-family zones, unless a municipality opts-out of the statute. The Act states “The municipality shall not be required to hold a public hearing on the permit application and shall either approve or deny the permit not later than fifteen business days after the permit application is submitted to the municipality by the applicant. The municipality shall not deny the permit if the applicant provides proof of compliance with this section.” There was discussion about the Town creating its own zoning regulation in the future.

Jay Bombara, 13 Mountain Road, expressed concern with the Act and the inability for the Historic District Commission to review such proposed structures in the District.

The public hearing closed at 7:33 p.m.

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

VOTED: To opt-out of Public Act No. 17-155 an act concerning Temporary Health Care Structures. The Commission recommends the Town Council vote to opt-out of Public Act No. 17-155.

Members voting in favor of the opt-out felt the time frame for processing an application is insufficient and there is insufficient notice and due process for affected neighbors.

NEW BUSINESS

Dunning Sand & Gravel – 105 Brickyard Road

Site plan approval for building addition at 105 Brickyard Road. Town Planner Warner stated the applicant is non-complaint with the aquifer protection regulations and recommends the application be denied without prejudice.

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

VOTED: To deny the Dunning Sand & Gravel site plan application for building addition at 105 Brickyard Road without prejudice for failure to comply with the aquifer protection regulations.

Ewelina Bak – 9 School Street

The sign application proposes to install a 49” x 49” sign panel in an existing sign frame at 9 School Street. No lighting is proposed.

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

VOTED: To approve the sign application for property located at 9 School Street as submitted and on file in the Planning Office without lighting.

C-Tec Solar LLC – 15 Pilgrim Path Road

Site plan approval to install ground mounted solar panels at 15 Pilgrim Path Road. Anthony Lasala, 15 Pilgrim Path Road, proposes to install ground mount solar panels over an abandoned tennis court on his property. The tennis court is below grade and he does not believe the solar panels will be visible from neighboring properties or the roadway. Commissioners asked for clarification on the height of the panels. Joshua Esposito, C-Tec Solar LLC, responded the highest point of the panel will be approximately ten feet. There is no noise from the system and the panels will not take up the full area of the tennis court. Commissioners that visited the site felt the proposed location was an appropriate location for the panels.

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

VOTED: To approve the C-Tec Solar LLC application for site plan approval to install ground mounted solar panels at 15 Pilgrim Path Road as presented and on file in the Planning Office.

Appropriate location for use given the topography of the land and size of property

CA Senior Living Holding, LLC – 8068 Bridgewater Road

Tom Daly, P.E., Milone & MacBroom, stated after they received approval from this Commission they met with the State of Connecticut, Department of Transportation Office of State Traffic Administration. The limited access curb cut on Farmington Avenue was denied. Mr. Daly presented a modified site plan showing the removal of the driveway to Farmington Avenue and a new driveway from Bridgewater Road leading to the front of the building. The new driveway curb cut will be located at the end of the island on Bridgewater Road. An adjustment was made to the master development plan moving the senior apartment building further away from Farmington Avenue to accommodate the new driveway location. The concept plan does not connect the new driveway to the senior apartment building. The rear driveway remains as approved. There was some discussion about the driveway location and turning radius.

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

VOTED: 5 in favor or 1 opposed (Tucker) to approve the CA Senior Living Holding, LLC site plan modification as submitted and on file in the Planning Office.

PLANNER'S REPORT

Plan of Conservation and Development

The public hearing will be November 15, 2017 for amendments/updates to the Plan of Conservation and Development. There was a brief discussion about the chapter on affordable housing.

Sweet Equations Bakery – Farmington Inn

Retail use Sweet Equations Bakery is coming to the Farmington Inn. Brief discussion about location the business will occupy.

Roo Storage – 610 New Britain Avenue

The storage facility would like to install a 12' x 24' storage building at their 610 New Britain Avenue location for maintenance equipment. The building will be located in the area of the buildings approved but not constructed to the right when entering the site.

88 South Main Street Unionville

The package store at 75 South Main Street will be moving to 88 South Main Street. The move is a result of the future State project at the intersection of Route 177 at New Britain Avenue which includes removing the building at 75 South Main Street. There was a brief discussion about 88 South Main Street.

MINUTES

October 11, 2017

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

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

The meeting adjourned at 8:58 p.m.

SJM