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**TOWN PLAN AND ZONING COMMISSION**  
**PUBLIC AND REGULAR MINUTES**

July 27, 2015

Present were Chairman Dunn, Commissioners Brenneman (at 7:04), Doeg, Fraprie, Jarvis and Matava and Alternate Commissioners Bagdigian, Gurski and Houf and the Town Planner and Clerk. Secretary Doeg opened the meeting at 7:00 p.m. Town Council Liaison Peter Mastrobattista was also present.

Secretary Doeg read the legal notice into the record.

Chairman Dunn explained the process of the meeting.

**PUBLIC HEARINGS**

Edward E. Fishman – 1432 Farmington Avenue

Change of zone from R20 to B1, special permit and site plan approval for medical office use for property located at 1432 Farmington Avenue. Continued from July 13, 2015. The applicant has requested the hearing be continued to the September 14, 2015 meeting.

Upon a motion made and seconded (Fraprie/Matava) it was unanimously

VOTED: To continue the hearing to September 14, 2015.

Farmington Public Schools – 10 Monteith Drive

Request to modify special permit approval for four additional night games at Farmington High School. Bill Silva, Principal, reviewed their current approvals for 10 night games. Since those approvals the synthetic turf field was installed and their sports teams are able to designate the new field their home field. The requested four additional nights will allow the district to remain in compliance with Title IX legislation which requires the Girl's Field Hockey Team have the same game/practice time as the Boy's Football Team. Jack Phelan, Athletic Director, commented on the history of sports teams and night game use at the high school. He confirmed the installation of the turf field allows the Girl's Field Hockey Team to use it as their home field and that is why they are asking for four additional nights to light the field. Commissioners asked if an increase in games is anticipated in the future, confirmation on the number of night games and loud speaker announcements for games. Mr. Silva responded they do not plan to have more night games at this time, there was discussion on the current night use of the field and loud speakers may be used for some announcements. Commissioners asked if the speakers are used for music. Mr. Silva stated they do allow lyric free music before games. There was further discussion on which evenings games will play and how late. Mr. Phelan said they have not determined which evenings the field hockey games will play, they are waiting to obtain approval first. The lights could be off as early as 8:30 p.m. and on as late as 9:30 p.m.

Bernadette Longfield, 49 Knollwood Road, spoke in favor of sporting events at the high school but was not in favor of noise after 9 p.m.

Kenneth Harvey, 53 Knollwood Road, spoke in opposition to additional night games.

Edgar King, 11 Ledgewood Drive, commented on the history of lighting and noise from use of the field.

Joseph Hogan, 9 Ledgewood Drive, commented on excessive noise from the loudspeakers.

Chris Machol, 50 Basswood Road, is a football coach and teacher. He explained when lights are used and when the various teams play. The four games proposed will not run as long and won't be as loud as other games played on the field.

Peter Jones, 21 Briarwood Road, spoke in favor of the application.

Christian Hoheb, 44 Forest Hills Drive, stated he was on the Commission when the original request was submitted for lights to be installed for night games. He spoke in favor of the application and added comments regarding loud speaker noise are a reflection on the poor quality of the speaker system.

Scott Zenke, 40 Tanglewood Road, spoke in favor of the application.

Elizabeth Gallo, 21 Old Village Lane, spoke in favor of the application.

The public hearing closed at 7:48 p.m.

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

VOTED: To approve the request to modify the special permit to add four additional night games at Farmington High School located at 10 Monteith Drive with the following conditions:

1. No games shall conclude later than 9:30 p.m.; and
2. No use of the loud speaker, either for announcements or music, for any games other than an official high school game. The loud speakers can still be used for limited special, non-game, events such as the Relay for Life.

KEK, Inc. – 838 Farmington Avenue

Special permit for bar/restaurant use and waiver for sale of alcohol at 838 Farmington Avenue, B1 zone. Kurt Kruczek explained he owns Naples Pizza and would like to open a small tapas, beer/wine establishment next door with possibly some signature drinks. Commissioners asked about parking. Mr. Kruczak reviewed parking counts taken in the plaza at 12:30 p.m. and 5:30/6:00 p.m. When asked what hours the business will operate, Mr. Kruczek responded he envisions being closed Monday, open at 4 p.m. Tuesday, and open lunch to 11 p.m. Wednesday through Sunday. He hopes to appeal to the 30 and over crowd. Commissioners asked if all services will be indoors. Mr. Kruczek responded yes. There was further discussion on the capacity of the space, music and type of food that will be served. Mr. Kruczek stated there will be no live music and no outdoor music, capacity is between 60 and 80 seats and foods to be offered are small plate foods like appetizers. When asked if the space had been adapted to the ADA regulations, Mr. Kruczak responded he believes the former tenant did. There was some further discussion about accessibility.

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

The hearing closed at 7:59 p.m.

Commissioner Doeg moves and Commission Brenneman seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for conversion of a storefront space in the Epicure Plaza from frozen yogurt to a restaurant/bar with a café permit at retail store at 838 Farmington Avenue; 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 representations made by the applicant;
- Any change in operator/permittee or change in concept presented at the hearing shall be required to return to the Commission for a new special permit;
- The applicant will return to the Commission for approval of signs;
- The restaurant/bar shall close no later than midnight; and
- There shall be no outdoor music and no outdoor seating.

The motion passed unanimously.

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

VOTED: To grant the waiver for sale of alcohol for restaurant/bar at 838 Farmington Avenue.

Berlin Remnant Land Parcels – 55 South Road and Lot 3 South Road

Change of zone from R40 to MOC for property located at 55 South Road and Lot 3 South Road. Attorney Christian Hoheb, 314 Main Street, represented the applicant and introduced the project. Geoff Sager, Metro Realty Group, stated they are seeking a change of zone for the approximately seven acre site for the future construction of a 36,000 sq. ft. medical office building. He would like to attract life sciences research uses to Farmington. Mr. Sager reviewed the history of development in this area and then presented a conceptual site plan for a new medical office building with the building situated close to South Road with parking primarily behind the building. The remainder of the property will remain undeveloped due to wetlands. Tom Daly, P.E., with Milone & MacBroom, described the site as relatively flat, generally wooded with wetlands on the rear half of the lot and public water available in the roadway in front of the site. Mark Vertucci, Fuss & O'Neill, Sr, Traffic Engineer presented preliminary traffic data that included the traffic associated with the two medical office buildings approved but not yet constructed on Farmington Avenue and Birdseye Road. Commissioners commented on the

zoning of adjacent parcels, nature of change of zone, spot zoning and traffic. Attorney Hoheb stated they think the proposed future use of the site can peacefully co-exist with the residential neighborhood.

Ben Root, 535 Middle Road, stated he is not crazy about the proposal but as long as the wetlands are maintained he is ok with it. He noted two adjacent property owners are out of the country and not able to voice concerns.

Betty Jones, 525 Middle Road, spoke in opposition to the application. She stated she would like the Town to design a comprehensive plan for the best use of the area and not developers.

Elizabeth Wheeler, 58 south Road, spoke in opposition to the application commenting her family has owned property on South Road for approximately 100 years.

Attorney Hoheb granted an extension of time to continue this hearing to the September 14, 2015 meeting.

Upon a motion made and seconded (Fraprie/Matava) it was unanimously

VOTED: To continue the hearing to September 14, 2015.

#### Eversource – Old Mountain Road

Scott Zenke, Tree Warden Town of Farmington, presented the proposal for Eversource to remove six dead trees on Old Mountain Road and submitted photos of those trees. Mr. Zenke noted the original proposal from Eversource was to remove 26 trees but working together they were able to determine some of those trees could be trimmed and not removed. He added they are asking the Commission to review the request pursuant to the Scenic Road Ordinance, Farmington Town Code Chapter 151, Section 6; C & E-2. Commissioners asked for confirmation that the trees proposed for removal were considered dangerous. Mr. Zenke confirmed. There was discussion on the location of the trees.

Peter Roberts, 326 Old Mountain Road, said he has no objection to the proposed removal of trees but commented on not involving the neighborhood.

Ann Hussey, 335 Old Mountain Road, wanted to see the plan in writing.

Mr. Zenke said he would submit the original list to the Planning Office in the morning.

The matter closed at 9:44 p.m.

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

VOTED: To approve the maintenance of trees as presented along Old Mountain Road.

#### **NEW BUSINESS**

SBC Holdings, LLC – 742 Plainville Avenue

Request for one year extension of time of special permit approval for 742 Plainville Avenue. Sylvie Binette, 70 Sanford Avenue, stated she is requesting an extension of her special permit approval because they are still in the application review process with the State DOT.

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

VOTED: To approve the request for one year extension of time of special permit approval for 742 Plainville Avenue.

#### The Berkshire Design Group – 44 Mill Lane

Site plan approval for site improvements at 44 Mill Lane. Angela Cahill, Architect with Drummey Rosane Anderson, Inc., explained how the interior space of the building will be converted to admissions office/reception use for Miss Porter’s School. A new accessible entrance and walkway and lower parking area improvements are proposed. Ms. Cahill said a fire suppression system will also be installed. Rachel Loeffler, Berkshire Design Group, explained the site improvements which included the installation of stormceptors . She stated the impervious coverage will be reduced 4,000 sq. ft. Light fixture proposed is a pole mounted Towne Commons LED fixture. After some discussion the Commission asked that they work with the Town to resolve any lighting issues that may arise once the fixtures are installed. Commissioners commented on the location of the property line and how it runs through the upper parking lot. The applicant said it was suggested a permanent easement be established over the parking area.

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

VOTED: To approve the site plan as presented for site improvements at 44 Mill Lane with the following conditions:

1. This motion is conditioned on compliance with the memorandum from the engineering department dated July 22, 2015;
2. The applicant agrees to come back to the Commission for any future site lighting issues; and
3. The applicant shall comply with the zoning regulation regarding Standards for Accessible and Universal Design.

#### Adams Ahern Sign Solutions – 315 Plainville Avenue

The Commissioners reviewed the proposed new sign at 315 Plainville Avenue. The size of the sign is the same size previously approved by the prior occupant of the building.

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

VOTED: To approve the sign application for 315 Plainville Avenue as submitted.

### **PLANNER’S REPORT**

Town Planner Warner informed the Commissioners that he sent letters out to commercial realtors regarding the sign regulation advertising “for sale”, “for rent” and “for lease” units.

**MINUTES**

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

VOTED: To approve the minutes of the July 13, 2015 meeting.

The meeting adjourned at 10:25 p.m.

*SJM*

DRAFT