

TOWN PLAN AND ZONING COMMISSION  
PUBLIC AND REGULAR MINUTES

January 11, 2016

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Fraprie, Jarvis, Tucker and Alternate Commissioners Charette, Donald 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 to the public.

**ELECTION OF OFFICERS**

Upon a motion made and seconded (Jarvis/Houf) to nominate Commissioner Dunn as Chairman of the Town Plan and Zoning Commission and Aquifer Protection Agency. There were no other nominations for Chair. The Commissioners unanimously voted to appoint Commissioner Dunn as Chairman.

Upon a motion made and seconded (Jarvis/Houf) to nominate Commissioner Doeg as Secretary for the Town Plan and Zoning Commission and Aquifer Protection Agency. There were no other nominations for Secretary. The Commissioners unanimously voted to appoint Commissioner Doeg as Secretary.

**PUBLIC HEARING**

Alternate Commissioner Houf was appointed to vote on behalf of Commissioner Doeg.

**John Adorno – 71 Walnut Street**

Special permit for placement of more than 100 cubic yards of fill (400 c.y.) for property located at 71 Walnut Street, R40 zone. A motion was made and seconded (Brenneman/Fraprie) to table this matter to the January 25, 2016 meeting.

**David Stoner & Son – 99 Ely Road**

Special permit for intensive construction activities (blasting related to construction of new house) located at 99 Ely Road, R80 zone. David Stoner stated they have found ledge in the area of the foundation of the new house and are seeking approval to blast. John Bahre, John W. Bahre Inc., was present to answer questions regarding his blasting plan. Commissioners asked if pre-blast inspections have been conducted. Mr. Bahre responded they have notified the five property owners that are within the range of the survey area and have conducted surveys for three of the properties. They are still waiting to hear from the other two property owners. Commissioners asked for clarification that the applicant intends to make sure the pre-blast surveys are done if the property owners want them. Mr. Bahre responded yes. The applicant was asked to confirm they have no issue with the time restrictions specified in the zoning regulations. There was some discussion about conducting the blasting operation between the hours of 9 a.m. and 3:30 p.m. Mr. Bahre commented he has no issue with these hours and that he works closely with the Fire

Marshal, providing him with 30 minute notice of each blast. Mr. Bahre and Mr. Stoner explained the various layers of notification that are required to meet the requirements of a special permit application, notice of an approved blasting application, notice for pre-blast surveys and obtaining the blasting permit from the Fire Marshal.

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

The public hearing closed at 7:23 p.m.

Commissioner Jarvis moves and Commission Houf seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit as required pursuant to Article IV Section 27 of the Farmington Zoning Regulations (regulations) to allow for blasting at 99 Ely Road; and

**Whereas** the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 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 request with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations (Article IV Section 27) including post approval performance standards and representations made by the applicant;
- Prior to the start of any work the plans shall be reviewed and approved by the Fire Marshal and a blasting permit shall be issued by the Fire Marshal; and
- Blasting shall be limited to the hours of 9 a.m. and 3:30 p.m. Monday through Friday unless otherwise approved by the Fire Marshal.

The motion passed unanimously.

#### Complexity LLC – 2-4 Eastview Drive

Special permit for team building business use located at 2-4 Eastview Drive, CR zone. Michelle Weathers, owner, explained her business. Complexity LLC offers team bonding activities for small groups; a small group would enter a room; solve multiple puzzles, logic problems, etc. to complete the room's mission. Some activities include the use of more than one room. Commissioners asked for hours of operation. Ms. Weathers responded her hours of operation are 4 p.m. to 10 p.m. weekdays and 9 a.m. to 10 p.m. Saturdays. Group sizes are between four and eight people. Ms. Weathers commented on parking. She calculated the need for 17 parking spaces based on a maximum of eight participants in four activity rooms and six staff members. The regulations require one space for every three participants plus one per employee. The parking lot currently has 40 parking spaces available. She said almost all of the tenants of the building operate during the day and will have no conflict with her business hours. She had a meeting with the Building Official and Fire Marshal about the layout of her space and they had

only minor comments. Commissioners asked about lighting in the parking lot and lighting in the activity rooms. Ms. Weathers commented on the existing lighting available in the rooms. She will also make sure there is sufficient lighting in the parking lot for safety. Commissioners asked about licensing requirements for this type of business. Ms. Weathers explained there are no specific licensing requirements for this type of business. Ms. Weathers responded there are no special professional licenses required. Commissioners asked for clarification about the ability to leave an activity room. Ms. Weathers explained that although puzzles/games have to be solved to obtain a key to exit a room, the door that is used to enter the room will remain unlocked. When asked if any activities will be conducted outdoors Ms. Weathers responded no.

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

The hearing closed at 7:38 p.m.

Commissioner Fraprie moves and Commission Jarvis seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit as required pursuant to Article IV Section 27 of the Farmington Zoning Regulations (regulations) to allow a place for public assembly at 2-4 Eastview Drive; and

**Whereas** the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS § 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 request with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations and representations made by the applicant; and
- Hours of operation shall be limited to 4 p.m. to 10 p.m. Wednesday, Thursday and Friday and 9 a.m. to 10 p.m. weekends.

Commissioner Brenneman moves and Commissioner Tucker seconds an amendment to add the condition of approval that no outside activities or music shall be permitted.

Commissioner Tucker moves and Commissioner Brenneman seconds an amendment to add the condition of approval that appropriate lighting be provided internally and in the parking lot for safety to the satisfaction of the Town Planner.

The motions passed unanimously.

#### Leslie Rock – 65 Burnt Hill Road

Two lot re-subdivision of property located at 65 Burnt Hill Road, R20 zone. Attorney Tim Furey represented the property owner. Attorney Furey stated they just received engineering staff comments and that he requests the hearing be continued to the next meeting so they can respond

to them. Attorney Furey described the 1.358 acre parcel at the end of Burnt Hill Road abutting Town owned property. Mr. & Mrs. Rock would like to re-subdivide their parcel creating one additional lot. Both lots conform to the requirements of the zoning regulations. January 6, 2016 the Conservation Commission voted to support the acceptance of open space proposed in lieu of a conservation easement. Joe Green, Robert Green Associates, reviewed the site plan and drainage improvements (installation of a catch basin and piping) proposed in response to staff concerns. Commissioners commented on drainage and slope of the driveway.

Larry Marion, 63 Burnt Hill Road, reviewed the history of 65 and 68 Burnt Hill Road and the abutting Town property formerly owned by the City of Hartford. Mr. Marion talked about a deed restriction and requested the application be denied.

Twila McKinney, 59 Burnt Hill Road, expressed concerns with drainage at her site (e.g., sinkhole and pot holes).

Zhen Zhou, 68 Burnt Hill Road, expressed concern with drainage and the impact of more development to the wildlife in the area.

Attorney Furey said they are working on the engineering comments that will address drainage concerns. Regarding the deed restriction, he stated it is a private land use issue separate from the application for re-subdivision. Attorney Furey commented he does not believe the restriction is enforceable.

At 8:06 p.m. a motion was made and seconded (Fraprie/Brenneman) and it was unanimously

VOTED: To continue this hearing to the January 25, 2016 meeting.

#### Metro Realty Group

Petition to amend the Town of Farmington Plan of Conservation and Development, specifically in regard to the health center neighborhood. Rebecca Augur, Milone & MacBroom, introduced the presentation. Geoff Sager, Metro Realty Group, began a PowerPoint presentation of the history of the health center neighborhood. Ms. Augur reviewed the study and recommendations as a result of the study; very high density residential and/or Medical Office Campus, additional pedestrian connections, appropriate transition to more intense uses regulatory techniques such as a floating zone. Traffic, property values, sidewalks/pedestrian infrastructure and spot zoning were noted as some concerns of the neighborhoods residents that attended public meetings.

Ben Root, 535 Middle Road, expressed concern with traffic, that there was no mention of sidewalks in his area of the neighborhood and commented that the amount of wetlands in this area limit the potential for development.

Betty Jones, 525 Middle Road, agreed there needs to be a comprehensive plan of development and asked if this discussion will be ongoing.

Attorney William Tracy, with an office in Bristol, CT, represented the Wheelers who own property on South Road. He stated adopting the proposed plan will be abandoning the objective of the current plan. He also commented on the significant wetlands in this neighborhood that limits future development potential.

Elizabeth Wheeler, 58 South Road, explained she and her mother own several parcels in the area and reviewed the history of changes her family has seen in this neighborhood. Ms. Wheeler urged the Commission not to amend the POCD.

Joe Wheeler, Wethersfield, spoke in opposition to the plan.

Gary Larkum, 136 South Road, commented on traffic on South Road and asked who would benefit from development of the area. He hoped the Commission doesn't change the neighborhood.

Kevin Curry, 17 Munson Road, commented the proposed plan is better than the existing plan and felt the floating zone may be good if residents can stay in the neighborhood.

James Pogson, 256 Main Street, talked about being on the Commission through three Plans of Conservation and Development. Middle Road at the time was considered a good buffer to the health center. Mr. Pogson commented traffic outweighs the benefit of development.

Joe Howard, Mountain Road, felt the plan preserves what is left of the neighborhood while providing a plan of development and lets the state know we have a plan of development for this area.

Attorney Christian Hoheb said he feels comfortable with the plan and using a floating zone.

At 10:00 p.m. a motion was made and seconded (Brenneman/Fraprie) and unanimously

VOTED: To continue this hearing to the January 25, 2016 meeting.

Commissioner Doeg left the meeting at this time.

## **NEW BUSINESS**

### **ComPassion Dental – 218 Main Street**

Jennifer Diederich, DMD, explained she is the owner and sole dentist for this practice and that she moved into this space in 2012. Although there is a tenant sign at the entrance to the plaza but she feels the sign is not sufficient for the public to know her practice is located in the plaza. She proceeded to review the number of patients she has had each year adding the number of patients were up when she had a more substantial sign posted along the street. Commissioners asked for confirmation that the landlord is in the support of the sign. Dr. Diederich responded yes and submitted a letter from the landlord in support of the sign. Commissioners talked to the Town Planner about the sign regulation and the number of signs permitted per the regulations. Town Planner Warner stated the zoning regulations limit the maximum square footage of a sign but not the number of signs. The Commission can determine the number of signs they feel are appropriate. Dr. Diederich stated her business occupies the same space as the former bank and she heard they left because of poor visibility. After some discussion Chairman Dunn commented the sign issue was more of a landlord/tenant issue and that the site does not lend itself to have multiple freestanding signs.

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

VOTED: 0 in favor to 6 opposed to approve the sign application for ComPassion Dental located at 218 Main Street. The motion failed and the application was denied.

Bianca Signs – 270 Farmington Avenue

The owner of The Hair Color Company & Spa stated she would like to install a sign on the building to identify her space. The aluminum panel, oval sign is 42” x 108” and is not lit. The new sign will be located on the building to the left of the Entrance Building Two sign. Commissioners asked for confirmation that the new sign will replace the existing sign. The owner responded yes.

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

VOTED: To approve Bianca Signs sign application for The Hair Color Company at 270 Farmington Avenue as presented.

Lauretano Sign Group – 9 Farm Springs Road

Alyson Dombrowski, Lauretano Sign Group, presented the proposed monument sign for United Technologies to replace the existing sign at the corner of Farm Springs Road and Fienemann Road. The second proposed sign for the Marriott will be attached to the building at 9 Farm Springs Road facing the highway. The Marriott sign is proposed to have halo lighting. There was a brief discussion about the brightness of halo lighting brightness. Ms. Dombrowski responded halo lighting is intended to be subtle/low lighting. Chairman Dunn asked if the applicant had any objection to the Town Planner inspecting the halo lighting for brightness to ensure the lighting is subtle. Ms. Dombrowski said she had no objection.

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

VOTED: 5 in favor to 1 opposed (Brenneman) to approve Lauretano Sign Group’s application for United Technologies and the Marriott located at 9 Farm Springs Road as per plan presented.

Farmington Recreation Department – 87 West Avon Road

David Freedman, Recreation Manager, handed out a list of sample programs the Farmington Recreation Department would like to offer at Camp Happy Hill. Mr. Freedman commented they haven’t had a place for programs and he feels this site would work well for them. The programs run during the day between 9 a.m. and 3 p.m. and staff will be on site from 8 a.m. to 4 p.m. There was some discussion about concerns of the neighbors regarding noise and traffic.

Unionville Architectural Design Review Committee

Town Planner Warner explained the Committee membership terms could not be located and he proposed to restart and stagger the terms of the membership so that it can be tracked moving forward. All existing members have agreed to continue Committee.

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

VOTED: To appoint the following members to the Unionville Architectural Design Review Committee with the noted terms:

Dian Barnes – 3 YEAR TERM expires 2019  
Dean Burhoe - 4 YEAR TERM expires 2020  
Tim Eagles - 4 YEAR TERM expires 2020  
Jack Kemper - 5 YEAR TERM expires 2021  
Bob Sanford - 5 YEAR TERM expires 2021  
Peter Van Beckum - 5 YEAR TERM expires 2021  
Vacancy – 3 YEAR TERM expires 2019

#### Regional Planning Agency

Commissioner Fraprie has agreed to continue his appointment to the Capitol Region Council of Governments.

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

VOTED: To appoint Commissioner Fraprie to the Capitol Region Council of Governments for 2016.

#### Gateway Committee

The Chairman asked if any of the Commissioners had an interest in representing the TPZ on the Gateway Committee. Alternate Commission Donald expressed an interest.

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

VOTED: To appoint Alternate Commissioner Donald to the Gateway Committee.

#### **PLANNER'S REPORT**

No Planner's Report.

#### **MINUTES**

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

VOTED: To approve the minutes of the December 7, 2015 meeting.

The meeting adjourned at 10:33 p.m.

*SJM*