

TOWN PLAN AND ZONING COMMISSION
MEETING MINUTES

July 29, 2019

Present were Chair Brenneman, Commissioners Grabulis, Pogson, St. James and Alternate Commissioners O'Brien and Ogan and Town Planner and Clerk. The meeting was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE (led by Commissioner St. James)

Acting Secretary Grabulis read the legal notice into the record for the public hearing matters.

NEW BUSINESS

Agnoli Sign Company – 838-850 Farmington Avenue

Sign application to replace the existing monument sign at the Epicure Center. Christina Moreau, Agnoli Sign Company, presented the proposed 93" x 95" monument sign; proposed brick base is 14" x 89" wide and the overall tenant panel area proposed is 60" x 89". Above the tenant panel area is the top panel with the plaza name and address. Sign materials are painted aluminum components on a brick base. Ms. Moreau stated the existing sign is visually blocked by an existing bus shelter. A photo of the existing sign was provided. The new sign is proposed to be placed on the east side of the entrance driveway 15 feet from the sidewalk, which is 3 feet from the property line. Town Planner DeVoe briefly discussed the monument sign zoning regulations regarding placement and size stating the new sign as proposed would require a 5/6 vote of the Commission. Commissioners expressed concern with the new location as it relates to sightline for patrons exiting the plaza onto Farmington Avenue. Ms. Moreau provided a photo showing a stake in the lawn area for clarification as to the location of the closest portion of the sign to the street.

Upon a motion made and seconded (Pogson/St. James) it was unanimously

VOTED: To table the decision of Agnoli Sign Company sign application for 838-850 Farmington Avenue until the September 9, 2019 meeting.

Additional information requested of the applicant by the Commission:

- Provide a photoshop elevation that shows the sign located where it is proposed on the site plan – they noted the wooden stake and wanted to see a more realistic perspective.
- Provide a photoshop elevation of a similar sign that complies with the regulations. Again, please assure that it is shown accurately as to its intended location.
- Provide scale copies of a plan where the sign will be located in relation to the street and note the appropriate scale on that plan.

EXECUTIVE SESSION - Pending litigation Traci Stefanic vs. Town of Farmington

Upon a motion being made and seconded (Pogson/Ogan) it was unanimously

VOTED: To adjourn the meeting to Executive Session as permitted by Connecticut General Statutes Section 1-225 (a) for the purpose of an update regarding pending litigation at 7:26p.m.

Attendance in the Executive Session was be limited to:

Town Attorney
Members of the Town Plan and Zoning Commission
Town Planner
Clerk

Upon a motion being made and seconded (O'Brien/Pogson) it was unanimously

VOTED: To end the Executive Session at 7:48p.m.

Upon a motion being made and seconded (Pogson/Grabulis) it was unanimously

VOTED: To add Traci Stefanik modification of condition of approval granted at 21 Pinnacle Ridge Road to the agenda under New Business.

NEW BUSINESS

Traci Stefanik – 21 Pinnacle Ridge Road

Modify condition of approval No. 6. approved June 24, 2019. Condition of Approval No. 6 shall be modified to remove "The Commission agrees to reduce fines to \$5,000.00 if these conditions of this approval are met. If the conditions of this approval are not met, the full fine will be reinstated, and a new zoning enforcement process will begin." Condition of Approval No. 6 shall now read: "The planting of the new trees, installation of the Conservation Easement markers, and the recording of the easement on the Town of Farmington Land Records shall be completed by November 15, 2019."

Upon a motion made and seconded (Pogson/Ogan) it was unanimously

VOTED: To modify the Traci Stefanik special permit approval granted June 24, 2019 by changing Condition of Approval No. 6 to read: "The planting of the new trees, installation of the Conservation Easement markers, and the recording of the easement on the Town of Farmington Land Records shall be completed by November 15, 2019."

The following language is removed from Condition of Approval No. 6 of the June 24, 2019 approval: "The Commission agrees to reduce fines to \$5,000.00 if these conditions of this approval are met. If the conditions of this approval are not met, the full fine will be reinstated, and a new zoning enforcement process will begin."

8-24 Referral – 9485 Mountain Road

The Town is seeking referral from the Commission to purchase a portion of Lot 9485 Mountain Road. The triangular shaped parcel is adjacent to 107 Mountain Road. Acquisition of this parcel would allow a portion of the Metacomet Trail to be moved off private property at 115 Mountain

Road, to this parcel which will provide more direct and safer trail crossing over Mountain Road. Letters of support have been received from Farmington Conservation Commission, Farmington Land Trust, Connecticut Forest & Parks Association and National Park Service. A letter of understanding is in place agreeing to transfer of property to Farmington in exchange for taxes due.

Upon a motion made and seconded (Grabulis/Ogan) it was unanimously

VOTED: To forward a positive referral to the Town Council recommending the purchase of a portion of 9485 Mountain Road as requested and on file in the Planning Office.

Winding Trails – 50 Winding Trails

Site plan application for expansion of office building with related parking improvements at 50 Winding Trails Drive. Scott Zenke represented the applicant and presented the proposal to add a two-story addition to the existing office building. The first floor space will be used for meeting space. No additional employees will be hired. The parking area will shift to the south and they will gain approximately one and a half parking spaces. Building elevations were included with the application packet. General questions were asked of the applicant for clarification.

Upon a motion made and seconded (Grabulis/O'Brien) it was unanimously

VOTED: To approve the Winding Trails site plan application to site plan application for expansion of office building with related parking improvements at 50 Winding Trails Drive as presented and on file in the Planning Office.

Mark Zommer – Westwoods Golf Course

Site plan application to install shed/beverage service at Westwoods Golf Course. Mr. Zommer was not present. He has been asked by staff to provide additional information. It was recommended that this matter be tabled until the September 9, 2019 meeting.

Upon a motion made and seconded (Pogson/St. James) it was unanimously

VOTED: To table the Mark Zommer site plan application to install shed/beverage service at Westwoods Golf Course to the September 9, 2019 meeting.

599 Farmington Avenue LLC – 599, 8244, 8245 Farmington Avenue

Accept application for change of zone from R20 to MOC and site plan approval for expansion of parking lot at 599 and Lots 8244 and 8245 Farmington Avenue and schedule public hearing (recommend hearing date of September 9, 2019).

Upon a motion made and seconded (Pogson/O'Brien) it was unanimously

VOTED: To accept the 599 Farmington Avenue LLC application for change of zone from R20 to MOC and site plan approval for expansion of parking lot at 599 and Lots 8244 and 8245 Farmington Avenue and schedule public hearing for September 9, 2019.

Old Mill Commons, LLC – 19 Perry Street

Accept application for re-approval of special permit approved November 9, 2015 and November 15, 2017 for development of 268 multifamily dwellings at 19 Perry Street, UC zone and schedule public hearing (recommend hearing date of September 9, 2019).

Upon a motion made and seconded (Pogson/St. James) it was unanimously

VOTED: To accept the Old Mill Commons, LLC application for re-approval of special permit approved November 9, 2015 and November 15, 2017 for development of 268 multifamily dwellings at 19 Perry Street, UC zone and schedule public hearing for September 9, 2019.

PUBLIC HEARING

Gregory Araujo – 244 Scott Swamp Road

Application for special permit to raise 19 hens at 244 Scott Swamp Road, R40 zone. Mr. Araujo has nine hens and is seeking approval to raise up to 19. Correspondence from Theresa Barlowski at 250 Scott Swamp Road in opposition to this application. She expressed concern that Mr. Araujo's yard is not fenced in and his hens roam onto her yard sometimes. Mr. Araujo stated he like to have his hens loose in his yard for pest control. His yard is only partially fenced. There was a brief discussion and it was recommended that Mr. Araujo pen his chickens.

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

The public hearing was closed at 8:10 p.m.

Upon a motion made and seconded (O'Brien/Pogson) it was unanimously

VOTED: To approve the Gregory Araujo application for special permit to raise 19 hens at 244 Scott Swamp Road, R40 zone as presented and on file in the Planning Office with the following conditions:

- There shall be no roosters;
- This approval is limited to up to 19 hens;
- The hens are to be suitably confined to the property; and
- This special permit shall be reviewed in one year and at that time the Commission will review any complaints concerning this use and can choose to revoke the special permit or make it permanent.

Patrick Matava – 162 Red Oak Hill Road

Application for special permit to construct accessory structure at 162 Red Oak Hill Road, R20 zone. Mr. Matava would like to construct a 28' x 32' garage in the rear corner of his property. The covered porch on the garage will face south. The structure will be sided to match the house.

There were no public comments in favor or in opposition to the application.

The public hearing was closed at 8:12 p.m.

The Commission questioned if Mr. Matava met the notice requirements of the application. After further review by Staff and follow-up with the applicant it was found that the notice of this application is defective; the required notice sign was not posted and notice to property owners within 200 feet of all boundaries were not sent via certified mail.

Calco Construction & Development – 566 Plainville Avenue

Application for special permit for blasting at 566 Plainville Avenue for development of Tanbark Trail Extension, R40 zone. Scott Brickey, Calco Construction, presented the request for blasting for installation of utilities. Blastech, Inc. submitted a blasting report for the application packet. When asked if the developer has tried to use mechanical means to remove rock, Mr. Brickey responded yes, but that using this method will take too long. Andrew Nagy, Blastech, Inc., stated all surveys within 250' have been done with the exception of one property that just responded. That survey has now been requested. Town Planner DeVoe asked that the survey information be provided for the file when it is available. The applicant was asked why the driveway off Plainville Avenue was repaved as it is supposed to be abandoned as part of the development. Mr. Brickey responded the tenant of the building likely did it as they need to maintain access to Plainville Avenue until the subdivision roadway is installed.

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

The public hearing was closed at 8:18 p.m.

Upon a motion made and seconded (Pogson/Grabulis) it was unanimously

VOTED: To approve the Calco Construction & Development application for special permit for blasting at 566 Plainville Avenue for development of Tanbark Trail Extension, R40 zone as presented and on file in the Planning Office.

Kevin Sisti, Jr. – 64 Pinnacle Road

Application for special permit and site plan for clear cutting and landscape plan at 64 Pinnacle Road, Farmington, CT. Attorney Robert Reeve, Scully, Nicksa & Reeve, represented the applicant. In 2017 Mr. Sisti had been approached by the adjacent property owner to see if he wanted trees cut. Tree clearing was done in 2017 and in April 2019 the property owner was alerted to the Ridgeline Protection Zone. Photos of the tree clearing were provided from various vantage points. After the Town contacted Mr. Sisti in April, he hired a forester to visit his property, write a report and create a replanting plan. Copies of the report and plan were provided to the Commission for their review. The violation of the Ridgeline Protection zone was unintentional and once aware the property owner immediately hired professionals to address the situation. David Beers, Connwood Foresters, Inc. conducted an evaluation of the forested area of this site May 9, 2019. Approximately one-half acre was cleared but there was no evidence of erosion. Mr. Beers reviewed the details of his report for the Commission. He recommends planting five, four-inch caliper red oak trees at the top of slope, 25 to 30 feet apart to shield the view of the house and to plant a row of evergreen in front of the shed. Mr. Beers also recommended old garbage on the slope be removed. The Commission asked if the applicant had been asked to place a conservation easement over the restoration area. Attorney Reeve responded no but he discussed with his client and one is not being offered. The special permit if

granted, will be filed on the land records and provide notice of the Ridgeline Protection area and its restrictions.

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

The public hearing was closed at 8:44 p.m.

Upon a motion made and seconded (Pogson/Grabulis) it was unanimously

VOTED: To approve the Kevin Sisti, Jr. application for special permit and site plan for clear cutting and landscape plan at 64 Pinnacle Road, R40 zone as submitted and on file in the Planning Office.

Old Mill Commons, LLC – 19 Perry Street

Application for re-approval of special permit approved November 9, 2015 and November 15, 2017 for development of 268 multifamily dwellings at 19 Perry Street, UC zone. This application has been withdrawn and resubmitted to provide additional time to meet notice requirements.

PLANNER'S REPORT

Maier Manor – New Britain Avenue

Thomas Cocco has taken over the subdivision Maier Manor and would like to change the name of the street to Sachem Road. The consensus of the Commission was they had no concern with the name change.

Central Connecticut Radio Control Club – Lot 8482 Meadow Road

The Club would like permission to use a seasonal temporary sun shade canopy structure at their leased location in the Farmington Flats off Meadow Road. The use of this structure does not violate their lease agreement with the Town. The structure will be anchored with sand bags designed to fasten to the posts of the frame. The canopy will be removed during the winter and for any threat of severe inclement weather.

Upon a motion made and seconded (Pogson/O'Brien) it was unanimously

VOTED: To approve the Central Connecticut Radio Control Club request to install a seasonal temporary sun shade canopy at Lot 8482 Meadow Road.

Sub Edge Farm

Sub Edge Farm would like to bring in a food truck on July 31, 2019 from 4 to 7 p.m. This use was previously approved in 2016. The farm is hosting events during a two-week period when the road on the Avon side is closed. The Commission did not express concern with the request.

Calco Construction & Development

The developer would like to construct two model homes at the Tanbark Trail Extension.

Upon a motion made and seconded (Pogson/St. James) it was unanimously

VOTED: To grant Calco Construction & Development request to construct two model homes at 566 Plainville Avenue, Tanbark Trail Extension.

Westfarms Mall

Westfarms Mall is replacing their existing 52' light poles with 44' light poles. LED fixtures will be installed on the poles, electronically controlled, and will keep the intensity on site.

Upon a motion made and seconded (Pogson/Grabulis) it was unanimously

VOTED: To approve the Westfarms Mall parking lot lighting change as submitted and on file in the Planning Office.

MINUTES

July 15, 2019 Meeting Minutes

Upon a motion made and seconded (Pogson/St. James) it was

VOTED: 4 in favor, 2 abstentions (Ogan, O'Brien) to approve the June 10, 2019 Town Plan and Zoning Commission meeting minutes.

The meeting adjourned at 9:24 p.m.

SJM