

TOWN OF FARMINGTON
PLAN & ZONING COMMISSION

May 11, 2020

Present for the online web conference was Chair Brenneman, Commissioners Carrier, Grabulis, Pogson, St. James, Schwartz and Alternate Commissioners Halstead, J. Vibert and K. Vibert. The Town Planner and Clerk were also present. The meeting was called to order at 7:00p.m.

PLEDGE OF ALLEGIANCE (led by Chair)

Secretary St. James read the legal notice into the record.

NEW BUSINESS

Mike Farrell – 81 Westwood Terrace

Mr. Farrell presented his request to install a six-foot fence along the tree line along a portion of his front property line and into his yard. The fence will fill the gap on the lower portion of overgrown white pines, providing privacy and safety for his family. The yard slopes towards the roadway. No tree removal is proposed. The Commission asked some clarifying questions.

Upon a motion made and seconded (Grabulis/St. James) it was unanimously

VOTED: To approve the Mike Farrell request for fence exception to install six-foot fence within required yard at 81 Westwood Terrace as presented and on file in the Planning Office.

Andrew Rainone – 70 Batterson Park Road

Mr. Rainone presented the site plan proposal to install four car charging stations at 70 Batterson Park Road. The four stations are proposed in existing lawn area. A specification sheet providing details of the charging stations was also provided. General clarifying questions were asked by the Commission including coverage, which will increase to 34.3%.

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

VOTED: To approve the Andrew Rainone site plan application to install four car charging stations at 70 Batterson Park Road as presented and on file in the Planning Office.

Jillybean's Farmstand – 172 Scott Swamp Road

Jill Jarrett is seeking permission to partner with Henry Mitchell and place his ice cream truck at 172 Scott Swamp Road. The truck will be in the parking area near Route 6 and separate from the farm stand. Mr. Mitchell stated he has discussed the proposal with the Health District, and they do not have an issue with the request. This proposal is being made as a creative way to help each other's businesses during this pandemic while helping provide the community with the necessities they may need. The proposed location on the site will provide sufficient area to maintain social distancing requirements. There was some discussion regarding time frame for the operation of the ice cream truck at this location.

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

VOTED: 5 in favor, 1 abstention (Pogson) to approve Henry Mitchell's request to operate ice cream truck at Jillybean's farm stand at 172 Scott Swamp Road until the expiration of the Governor's Executive Order and with the condition that traffic cones are set out for safety.

Joanna Wroblewski – 35 Taine Mountain Road

Accept application for special permit to raise 11 hens at 35 Taine Mountain Road, R40 zone and schedule public hearing (recommend hearing date of June 8, 2020).

Upon a motion made and seconded (Grabulis/St. James) it was unanimously

VOTED: To accept the Joanna Wroblewski application for special permit to raise 11 hens at 35 Taine Mountain Road and schedule public hearing for June 8, 2020).

Brett and Lindsey Dappollonio – 16 Whispering Rod Road

Accept application for special permit to construct home in excess of 3,200 sq. ft. and schedule public hearing (recommend hearing date of May 27, 2020).

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

VOTED: To accept the Brett and Lindsey Dappollonio application for special permit to construct home in excess of 3,200 sq. ft. At 16 Whispering Rod Road and schedule public hearing for May 27, 2020.

The Metro Realty Group, Ltd. – Text Amendment

Accept application for text amendment to the Special Innovation Floating Zone and schedule public hearing (recommend hearing date of June 8, 2020).

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

VOTED: To accept the Metro Realty Group, Ltd. application for text amendment to the Special Innovation Floating Zone and schedule a public hearing for June 8, 2020.

PUBLIC HEARING

New Horizons Village - 37 Bliss Memorial Road

Application for reapproval of modification of special permit for construction of a 22-unit congregate housing building at 37 Bliss Memorial Road, R30 zone. Sue Watts represented New Horizons Village and stated they are seeking reapproval of their modification of special permit. She reviewed the previously approved site plan for a refresher on the location of new buildings and other site improvements related to the project. They are still working on obtaining the funding for the project and ask for reapproval.

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

The public hearing closed at 7:50p.m.

Upon a motion made and seconded (Grabulis/St. James) it was unanimously

VOTED: To grant the New Horizons Village reapproval of modification of special permit for construction of a 22-unit congregate housing building at 37 Bliss Memorial Road, R30 zone.

Conditions of the original approval of April 18, 2006 are incorporated into this approval.

Michael Kwas - 124 Mountain Road

Commissioner Grabulis recused himself from this matter. Alternate Commissioner Halstead was appointed to vote in place of Commissioner Grabulis on this matter.

Application for Special Permit for amateur radio tower in excess of 45 ft and less than 65 ft and application for residential helipad at 124 Mountain Road, R80 zone. Mr. Kwas provided a summary of his professional experience and stated how long he has resided at this address. The plan provided shows the proposed location of the helipad and radio tower. The helipad will be grass only and located behind his house, where he would land a small light series helicopter. Mr. Kwas stated he would not overfly homes and reviewed the aerial map included with his application for clarification. He is not seeking a variance, or a zone change but is seeking a special permit as permitted in the zoning regulations. Next, he presented photos/renderings of the proposed radio tower and other towers in Town. The Commissioners asked clarifying questions on the size helicopter Mr. Kwas would land on his property and noise associated with it. Mr. Kwas responded a small two or four-seater light series helicopter and he would only fly during daylight hours, creating a little noise a few times a year. When asked how long a helicopter would be on his property, Mr. Kwas responded a few hours to overnight at most. The Commissioner asked if he would submit flight plans to the Town. Town Planner DeVoe stated the Commission could request he keep a flight plan related to an approval. There was some discussion regarding noise and decibels levels. Mr. Kwas responded the light series he flies is substantially quieter and smaller than Life Star. The Commission asked why the request for a taller radio tower. Mr. Kwas responded the height requested is related to the height of trees on his property. He does not want to remove trees. He proposes a single mast tower supported by the house inside the property equal to the height of the tower. The tower can be pulled down for maintenance or for safety in the event of a severe storm.

Jay Bombara, 13 Mountain Road, spoke to his letter expressing concerns with the personal helipad application.

Town Planner DeVoe commented on the noise ordinance and that it is enforced by the Police Department.

Charles Pickens, 3 Poplar Hill, asked how many letters were received for this application and for confirmation that the Commissioners read them. The Town Planner confirmed that all letters were provided to the Commissioners in advance of the meeting for their review/information. He then suggested the Commissioners visit the site.

Michael Vibert, 48 West District Road, spoke in support of the application; he has flown with Mr. Kwas.

Karl Rindfleisch, 597 Plainville Avenue, spoke in support of the application.

Anna Swinbourne, Executive Director, Hill-Stead Museum, spoke in opposition to the application.

Greg Scholz, represented his mother at 115 Mountain Road, stated he was not in favor nor opposed to the application. He expressed concern with the helipad location and the disturbance to his mother's quiet enjoyment of her yard.

Portia Corbett, 11 Mountain Spring Road, asked Mr. Kwas if he owns a helicopter. Mr. Kwas responded no; he works for organizations where he has use of one at times. Ms. Corbett was not in support of the helipad.

Barbara and Courtland Lewis, 15 Poplar Hill Road, spoke in opposition to the helipad application.

Arnold Chase, telecommunication tower property owner, read about the pending application and offered clarification regarding the helipad as he has been through the same process in West Hartford and received approval. He stated generally people are not knowledgeable about the use. Mr. Chase explained the duration and transitory noise associated with helicopter use of this size. Using the analogy of a leaf blower or chain saw level of noise in response to concern of quiet enjoyment. The area between 1,000 feet above ground to the ground is federally regulated. Farmington is in a major flight path with Bradley International Airport, but the noise is from that traffic is not something necessarily notice. In response to perceived danger of a small light series helicopter, they are half the weight of a car and are very safe. Mr. Chase stated he keeps a log of every take-off and landing and in five years there has not been a single noise complaint.

Lavell Thompson, 4 High Street, spoke in opposition to the application expressing concern with the Hill-Stead's proximity to the proposed helipad.

Stephen Clark, 88 Mountain Road, spoke in opposition to the application.

The public hearing was closed at 9:39 p.m.

Upon a motion made and seconded (Carrier/St. James) it was unanimously

VOTED: To postpone the vote on this matter until the next meeting.

WDII, LLC - Bridgehampton Subdivision

Application for reapproval of the subdivision known as the Bridgehampton subdivision with access from River Road and Burlington Rd, known as original Assessor's Map #s 32, 33, 21 and 22 and Lot #s 11, 7A, 10, 45 and 46, R40C zone. Attorney Christian Hoheb represented the applicant. He stated for the record all notice requirements have been met. He received phone calls from some residents expressing concern with conditions of the road. If the Commission grants the reapproval of the subdivision they will be able to continue work on the development. If the reapproval is not granted they cannot work on the site. Attorney Hoheb stated for the record he received the video of drainage issues from Brian Zadrozny at 9 Newcastle Place. The property owner is aware of the issue and prepared to work with staff and the homeowner to resolve the issue. The Inland Wetlands Commission reapproved the wetland application and had no issue or concern. Attorney Hoheb stated the original application was approved April 18, 2006 and he would like to incorporate all evidence and comments of that application into the record. He then stated the map created by Bruce Cyr, Development Specialist, showing the homes built and the homes left to be built could also be added to the record. They have received and reviewed staff comments and the Planner's agenda review and have no concerns with the them. The Town would like the owner to complete the development and finish the road. They had expected to finish the road last summer, but several issues arose which delayed the plan. He has a commitment from his client to move forward. The Commission commented on the need for a completion schedule. Attorney Hoheb responded that has been a popular request but is challenging to affix a certain date and if something other than the allowable time limit by law to complete the development, would be difficult to uphold. There is no advantage to them stopping the project. Town Planner DeVoe commented a commitment letter was submitted this afternoon and that the state statute gives a developer five

years to complete the subdivision. Also noted was the letter received from the Town Attorney dated April 14, 2020 on the application. Mark Wilson, owner, spoke to delays and issues they have encountered and that, with approval, he hopes to begin work again within two months. His hope and intention is to have the road done by the end of the year. Specifically, when drainage in Phase IV is done and heavy equipment is no longer needed the road can be finished.

Brooke and Eric Nightingale, 18 Glen Hollow, spoke in opposition to development of Glen Hollow. Mr. Wilson responded development of Glen Hollow is market driven and would be developed after they finish Phase IV.

Jeremy Bucchi, 11 Bridgehampton Crossing, spoke in favor of the reapproval so the subdivision can be completed. He commented the upkeep of common areas has not been very good. Mr. Wilson said they will pay more attention to the common areas this summer.

Galina and Brian Wolinetz, 9 Gateshead, stated the condition of the roads is most important to them.

Ken Pacileo, 46 Alpine Drive, stated he would not like to see Lots 15 and 16 developed.

Brian Zadrozny, 9 Newcastle Place, expressed concern with the drainage system. Mr. Wilson responded he has his engineers working with engineers of the development to the west to address drainage issues as a result of runoff from groundwater. He has seen the video Mr. Zadrozny submitted, and he is willing to come out and look at it with him.

Emma and Dave Kinihan, 6 Gateshead Way, reiterated concerns expressed by others.

Mr. Wilson provided his phone numbers for residents of the development to reach out with concerns in the future.

Town Planner DeVoe provided a summary of the May 11, 2020 letter receive from the applicant in response to request for completion schedule.

Attorney Hoheb summarized their request and asked the Commission to approve their application for reapproval.

The public hearing closed at 11:12 p.m.

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

VOTED: To approve the WDII, LLC application for reapproval of the subdivision known as the Bridgehampton subdivision with access from River Road and Burlington Rd, known as original Assessor's Map #s 32, 33, 21 and 22 and Lot #s 11, 7A, 10, 45 and 46, R40C zone as presented and on file in the Planning Office with the following conditions:

1. The applicant in good faith will install a binder course throughout the subdivision, and a finished coat on the lower portion of the development by the end of 2020.
2. All conditions of the April 18, 2006 approval are incorporated into this approval.

PLANNER'S REPORT

Temporary Outdoor Dining

Town Planner DeVoe provided information on temporary outdoor dining in response to Executive Order. He would like to offer administrative approval of a Temporary Certificate for Outdoor Dining (TCOD) for restaurants that can comply with the guidelines of the Executive Order and Health District.

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

VOTED: To approve the Temporary Certificate for Outdoor Dining and authorize staff to approve until the Executive Order is lifted and indoor dining is permitted for restaurants again.

MINUTES

Meeting Minutes

04-20-20

Upon a motion made and seconded (Pogson/St. James) it was unanimously

VOTED: To approve the April 20, 2020 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 11:41 p.m.

SJM