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TOWN PLAN AND ZONING COMMISSION
PUBLIC AND REGULAR MINUTES

September 14, 2015

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Fraprie, Jarvis and Matava and Alternate Commissioners 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 27, 2015. David Whitney reviewed his prior presentation of the proposed development of the site. The plans have been revised and submitted to address staff comments. The requested storm water report was submitted to the Engineering Division this afternoon. Although the public hearing must close today, Mr. Whitney asked the Commission to not render a decision until Engineering has had time to review the storm water report. Mr. Whitney read through his responses to Engineering comments dated September 8, 2015. A fifteen foot landscape buffer has been added to the northern and northwestern property lines. Storm water design was changed to retain all storm water on site instead of tying into the storm water system in Knollwood Road. Commissioners asked about the soil type, traffic, limiting the number of professionals that can occupy the proposed building, building material, parking and elevator/lift requirement. Mr. Whitney responded the soil on site is a sandy loam soil. He does not have traffic information for the site but expects the practice to be small and that it will generate little traffic. There was further discussion on limiting the number of professionals, Mr. Fishman suggested limiting the number of practices. Regarding the building siding material, the architect could not attend the meeting but Mr. Whitney said for clarification purposes if the Commission preferred the building siding material will be wood. The Commissioners asked the Town Planner for clarification on how parking is calculated for the proposed use. Town Planner Warner explained the calculation is based on the square footage of the building. Regarding a lift/elevator, Mr. Whitney said a note was added to the plans that one must be included, as requested, but the plans do not indicate where it will be located. The Commissioners expressed concern with parking and traffic related to the proposed use.

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

The hearing closed at 7:47 p.m.

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. Application withdrawn August 27, 2015. Attorney Christian Hoheb stated that although the

applicant withdrew their application, they will be back at some point in the future with a new application.

Birdseye Road LLC – 32, 36 and 38 Birdseye Road

Re-approval of special permit for medical office building located at 32, 36 and 38 Birdseye Road, MOC zone. Attorney Christian Hoheb stated the application has not changed from its 2013 approval and asks for re-approval. Currently they are working with potential tenants on building design and need a little more time before they will be ready to commence construction of the foundation. They are also willing to accept all prior conditions of approval.

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

The hearing closed at 7:49 p.m.

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

VOTED: To re-approval the application for special permit to construct new medical office building located at 32, 36 and 38 Birdseye Road, MOC zone with the following conditions:

1. The applicant shall address to the satisfaction of the Chief of Engineering Services the comments contained in an interoffice memorandum dated 10-11-13;
2. Final sign design shall be approved by staff.

Wilbur Charette – 55 Depot Place

Special permit and site plan approval to construct construction equipment garage at 55 Depot Place, C1 zone. Attorney Christian Hoheb represented the applicant's request to install a 40' x 50' garage for storage of equipment. He added the issue of lot coverage in excess of 40% has been resolved by removing an area of gravel reducing the lot coverage to 39.8%. Jim Thompson, Buck & Buck, reviewed the site plan, including a planted buffer to the rear of the proposed building, parking spaces, rain garden and utilities. Commissioners asked about site lighting, outside storage of equipment, drainage, amount of maintenance to be done on vehicles, utilities to the building and buffer to residential neighbors. Mr. Thompson stated wall pack lighting is proposed and that they are down lit. Equipment will sometimes be stored outside but not to the rear of the building because there is no room. Regarding drainage, it is existing to the rear of the site and will be continued/extended to the front of the lot. Mr. Charette clarified he has three pieces of equipment and that he does very little maintenance. The building will have an office and a restroom area in addition to equipment storage space. The buffer proposed to the rear of the site is a four foot berm with six foot arborvitae. The Commission recommended fencing the site for security due to its proximity to the rails-to-trails.

Attorney John Febbrioriello, represented Heidi Tuttle, 111 Forest Street, asked when revised plans were submitted. Attorney Hoheb responded this afternoon. Attorney Febbrioriello asked for clarification on the easement agreement for access to the site, improving the buffer to the rear of the site and questioned the use of the proposed building. Mr. Thompson and Attorney Hoheb responded. A discussion between the applicant and the adjoining property owner ensued regarding the revised plans and Ms. Tuttle asked the Commission for more time to review the revised plans. At 8:33 p.m. Chairman Dunn recommended suspending the public hearing so that

the two parties could discuss the revised plans outside the Council Chambers and report back later in the evening.

At 9:06 p.m. Attorney Hoheb reported back to the Commission that he reviewed the site plan changes with Attorney Febroriello and his client and clarified for the Commission that they are: removal of gravel, defined parking spaces and the location of the dumpster pad. Attorney Febroriello stated his client would like a fence between his client's property and the proposed building. The height of the fence can be determined by the Commission. His client would also like to request that no doors or windows will be located on the rear of the building facing his client's lot. After some discussion the applicant suggested a chain link fence with slats and a gate to the rear of the site in addition to the proposed berm with arborvitae for screening.

The hearing closed at 9:17 p.m.

Commissioner Fraprie moves and Commission Brenneman seconds the following resolution:

Whereas the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit to construct a warehouse/storage building at 55 Depot Place; 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 Farmington Zoning Regulations and gave due consideration to the Farmington Plan of Conservation and Development as required in CGS § 8-3(b).

Now therefore be it resolved that the Commission approves the special permit with the following conditions:

- No storage of equipment or construction materials to the rear of the building;
- Plans shall be modified to comply with 40% lot coverage requirement and to satisfy comments in the engineering memo dated September 14, 2015;
- The building use shall be as presented;
- A fence, as presented at the public hearing, shall be installed; and
- The warehouse/storage building shall have no doors or windows facing 111 Forest Street.

The motion passed unanimously.

David S. Stoner & Son, LLC – 99 Ely Road

Re-approval of special permit to demolish existing house and construct new house in ridgeline setback area for property located at 99 Ely Road, R80 zone. Mr. Stoner represented the property owner, Henry Nozko. The site was the subject of an application to remove the existing house and construct a new house which was approved in 2013. Some time has passed since that approval and the property owner has reconsidered the size of the new house, reducing the square footage significantly. Additionally, the house location has been revised to move the house further away from the ridgeline by approximately twenty-five feet. Commissioner Doeg asked if they were comfortable accepting the same conditions of approval as previously imposed. Mr. Nozko responded yes.

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

The hearing closed at 8:39 p.m.

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

VOTED: To reapprove the special permit to demolish existing house and construct new house in ridgeline setback area for property located at 99 Ely Road, R80 zone per plan dated August 25, 2015 with the condition that no additional trees are removed.

Town of Farmington – Text Amendments

Text amendments to the Zoning Regulations; Article IV, Section 7.G.3 Temporary Signs; Article IV, Section 7.B.8. Signs; Article IV, Section 13.B.12. Landscaping Requirements and Article 1, Section 2a. Prohibited Uses. A copy of these amendments are filed in the Town Clerk's Office. Town Planner Warner read through the proposed text amendments. Specific prohibited uses are proposed to be added to the zoning regulations under Article 1, creating Section 2 a. Revisions to the existing zoning regulation regarding "For Sale", "For Rent" or "For Lease" signs were reviewed and the addition of Section 7.B.8. of Article IV Signs regarding Non-Existing Businesses. If a business is no longer occupying a space it must remove its sign. The last revision discussed is the maintenance of landscaping, Article IV, Section 13.B.12. The revision specifies how all landscaping elements on an approved landscaping plan shall be maintained. Chairman Dunn recommended a couple minor edits.

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

The public hearing closed at 8:50 p.m.

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

VOTED: To approve text amendments to the Zoning Regulations; Article IV, Section 7.G.3 Temporary Signs; Article IV, Section 7.B.8. Signs; Article IV, Section 13.B.12. Landscaping Requirements and Article 1, Section 2a. Prohibited Uses with two requested revisions; 1. to renumber the prohibited uses and 2. to add the word "than" to new number 11. On site gambling (other *than* any form of gambling...).

NEW BUSINESS

Martin & Karen Wand – 85 Mountain Spring Road

Attorney Robert Reeve submitted a letter dated September 1, 2015 requesting an extension of ninety days to record the signed subdivision mylar and associated documents for Martin and Karen Wands at 85 Prattling Pond Road. Town Planner Warner commented they are very close to having all the information ready and that they should be ready to record the necessary documentation soon.

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

VOTED: To approve the request for 90-day extension of time as stated in a letter dated September 1, 2015 from Attorney Robert Reeve.

Sign Pro Inc. – 399 Farmington Avenue

Robert Kuszpa, Sign Pro Inc., presented a sign application for Connecticut Children's Medical Center located at 399 Farmington Avenue. The proposed sign is non-illuminated and has a total area of 82.48 sq. ft. Town Planner Warner stated the proposed sign satisfies the zoning requirements of the MOC zone.

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

VOTED: To approve the sign application for Connecticut Children's Medical Center for property located at 399 Farmington Avenue as presented.

Leggett Insurance Agency – 1053 Farmington Avenue

Brian Fey presented the sign application for Farmers Insurance. The proposed sign is 120" x 36" and will be located above the existing Cugino's sign. The sign will likely have rounded corners to differentiate it from Cugino's sign. The sign will be non-illuminated.

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

VOTED: To approve the sign application for Farmers Insurance located at 1053 Farmington Avenue as presented.

Pro Health Physicians – 3 Farmglen Blvd.

Rich Lugli presented the sign application for Pro Health Physicians located at 3 Farmglen Blvd. The overall area of the proposed building sign is 32' 10 ¼" x 2' 5" with individual halo letters. Town Planner Warner stated the proposed sign satisfies the requirements of the zoning regulations. Commissioners asked for clarification on lighting. Mr. Lugli explained how the halo lighting design illuminates the area behind the letters.

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

VOTED: To approve the sign application for Pro Health Physicians located at 3 Farmglen Blvd. as presented.

Farmington Field Club, Inc. – 21 Hilltop Road

David Kagan, President of the Farmington Field Club, presented the proposed sign. He explained they are located at the end of the cul-de-sac and would like to replace their "No Trespassing" signs with the proposed sign. No lighting is proposed. The proposed monument sign panel is 41.25" at the tallest point and 24" to the bottom of the sign panel. The sign will be mounted between two 4" x 4" posts.

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

VOTED: To approve the sign application for the Farmington Field Club, Inc. located at 21 Hilltop Road as presented.

Lauretano Sign Group Inc. – 199 Scott Swamp Road

Matt Lauretano presented the proposed addition of a logo to the left of the existing “One Beacon” building sign and the addition of the text line “Insurance Group” under the existing sign. Mr. Lauretano stated existing lighting above the current sign will not change.

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

VOTED: To approve the sign application for One Beacon located at 199 Scott Swamp Road as presented.

Unionville Organic Market – 37 Mill Street

Town Planner Warner reviewed the request to install a 16.25 sq. ft. sign on the building at 37 Mill Street for Unionville Organic Market. The proposed sign has been reviewed by the Unionville Architectural Design Review Committee and has been approved as presented.

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

VOTED: To approve the sign application for Unionville Organic Market located at 37 Mill Street as presented.

Deming Insurance Agency – 2 Garden Street

Town Planner Warner reviewed a proposal to install a clock on a post at 2 Garden Street. He explained the overall height is ten feet tall which is approximately the height of the roof over the front porch. The addition of the decorative clock would be a nice element for this location.

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

VOTED: To approve the application to install a decorative clock at Deming Insurance Agency located at 2 Garden Street as presented.

CT Liberty Mortgage – 1027 Farmington Avenue

Town Planner Warner stated this is a one day event and then reviewed the site plan with the Commissioners.

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

VOTED: To approve the one day event proposed at 1027 Farmington Avenue as presented.

PLANNER’S REPORT

7-Eleven

Town Planner Warner stated the 7-Eleven at 70 South Main Street would like to remove the existing hotdog counter and replace it with a Go Taco counter to sell tacos and chicken. There was a brief discussion about the change. The store will remain a convenience store.

Lions Club

Chair Dunn asked for an update on the Lions Club in Unionville and whether there have been any issues. Town Planner Warner responded there have been two violations since the Commission's last meet with them. He is waiting for information from the police regarding those incidents. There was some discussion on how the Commission would like to proceed with the matter.

KBE Building Corporation – 111 Scott Swamp Road

Town Planner Warner told the Commission that KBE Building installed a trailer on the site without approval from the Commission. They are currently seeking a Certificate of Occupancy (C.O.) and he has told them he cannot approve it until the trailer is removed.

MINUTES

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

VOTED: To approve the minutes of the July 27, 2015 meeting.

The meeting adjourned at 9:34 p.m.

SJM