

TOWN PLAN AND ZONING COMMISSION  
PUBLIC AND REGULAR MINUTES

June 13, 2016

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Fraprie, Alternate Commissioners Donald and Houf and the Town Planner and Clerk. Secretary Doeg opened the meeting at 7:01 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.

Alternate Commissioner Donald was appointed to vote on behalf of Commissioner Tucker. Alternate Commissioner Houf was appointed to vote on behalf of Commissioner Jarvis.

**PUBLIC HEARINGS**

**Jill Jarrett –Lot 8785 Scott Swamp Road**

Special permit and site plan approval for retail use (farm stand), with related green houses and storage structure for equipment located at Lot 8785 Scott Swamp Road (opposite 175 Scott Swamp Road) CR zone. Attorney Christian Hoheb represented the applicant. The applicant has received a determination from the Inland Wetlands Commission that the proposed activity is not regulated. Staff comments have been received and they are willing to accept them as a condition of approval. If they obtain approval from the Commission they will then proceed with the required permits from the State Department of Transportation. Jim Thompson, Buck & Buck, explained they are proposing an agricultural use of this site for garden beds, greenhouses, outbuilding for storage of equipment and farm stand. Mr. Thompson reviewed sight line concerns preliminarily expressed by the DOT. Approximately 5,000 cubic yards of fill to be brought onto the site to level and raise the site because is approximately nine feet lower than the road. Commissioners asked for clarification on the use of the storage building and what utilities will be installed for the building. The building will be used to store equipment and for routine maintenance of the equipment. The building will have electricity only. The sales building will have electricity, water and a restroom. The Farmington Valley Health District has approved the proposed septic system. When asked for the hours of operation, the applicant responded the stand will operate during day light hours except for the sale of Christmas trees. During a discussion about lighting the applicant commented they will likely install a motion light for security of the site. Commissioners also asked if only products produced on site will be sold at the stand. They will also sell produce they grow in other gardens in Town. The applicant was asked how many parking spaces are proposed. Approximately eight vehicles will fit in the proposed parking area. Commissioners asked Mr. Thompson if he has received Engineering Staff comments and if there was an issue addressing them. Mr. Thompson responded he has received the comments and there is no issue addressing them. There was then a brief discussion on signs.

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

The public hearing closed at 7:35 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 as required to construct a farm stand at Lot 8785 Scott Swamp Road (opposite 175 Scott Swamp Road) as displayed on the plans in the Zoning Office; 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 request with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations and representations made by the applicant and the latest Engineering Division memorandum dated June 8, 2016.

The motion passed unanimously.

Robert Schechinger Jr. – 592 New Britain Avenue

Special permit for school bus storage and maintenance facility with waiver to allow up to fifty percent impervious coverage for property located at 592 New Britain Avenue, C1 zone. Mr. Schechinger stated the site is approximately 4.15 acres and is located between a vacant parcel, Roo Storage and that the rails-to-trails is to the rear. Beyond these parcels are the residential neighborhoods of Walnut Farms, Juniper Lane and Blueberry Lane. The existing building on the site will be renovated to accommodate the proposed office and vehicle maintenance requirements of M & J Bus Company. The building will also have an interior wash system for the buses. The site will be modified to provide sixty-eight parking spaces. Routine service of the buses will be conducted in the building. Plans include the construction of a detention basin in the rear parking area for storm water runoff. Mr. Schechinger reviewed the proposed landscape plan. The entire bus service will move from its current location on New Britain Avenue to this site. Regarding concern expressed by residents for noise and diesel fumes, Mr. Schechinger handed out a noise analysis report written by Risk Management Services, LLC. The scope of the sound survey measured sound levels at different distances ranging between 10 feet and 250 feet using one large school bus at the site both with and without backup alarms in use. Buses will be backed into their parking spaces at the end of the day so that they can pull out of their parking space in the morning. The buses start on a staggered basis in the morning and are not permitted to idle more than three minutes. Mr. Schechinger added the air current does not flow toward the residential neighborhoods behind the site. George Logan, Rema Ecological Services, LLC, highlighted his reports dated April 27, 2016 and June 13, 2016. Per Connecticut DEEP the Bald Eagle and Eastern box turtle are listed species in the vicinity of this site. Mr. Logan explained the proposed storm water treatment system was thoroughly discussed with Skip Alford, P.E.

Although the parking area will be gravel it will shed most of the storm water to the bio retention basin located in the center of the parking area. Commissioners asked for clarification that contaminants will be captured in this basin. Mr. Logan responded yes. There was discussion about scraping the surface of the gravel parking area periodically and refreshing it. Commissioners expressed concern with the proposed parking of 64 drivers, 4 staff members including 2 handicap parking spaces; the proposed parking seems tight. John Hipshire, M & J Bus, explained the four staff members are dispatchers and mechanics and that they may not all be at the site at the same time. He added some vehicles can be moved inside the building. A discussion about maximizing parking ensued. Commissioners asked for clarification on vehicle maintenance to be conducted on site. Mr. Hipshire responded routine maintenance only would be conducted on-site. Major repairs are done at one of their other locations. The applicant was asked about lighting. Mr. Hipshire stated they do not want to light up the site. They have lighting on the building and the drivers have flashlights for inspections of their vehicles. When asked about what they will do with their current site on New Britain Avenue Mr. Hipshire said that until they move onto the new site they do not know if they will need to use their current site for storage of vehicles. They would like to operate out of one site. Commissioners commented on the sound analysis submitted; the report only used one bus but the bus company has not specified how many buses will start at the same time at the site on a routine basis. Also not provided is an air quality study regarding fumes from diesel buses and the impact on the neighboring residences. Mr. Schechinger commented that because the site is in a "bowl" the sound will be lessened once it hits the vegetation and as previously stated the wind current does not travel toward the residences. Mr. Logan was asked about the impact of the rear hillside runoff and the effect on the proposed drainage system. Mr. Logan said he has observed some past erosion on the hillside but did not observe anything current and does not believe there will be an impact. When asked for clarification on the amount of runoff that will travel over the gravel parking area and not infiltrate, Mr. Logan explained up to 80% of the storm water will not infiltrate the gravel parking lot. When asked how much material will be removed from the site, Mr. Schechinger responded he hopes they will not remove material from the site and that the fill will be used in front portion of the site. Commissioners asked if this site will only be used for buses that serve Farmington. Mr. Hipshire said for the most part. They may have to bring in a bus from another location for basic maintenance if that facility does not have the ability to perform maintenance. The applicant was asked if they have considered using the new site for maintenance only and using their existing site for storage of vehicles. Mr. Hipshire responded no because the current site is too tight. Comments were made regarding monitoring of vehicle idling and the presence of Bald Eagle in the area. Commissioners asked if the applicant was negotiating with neighboring towns to service their buses at this site. Mr. Hipshire responded no. The applicant was told the Commission needs more information regarding noise (actual measurements from the existing site), diesel fumes and storage calculations of snow.

John Brockelman, 21 Juniper Drive, spoke in opposition to this application. He expressed concerns with bus start up time, exhaust from the buses/vehicles, back up alarms, light pollution, traffic in and out of the site throughout the day and into the evening. Mr. Brockelman works at home and is concerned the operation of the bus company will be very disruptive given the proximity of the site and his residence. Also, with tree clearing that has been done at the site there is already more noise from New Britain Avenue at his home and he believes exhaust from the site will travel to the residences in the neighborhood.

George Kearns, 12 Juniper Drive, agrees with Mr. Brockelman's comments. Mr. Kearns expressed concern for the safety of birds in the area. He noted he can hear the existing bus site now and it is further away. Mr. Kearns added he did not receive notification of this application. A check of the GIS system found Mr. Kearns to be located outside the required notification area of 200 feet.

Don Perrault, 24 Roma Drive, expressed concern with the application citing past issues with Polymer Resources. Regarding fumes from the exhaust of the buses, wind studies were done regarding Polymer it was determined the prevailing winds go from west to east. Mr. Perrault stated safe decibel levels are 85. He also showed two publications regarding diesel fumes and submitted a material safety data sheet for the record. Mr. Perrault summarized his concerns for the current application as diesel fumes, noise pollution, light pollution and reduction in property values.

Tim Marsh, 11 Blueberry Lane, expressed concern with air quality citing exemptions to the three minute State law regarding idling of diesel vehicles.

Ralph Fraley, 10 Blueberry Lane, agrees with all comments made from his neighbors.

Ed Kane, 9 Juniper Drive, commented the worse place to have a building is in a pit because of the pollution. He expressed concern for safety because the buses currently back up on New Britain Avenue and if they move to this site they would back up at a curve in the road.

Paul Jackie, 20 Juniper Drive, expressed concern with noise and diesel fumes. Citing they will adversely affect the value of his house.

Carrie Harper, 53 Walnut Farms Drive, agreed with all previous comments made by the public.

Carrie O'Connor, 28 Walnut Farms Drive, commented sound travels and she can hear what people are saying at the high school during the relay for life event. She also agrees with all other comments made.

Ed Hurnick, 8 Roma Drive, agrees with comments made. He works at home full time and feels the noise will be disruptive.

Tim Germano, 25 Firenzi Lane, said the most distressful concern about the application is the pollution the site will generate.

Richard Negro, 18 Maxine Road, Plainville, said is a partner of the vacant parcel adjacent to this site. He asked the Commission to consider his request that some sort of buffer or screening be installed between along their property line.

Louise Miller, 14 Firenzi Lane, said she is opposed to the application because of noise and diesel exhaust concerns.

Mr. Schechinger stated he is working on revised plans to address staff comments and will work on getting additional information to address concerns for noise and air quality.

The Commission stopped accepting testimony at 9:31 p.m.

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

VOTED: To continue the public hearing to June 27, 2016.

The Commission took a break until 9:34 p.m.

Town of Farmington – 1 Depot Place

Special permit for office use (Board of Education) at 1 Depot Place, UC zone. Tim Harris, Director of School Facilities, explained they would like to renovate the former train station depot. The Town has a 30 year lease agreement with the State and the Board of Education would like to use the site for the EXCL program offices, which are currently located on the lower level of the Town Hall. The program has approximately five employees and four or five walk-ins a day. Mr. Harris reviewed internal renovation plans and explained that outside they will make modifications to the deck to meet ADA specification requirements. The existing windows will remain and storm windows will be added. He met with the Architectural Design Review Committee and they made some recommendations on the railing and they are considering that recommendation. New doors will be installed but there will be no other exterior changes to the building. When asked how many parking spaces are dedicated for this building Mr. Harris responded about seven. There was a brief discussion about exterior lighting and the Commission recommended installing something for safety.

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

The public hearing closed at 9:40 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 as required to change the use from retail to office at 1 Depot Place as displayed on the plans in the Zoning Office; 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 request as per plan presented.

The motion passed unanimously.

529 Farmington Avenue LLC – 501 Farmington Avenue

Change of zone from PR zone to MOC zone for property located at 501 Farmington Avenue.

Metro Realty Group Ltd. – Lot 8244 Farmington Avenue (adjacent to 529 Farmington Avenue)

Change of zone from R20 zone to MOC zone for property located at Lot 8244 Farmington Avenue (adjacent to 529 Farmington Avenue).

Metro Realty Group Ltd. - 521, 529 and Lot 8244 Farmington Avenue, MOC zone

Application for special permit and site plan approval for medical office building located at 521, 529 and Lot 8244 Farmington Avenue, MOC zone.

Attorney Christian Hoheb asked to present all three of these applications together. Geoff Sager, Metro Realty Group, stated they are proceeding with the construction of the medical office building on Birdseye Road. Tom Daly, Milone & MacBroom, explained a portion of the commuter lot is being acquired by the applicant and they would like to change the zone from R20 to MOC. Additionally, they are purchasing thirteen parking spaces from 501 Farmington Avenue and they would like to change the zone from PR to MOC. Mr. Daly then showed the Commission a revised site plan for the new layout of the medical office building previously approved on Farmington Avenue. The new three-story 50,800 sq. ft. medical office building will abut the commuter lot and the parking area will connect to the existing parking lot. Access to the site from Farmington Avenue is entrance only and exiting is limited to Birdseye Road. Commissioners asked if the building façade will be similar to the existing buildings. Mr. Daly responded yes. He also explained the parking area will not be visible from Farmington Avenue because of the elevation difference between the road and the parking lot. There was a brief discussion about directional signage on site and site coverage. Mr. Sager reviewed the site directional signage. Mr. Daly stated the campus site coverage of between 47.6% to 48%.

Joanne Lawson, 9 Prattling Pond Road, asked for a size comparison for the proposed new building. Mr. Sager said it will be the same size as 499 Farmington Avenue.

The public hearing closed at 10:02 p.m.

529 Farmington Avenue LLC – 501 Farmington Avenue

Commissioner Fraprie moves and Commission Brenneman seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a zoning map amendment to change a portion of 501 Farmington Avenue from R20 to MOC zone; 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; and

**Whereas** the Commission evaluated the proposal in accordance with Article IV Section 12 of the Farmington Zoning 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 said map change and sets an effective date of fifteen (15) days after the publication of the notice of decision.

The motion passed unanimously.

Metro Realty Group Ltd. – Lot 8244 Farmington Avenue (adjacent to 529 Farmington Avenue)  
Commissioner Doeg moves and Commission Brenneman seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a zoning map amendment to change a portion of Lot 8244 Farmington Avenue (adjacent to 529 Farmington Avenue) from R20 to MOC zone; 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; and

**Whereas** the Commission evaluated the proposal in accordance with Article IV Section 12 of the Farmington Zoning 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 said map change and sets an effective date of fifteen (15) days after the publication of the notice of decision.

The motion passed unanimously.

Metro Realty Group Ltd. - 521, 529 and Lot 8244 Farmington Avenue, MOC zone

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 as required pursuant to Article IV Section 30 of the Farmington Zoning Regulations (regulations) to construct a 50,800 sq. ft. medical office building and associated parking for property located at 521, 529 and Lot 8244 Farmington Avenue, MOC zone, as displayed on the plans in the Zoning Office; 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, 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 the latest Engineering Division memorandum.

The motion passed unanimously.

### **NEW BUSINESS**

#### **Malmor, LLC – 200 Mountain Road.**

Steve Moran, Partner of Malmor, LLC, proposed to install 9” individual letters on the building. Mr. Moran briefly spoke about removal of trees for visibility of the building. Commissioners asked for confirmation from the Town Planner that the proposed sign conforms to the requirements of the zoning regulations. Town Planner Warner responded yes. No lighting is proposed for this sign application.

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

VOTED: To approve the sign application for Malmor, LLC as presented for property located at 200 Mountain Road.

### **PLANNER’S REPORT**

No Planner’s Report.

### **MINUTES**

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

VOTED: To approve the minutes of the May 23, 2016 meeting.

The meeting adjourned at 10:15 p.m.

*SJM*