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

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

Alternate Commissioner K. Vibert was appointed to vote on behalf of Commissioner Pogson.

**PLEDGE OF ALLEGIANCE** (led by Chair)

**NEW BUSINESS**

**Hartford Sign and Design LLC – 48 Spring Lane**

Gerian Williams, Hartford Sign and Design LLC, presented the request to install a building sign of the building entrance at 48 Spring Lane. The individual pin mounted, half inch painted acrylic dimensional letters and logo will be flushed mounted to the building. No lighting is proposed. The Commission asked a few clarifying questions.

Upon a motion made and seconded (St. James/K. Vibert) it was unanimously VOTED: To approve the Hartford Sign and Design LLC sign application for building/attached sign at 48 Spring Lane as presented and on file in the Planning Office.

**JRF Management LLC & Kaoud Real Estate Development LLC**

Accept application for change of zone of a +/- 24.85 acre site with existing industrial building from C1 and BR to Midpoint Development District with master plan and special permit for mixed use development including commercial and multifamily uses and structures, at 1371, 1349 Farmington Avenue and adjacent Lots 8218, 8237 Farmington Avenue and schedule public hearing (recommend hearing date of December 7, 2020).

Upon a motion made and seconded (St. James/Schwartz) it was unanimously VOTED: To accept the JRF Management LLC & Kaoud Real Estate Development LLC application for change of zone of a +/- 24.85 acre site with existing industrial building from C1 and BR to Midpoint Development District with master plan and special permit for mixed use development including commercial and multifamily uses and structures, at 1371, 1349 Farmington Avenue and adjacent Lots 8218, 8237 Farmington Avenue and schedule public hearing for December 7, 2020.
2021 Meeting Schedule

Adopt the proposed 2021 Meeting Schedule. The Commission was asked to confirm their preference for the proposed December meeting. Commissioners came to the consensus that the December 2021 meeting should be Tuesday, December 7th instead of Monday, December 6th as the 6th is the last day of Hanukkah.

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

VOTED: To adopt the 2021 Plan & Zoning Commission/Aquifer Protection Agency meeting schedule with a December meeting date of Tuesday, December 7, 2021.

PUBLIC HEARINGS

Maha El-Hawi – 121 Birdseye Road

Application for special permit to expand home in excess of 30% and in excess of 2,400 sq. ft. of living area, R20 zone at 121 Birdseye Road. Ms. El-Hawi explained the plan to expand her home by converting the existing garage to living area and to add a second floor to the home. They need space for their family and for home office space because she and her husband both work from home now. The Commissioners asked questions about the lack of garage space and if there will be one in the future; if the home has public or private water and septic services. Ms. El-Hawi responded their existing garage is used for storage and there are no immediate plans to construct a garage. Also, the home has an existing well and public sanitary sewer service.

The public hearing closed at 7:17 p.m.

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

VOTED: To approve the Maha El-Hawi application for special permit to expand home in excess of 30% and in excess of 2,400 sq. ft. of living area, R20 zone at 121 Birdseye Road as presented and on file in the Planning Office.

Xiang Li – 28 Robin Road

Application for special permit to raise up to 10 hens at 28 Robin Road, R20 zone. This matter is tabled until the December 7, 2020 meeting.

MJD Builders LLC – 338 Meadow Road

Application for special permit to construct new home in excess of maximum allowable, R40 zone at 338 Meadow Road. Mark DeFilippo, MJD Builders LLC, stated he would like to demolish the existing home at 338 Meadow Road and construct a new single-family home. He commented the footprint of the new home will be smaller than the existing home. The site plan provided showed the new home setback further from the road than the existing home. Mr. DeFilippo proposes to construct a two-story home with and attached side loading garage with a bonus room above. Commissioners asked for clarification regarding the stone wall along the side lot line, what type of building materials will be used, the size of the lot and if the lot was relatively flat.
Sebastian Massa, 3 Saunders Hill Road, expressed concern with demolition dust and debris, privacy buffer and if the existing stonewall will remain in place.

Jane Massa, 3 Saunders Hill Road, expressed concern with the driveway location and demolition of the existing house.

John Osowski, 9 Clear Brook, asked how much clearing will be done.

Mr. DeFilippo responded the demolition company will be asked to water the structure to minimize dust and debris will be hauled off site. The stonewall will remain in place and Mr. DeFilippo suggested there is enough existing forested areas to provide privacy and a buffer to the new home. Although the new home will be set back behind the existing home location, the limit of clearing will be approximately where the existing stone wall is in the back yard.

The public hearing closed at 7:43 p.m.

Upon a motion made and seconded (St. James/Schwartz) it was unanimously VOTED: To approve the MJD Builders LLC application for special permit to construct new home in excess of maximum allowable per Article IV, Section 30, R40 zone at 338 Meadow Road as presented and on file in the Planning Office.

Hayes Kaufman Farmington Associates, LLC – 838 Farmington Avenue

Application for special permit for Health Care Diagnostic use (medical office use) at 838 Farmington Avenue, Unit 850, B1 zone. Attorney Christian Hoheb represented the applicant and stated for the record that all notice requirements have been met. A letter from the Economic Development Commission in support of the special permit application dated October 15, 2020 was submitted for the record. Attorney Hoheb stated the Health Care Diagnostic tenant would occupy Unit 850, adjacent to Starbucks. The use will be busiest early in the morning and closed at night when other tenants are busy. They anticipate two employees and patients to need seven to nine parking spaces during peak hours. They feel this is a good fit for the plaza and does not conflict with any of the other businesses. Proposed hours of operation are 7a.m. to 4 p.m. Monday through Friday and 8a.m. to noon on Saturday. Richard Hayes, representative of property owner, responded to a question regarding the proximity of handicap parking spaces to the proposed use by stating there are five handicap spaces in front of the unit; along the sidewalk.

Bill Wadsworth, Chair of the Economic Development Commission (“EDC”), presented the highlights of the letter of support from the EDC dated October 15, 2020 for the record.

Katie Bradley, 9 Waterville Road, asked for clarification on the proposed use and how waste will be handled; commenting on past complaints with the plaza, suggesting this use should be concentrated in one area of Town.

Attorney Hoheb provided clarification and explained the use is permitted in the B1 zone. Tim Specian, LabCorp, stated this location will conduct diagnostic testing for the general public but this location will not provide COVID-19 testing. The waste is heavily regulated, and removal sealed boxes are held in a secure closet until their waste removal vendor picks up.
Jennifer Proto, 11 Waterville Road, agreed with comments made by Ms. Bradley and then expressed concern with the possibility of increased traffic, trash and poor ventilation in the building.

Attorney Hoheb stated this is an appropriate use for the plaza and is not good planning to concentrate all medical uses in one location. Although there will be traffic from people coming and going from the lab, they will be busy at different times than the other businesses in the plaza. In response to comments made about issues with continued dumping of garbage, Attorney Hoheb asked if they can identify the third-party polluters to please let them know.

Mr. Hayes responded to comments made by Ms. Bradley and Ms. Proto; he pays people on an ongoing basis to clean up site and have installed cameras to monitor when dumpsters are emptied because of numerous past complaints. He has been working hard to improve the property and felt some of their comments were not appropriate for the requested use.

The public hearing closed at 8:47 p.m.

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

VOTED: To approve the Hayes Kaufman Farmington Associates, LLC application for special permit for Health Care Diagnostic use (medical office use) at 838 Farmington Avenue, Unit 850, B1 zone, as presented and on file in the Planning Office with the condition of approval the hours of operation be limited to closing time of 4p.m. Monday through Friday and noon on Saturday (St. James/Schwartz).

Commissioners voting in favor of the applicant felt the proposed use was a good fit and that the hours of operation did not conflict with other businesses in the plaza.

**PLANNER’S REPORT**

Zoning Regulation Raising Hens

Interim Town Planner Rutherford asked the Commission for their thoughts on amending the zoning regulation regarding the raising of chickens. The amendment would require residential property owners to utilize a registration process instead of a special permit process if they choose to raise a small number of chickens. The special permit process would still be required for more than five or six chickens. The registration form would require the submission of a plot plan showing the location of a coop, details on the coop and enclosure that would be installed, ask how waste will be handled and prohibit roosters. The Commission agreed this process would be appropriate for a small number of chickens with the stated requirements and prohibition of roosters and stated the location of a coop is of concern with small lots.

**MINUTES**

Meeting Minutes

10-26-20

Upon a motion made and seconded (St. James/Carrier) it was unanimously
VOTED: To approve the October 26, 2020 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 9:10 p.m.

SJM