

TOWN PLAN AND ZONING COMMISSION  
SPECIAL MEETING MINUTES

December 11, 2017

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Jarvis, Matava, Tucker and Alternate Commissioners Charette, Donald and Houf and the Town Planner and Secretary. Secretary Doeg opened the meeting at 7:00 p.m. and read the legal notice into the record. Town Council Liaison Mastrobattista was also present.

Chairman Dunn explained the process of the meeting.

Chairman Dunn recognized outgoing Commissioners (himself) Jarvis, Houf and Charette and recognized Commissioners staying with the Commission, thanking them for their dedication and service to the Town as Plan & Zoning Commissioners. Secretary Doeg thanked the outgoing members and Chairman Dunn for his service and presented him with a plaque to commemorate his time on the Commission.

**PUBLIC HEARING**

**Loren Godfrey - 386 Old Mountain Road**

Application for three-lot re-subdivision of 386 Old Mountain Road, R80 zone. Doug Ellis, Buck & Buck, represented the applicant and their request for approval of a three-lot subdivision. The site plan presented showed the proposed lot configurations. All three lots meet the area and frontage requirements of the zoning regulations for the R80 zone. The existing driveway and house will remain. Mr. Ellis stated he presented the application to the Inland Wetlands Commission and received their approval at the November 1, 2017 meeting. The Farmington Valley Health District submitted a letter dated August 21, 2017 stating that based on soil test data and the plan submitted the proposed well and septic systems are suitable for five bedroom homes. Mr. Ellis commented the conservation easement area along Old Mountain Road was increased to fifty feet deep and additional easement area was added to the north of the site. When asked by the Commission if the applicant had received staff comments Mr. Ellis responded yes and that he has no issue addressing the comments. Mr. Ellis was asked if adequate sight lines were provided at the driveway entrances. Mr. Ellis responded yes and provided the length of sight line for each driveway. All site storm water runoff will remain on site and flow in its current direction to the north. There was some discussion about the scenic roadway and the proposed driveway cuts. The Chairman asked the applicant if he had received a copy from Ms. Morrissey's, 405 Old Mountain Road, correspondence regarding the application. Mr. Ellis responded yes and responded to concerns in her letter.

Claire Burnett, 354 Old Mountain Road, expressed concern with tree removal and site grading; scenic roadway and storm water runoff.

Eric Ort, 345 Old Mountain Road, expressed concerns and spoke in opposition to the application.

Mimi Mead, 70 Garden Street, asked that the applicant reconsider reducing the curb cut width.

Kim Zimmerman, 325 Old Mountain Road, echoed concerns stated by the previous speakers adding storm water drainage and traffic speed are a big problem in this area.

Mr. Ellis responded to concern of storm water runoff by presenting the proposed rain gardens on each site.

Town Planner Warner suggested the applicant tighten the driveway width in the conservation easement area. For clarification the Scenic Road Ordinance covers the roadway and the right-of-way along the roadway only.

The public hearing closed at 7:41 p.m.

Commissioner Doeg moved and Commissioner Jarvis seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission received an application for a 3 lot re-subdivision 386 Old Mountain Road, R80 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(c); and

**Whereas** the Commission evaluated the proposal in accordance with the Subdivision 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 re-subdivision with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations and plans submitted and representations made by the applicant;
2. The applicant shall address to the satisfaction of staff, all staff comments; and
3. In response to drainage concerns, the applicant limit the driveway cut in the conservation easement area to sixty feet wide.

The motion was voted 0 in favor to 6 opposed to approve. The motion failed and the application was denied.

Members voting in opposition to the motion expressed concern with drainage due to the topography and the number of driveway cuts on the scenic roadway.

#### Margaret Rush – 125 Waterside Lane

Application for special permit to raise poultry (up to six hens) at 125 Waterside Lane. The applicant has asked for an extension of time to continue this matter to the January 8, 2018 meeting. The applicant asked that this matter be continued to the January 8, 2017 meeting to obtain approval from the homeowner's association.

One Waterville Road, LLC - 820 Farmington Avenue and, 3 Waterville Road and 1 Canal Path

Application for change of zone from B1 and R80 to FC/FV zone for property located at 820 Farmington Avenue and, 3 Waterville Road and 1 Canal Path. This application was withdrawn per the request of the applicant.

David Olivio – 667 Plainville Avenue

Application for special permit for home business (barber/beautician) at 667 Plainville Avenue, R40 zone. Mr. Olivo would like approval to operate a one chair barber/beautician business at his home. He would convert an existing home office space for this use. Hours of operation are Tuesday through Saturday 9a.m. to 5 p.m. The Commission asked clarifying questions regarding layout and business hours.

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

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

Commissioner Jarvis moved and Commissioner Brenneman seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for home business (barber/beautician) at 667 Plainville Avenue, R40 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(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/site plan with the following conditions:

1. The proposal shall adhere to all relevant sections of the regulations and plans submitted and representations made by the applicant.
2. The use shall occupy no more than 25 percent of the home; the use shall have no more than two nonresident employees; no products shall be sold from the home; the outside residential appearance of the dwelling is not changed; signage shall be no more than two square feet, use is shall be limited to the installation and use of one chair (station), Hours of operation shall be Monday – Saturday 9 AM – 4 PM. The grant of such approval is limited to this applicant and any change in ownership will render special permit null and void.

The motion was voted unanimously to approve.

R & R Realty Investors LLC – 30 Mill Street

Application for special permit for yoga studio at 30 Mill Street, UC zone. Stephen Repka, owner of the building, stated Pam Hiatt is interested in operating a yoga studio on the second floor of this building. Ms. Hiatt stated she would lease one room for yoga classes. The average class size will be eight to ten people. There was a brief discussion regarding hours of operation and parking. Ms. Hiatt noted the hours of her studio and the use of the rest of the building will not conflict.

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

The public hearing closed at 7:54 p.m.

Commissioner Doeg moved and Commissioner Tucker seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for yoga studio at 30 Mill Street, UC zone.

**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:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant;
2. The applicant/owner shall install necessary ADA improvements to ensure accessible route from ADA spaces to entrances; and
3. Class size is limited to 21 clients at any one time.

The motion was voted unanimously to approve.

Finishing Touches by Mary Ann LLC – 1533 New Britain Avenue

Application for special permit for personal service use (electrolysis, facials, reflexology and therapeutic massage) at 1533 New Britain Avenue, CR zone. Tracy Cook would like to move her existing business from Main Street to 1533 New Britain Avenue. She will move from a second story location to the first floor at the New Britain Avenue location. Her hours of operation are 10 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 4 p.m. Saturday.

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

The public hearing closed at 7:56 p.m.

Commissioner Jarvis moved and Commissioner Brenneman seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for personal service use (electrolysis, facials, reflexology and therapeutic massage) at 1533 New Britain Avenue, CR zone.

**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:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant.
2. The applicant/owner shall install necessary ADA improvements to ensure accessible route from ADA spaces to entrances.

The motion was voted unanimously to approve.

Waterside Ten LLC – 2, 4, 6 Bridgewater Road

Application for special permit modification and site plan approval to convert 1,200 sq. ft. of storage building to indoor play area for Goddard School with associated site improvements at 2, 4 and 6 Bridgewater Road, BR zone. Attorney Robert Reeve, Scully, Nicksa & Reeve, represented the owner and applicant. Attorney Reeve stated for the record that the notice requirements were met. His client is seeking to modify / convert 1,200 sq. ft. of storage/maintenance space to an indoor play area. No additional children or employees will be accepted and the new space will not be rented out for parties. The proposed use will not increase the parking demand nor will it increase traffic. Minor site changes include extension of the fenced area for access to the indoor play area. His client has received staff comments and finds them acceptable. Tom Daly, P.E., with Milone & MacBroom, presented the proposal to modify the existing fence area and extend to connect to the new space. Jason Davis, Q, A & M, stated the fence will connect to the maintenance building, a window on the side of the building will change to a door and the architecture in front of the building will remain the same. Commissioners asked for clarification that the fence expansion will maintain the same fence material. Mr. Davis responded yes, vinyl. It was stated that the necessary State licensing board will have to review if approval is granted by the Commission.

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

The public hearing closed at 8:07 p.m.

Commissioner Doeg moved and Commissioner Brenneman seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for special permit modification and site plan approval to convert 1,200 sq. ft. of storage building to indoor play area for Goddard School with associated site improvements at 2, 4 and 6 Bridgewater Road, BR zone.

**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:

1. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant.
2. The expansion of the day care use shall be approved by the State Health Department.

The motion was voted unanimously to approve.

#### Waterside Ten LLC – Lot 8069 Bridgewater Road

Application for change of zone from BR and R30 zones to SA zone, special permit and site plan approval for 32 unit elderly apartment building under Article II, Section 9.C.2 and waiver of maximum building height from 36 feet to 40 feet located at Lot 8069 Bridgewater Road. Attorney Robert Reeve, Scully, Nicksa & Reeve, represented the owner and applicant. Attorney Reeve stated for the record that the notice requirements were met. His client proposes to construct a thirty-two unit age restricted apartment building for ages 62 and older. This requires a change of zone to the SA zone. This building will complement the approved assisted living facility. Studies and literature showing there is an increasing demand for this type of housing is in the record application file. Tom Daly, P.E., with Milone & MacBroom, reviewed the currently zoning designation of BR and R30. Site plan details were presented and included a stone wall, multi-purpose trail, in addition to building elevations, parking and courtyard layout. Mr. Daly commented emergency vehicle access will work in the proposed courtyard/parking area and all roof leaders will connect to drywells. The coverage proposed for this plan is 35%. This development was included with the OSTA application for the assisted living development. David Quisenberry, Q. A. & M., commented they have been before the Commission about the project and received a lot of good comments. They went before the Architectural Design Review Committee and they recommended the steeper roof which is why they have asked for the waiver regarding the maximum height. Jason Davis, Q. A. & M., presented building elevation details regarding the height in relationship to the approved assisted living facility; floor plan including common room, elevator; and building façade materials. The building will include twelve two-bedroom units and twenty one-bedroom units. The Commission asked clarifying questions regarding site traffic circulation. There was a brief discussion regarding landscaping behind the garage to break up the long wall. The applicant stated they would work with staff as a condition of approval. The Commission commented that the Connecticut Water Company had submitted a

letter regarding the application for the record. Mr. Daly responded they will use the same pest management plan use for the Goddard School site and provided additional detail regarding the storm water management plan.

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

The public hearing closed at 8:57 p.m.

Commissioner Jarvis moved and Commissioner Brenneman seconded the follow

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a zone change, special permit and site plan approval for 32 unit elderly apartment building under Article II, Section 9.C.2. and waiver of maximum building height from 36 feet to 40 feet located at Lot 8069 Bridgewater Road.

**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:

1. The proposal shall adhere to all engineering comments, all relevant sections of the regulations, the submitted plans and representations made by the applicant;
2. No building permits shall be issued until a State Traffic Commission certificate is issued for all work associated with the assisted living/memory care facility and no CO shall be issued until such work is completed;
3. The final architectural plans and material selection shall be reviewed and approved by the Architectural / Design Review Committee;
4. The same street amenities shall be constructed along Route 4 as the assisted living/memory care facility (ie stone wall and decorative lights) along the entire length of the applicant / owners (Waterside 10 LLC) frontage both to the east and to the west of Bridgewater Road.
5. A 10 foot multi use sidewalk / trail shall be constructed the entire length of the applicant / owners (Waterside 10 LLC) frontage both to the east and to the west of Bridgewater Road; and
6. The developer shall work with staff regarding landscape planting along the garage wall.

The motion was voted unanimously to approve.

#### Carrier Excel Homes – 15 Walnut Street

Application for special permit to construct duplex homes on Parcel A and Parcel B located at 15 Walnut Street, R9 zone. Michael Lambert, Harry E. Cole & Son, represented the applicant. Mr. Lambert explained the site plan showing the division of 15 Walnut Street creating two parcels and the proposed location of a duplex on each parcel. They are working on the final architectural

details of the homes and whether or not to have a one car garage on each side. Each home will be connected to public water and sanitary sewer. Mr. Lambert reviewed the storm water drainage plan for the parcels and stated they have no issue addressing staff comments.

Krzysztof Janczar, 1716 Farmington Avenue, spoke in opposition to the application.

Darren Hall, 10 Walnut Street, spoke in opposition to the application.

Robert Huelin, 5 Serra Drive, spoke in opposition to the application.

Betty DaCruz, 9 Serra Drive, spoke in opposition to the application.

Alexander Nakimovsky, 53 Walnut Street, spoke in opposition to the application.

Tom Gondek, 16 Walnut Street, spoke in opposition to the application.

Jackie Coachman, 71 Walnut Street, spoke in opposition to the application.

John Adorno, 71 Walnut Street, spoke in opposition to the application.

Annette Perzan, 3 Serra Drive, spoke in opposition to the application.

Residents speaking in opposition to the application expressed concern for drainage, traffic, the number of driveways proposed and the proposed multi-family use.

Mr. Lambert responded to concerns.

The public hearing closed at 9:26 p.m.

Commissioner Doeg moved and Commissioner Brenneman seconded the following motion:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit to construct a duplex on Parcel A and Parcel B located at 15 Walnut Street, R9 zone.

**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:

1. The proposal shall adhere to all engineering comments, relevant sections of the regulations, the submitted plans and representations made by the applicant.



The motion was voted 0 in favor to 6 opposed to approve. The motion failed and the application was denied.

Members voting in opposition to the application felt that although the developer does very nice work the proposed homes could have the appearance of a single family house with one driveway each or they could propose a single family house on each lot.

### **NEW BUSINESS**

#### **City Sign Co. – 377 New Britain Avenue**

Shawn Warden, City Sign Co., presented the sign application. The application proposes to install a 16 sq. ft. double-sided detached foam board sign and a 16 sq. ft. building sign for Fearless Fitness at 377 New Britain Avenue. The signs proposed are similar in size to the previous tenant. Mr. Warden stated the detached sign may have ground lighting.

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

VOTED: To approve the City Sign Co. sign application for property located at 377 New Britain Avenue as presented and on file in the Planning Office.

#### **Simone Development LLC – 7 Winthrop Drive**

Todd Zitzkat, Simone Development, LLC, has submitted a request for a 90-day extension of time to file the mylar map of the approved subdivision of 7 Winthrop Drive.

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

VOTED: To grant the 90-day extension of time to Simone Development LLC to file mylar map of approved subdivision of 7 Winthrop Drive.

### **PLANNER'S REPORT**

The final version of the Plan of Conservation and Development was received and handed out to the Commission.

### **MINUTES**

#### **November 15, 2017 Meeting Minutes**

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

VOTED: To approve the minutes of the November 15, 2017 meeting.

The meeting adjourned at 9:56 p.m.

*SJM*