

TOWN OF FARMINGTON
PLAN & ZONING COMMISSION

January 9, 2023

Present for the online web meeting were Chair St. James, Commissioners Carrier, Grabulis, Halstead, Hutvagner, Sanford and Alternate Commissioners Bandle, Rackliffe, Walsh. Town Planner Rutherford, Assistant Town Planner Daigle and Clerk Michaud were also present. Town Council Liaison K. Vibert was present online. The meeting was called to order at 7:00 p.m.

Present in the Development Conference Room was Town Planner Rutherford, Assistant Town Planner Daigle, Clerk Michaud and Chair St. James. All others were present online.

NEW BUSINESS

Tom Kurczewski – 244-248 Main Street

Mr. Kurczewski presented his request to install a monument sign in front of 244 and 248 Main Street listing the tenants in each building. The signs will match the style of the existing 240 Main Street sign. LED ground lighting will be installed for each sign. Signposts will have a flat top/finial with the street number on the post or on top of the tenant sign. Mr. Kurczewski was asked to confirm the monument signs will not exceed an overall height of six feet and the sign panel will not exceed twenty-five square feet. He agreed for the record.

Upon a motion made and seconded (Carrier/Halstead) it was unanimously

VOTED: To approve the Tom Kurczewski sign application to install a monument sign in front of 244 and 248 Main Street, as presented and on file in the Planning Office.

Tractor Supply Co. – 361 Scott Swamp Road

Site plan approval for greenhouse addition. Colleen Kurniawan, Onyx Creative, presented the request to add a greenhouse center within the fenced area west of the existing Tractor Supply store. The site plan provided the greenhouse area, customer pickup/drive thru area within the outdoor sales area and site circulation improvements. Photos were presented for further clarification of the proposed project. Commissioners asked general clarification questions about the size of the garden center and hours of operation. The applicant confirmed they understood the signs are to be permitted separately.

Upon a motion made and seconded (Carrier/Sanford) it was unanimously

VOTED: To approve the Tractor Supply Co. site plan application for greenhouse addition at 361 Scott Swamp Road as presented and on file in the Planning Office. Signs to be submitted under a separate permit.

Raym-Co., Inc. – 62 Spring Lane

Site plan approval for garage addition. This matter is tabled to the February 13, 2023 meeting.

Michael Reiner – 17 Talcott Notch Road

Accept application for special permit for food court and schedule public hearing (recommend hearing date of February 13, 2023).

Upon a motion made and seconded (Carrier/Sanford) it was unanimously

VOTED: To accept the Michael Reiner application for special permit for food court and schedule public hearing for February 13, 2023.

PUBLIC HEARING (7:30pm)

Michael Cirinna – 1024 Farmington Avenue

Application for waiver for the sale of alcohol (beer and wine) at 1024 Farmington Avenue. Mr. Cirinna stated he is in the process of moving Claudia's to 1024 Farmington Avenue and he would like to sell local beer and wine. Before he can apply for a liquor permit with the State, he needs approval from the Commission. Town Planner Rutherford reviewed the waiver for the sale of alcohol criteria with the zoning regulations. The Commission asked for the proposed hours of operation and where alcohol will be allowed. Mr. Cirinna responded the business may be open until 6 or 7 p.m. Thursday, Friday, Saturday and close at 5 p.m. Monday through Wednesday. Customers will only be allowed to have beer or wine inside the building or on the patio area.

Albert Tomasso, 1 Eaton Place, represented the landowner and spoke in support of this application.

The public hearing closed at 7:31 p.m.

Upon a motion made and seconded (Carrier/Sanford) it was unanimously

VOTED: To approve the Michael Cirinna application for waiver for the sale of alcohol (beer and wine) at 1024 Farmington Avenue as presented and on file in the Planning Office.

Ashley & Andrew Kidd – Lot 8745 River Road

Application for change of zone from C1 to R20 for construction of single-family home at Lot 8745 River Road. Mrs. Kidd described the location of the lot and surrounding properties including the zoning designation and use of the surrounding properties. She added they are seeking the change of zone to build a single-family house. The Inland Wetland Commission approved their project and during their review process conducted a site walk. The Commission asked for clarification regarding access to the property.

John Jackson, 162 River Road, spoke in support of the application.

The public hearing closed at 7:39 p.m.

Upon a motion made and seconded (Carrier/Sanford) it was unanimously

VOTED: To approve the Ashley & Andrew Kidd application for change of zone from C1 to R20 for construction of single-family home at Lot 8745 River Road as presented and on file in the Planning Office. This zone change becomes effective February 3, 2023.

Mott Corporation – 1690 New Britain Avenue

Application for special permit and site plan approval for change of use to manufacturing for portion of building at 1690 New Britain Avenue. Jim Cassidy, PE, Hallisey, Pearson & Cassidy, presented the request to convert a portion of the existing building to manufacturing use. The northeast corner of the building is proposed to be changed to manufacturing (approximately 44,151 sq. ft.). The remainder of the building will remain office use. Modifications include the loading area, access door for employees, changes to the drive access for deliveries, installation of a nitrogen and argon tank, removal of the retaining wall and regrading of the slope between the upper parking lot and building. Landscaping and planting plan and sedimentation and erosion control plan have been submitted. At this time the manufacturing operation will operate on two shifts five days a week. Chris Foster, CHK Architects, presented extensive details regarding the proposed building interior layout, exterior site improvements including, rooftop units, and tank and generator location north of the building. Mr. Cassidy responded to staff comment regarding site lighting stating the only new lighting proposed will be the loading area and the area of the tanks – all lighting will be downcast. All other existing site lighting will remain in place. The Commission asked general questions about the reduction in height of rooftop stack, the flammability of materials used in the manufacturing process, and if generator testing can be conducted during the day. Mr. Foster responded they do believe they can reduce the height of the rooftop stack to close to six feet. Mott Corporation currently uses the materials proposed to be used in the new location and explained the fire safety designed for this area of the building. It was also confirmed the generator testing can be conducted during the day.

Bill Wadsworth, Economic Development Commission, read the Commission's letter of support dated December 21, 2022 into the record.

Colleen Yarnot, property management company representative, spoke in support of the application.

The public hearing closed at 8:30 p.m.

Upon a motion made and seconded (Carrier/Hutvagner) it was unanimously

VOTED: To approve the Mott Corporation application for special permit and site plan approval for change of use to manufacturing for portion of building at 1690 New Britain Avenue as presented and on file in the Planning Office.

CPD Parent Properties LLC – 342 Colt Highway

The CPD Parent Properties LLC application for change of zone from BR/B1 to B1, special permit and site plan approval for gas station with convenience store, bank branch with drive thru and office building at 342 Colt Highway has been withdrawn.

Town of Farmington, Plan and Zoning Commission

Commissioner Carrier recused himself from this application. Alternate Commissioner Walsh was appointed to participate in Commissioner Carrier's place.

Town of Farmington, Plan and Zoning Commission application for amendment to the zoning regulations to add Article I, Section 5. A. Multi-Family Residential Housing Moratorium.

This application was presented with the proposed single-family residential housing moratorium.

Town of Farmington, Plan and Zoning Commission

Commissioner Carrier recused himself from this application. Alternate Commissioner Walsh was appointed to participate in Commissioner Carrier's place.

Town of Farmington, Plan and Zoning Commission application for amendment to the zoning regulations to add Article I, Section 5. B. Single Family Residential Housing Moratorium.

Town Planner Rutherford presented the proposed moratorium applications together due to many similarities but requested when the Commission is ready to vote on them each be voted on separately. The presentation began with the legality of moratoriums in Connecticut. Moratoriums require enactment with the procedures used for a zone change application through a public hearing process. Moratoriums must have a defined start and end date, limited to a reasonable timeframe. Justification must be for specific reasons, have a desired outcome and cannot prohibit all development. Exemptions for the proposed moratoriums include any project that has already received approval from the Farmington Conservation and Inland Wetlands Commission, approvals for accessory apartments and existing affordable housing zones. A summary of recent major approvals of multi-family and single-family development and the breakdown of affordable housing was presented. The amendments as proposed, have a twelve-month expiration and will become effective one day following publication of the decision.

Written correspondence received from Attorney Tim Hollister, Hinckley Allen, dated January 3, 2023 expressing concern with the proposed moratoriums was read into the record.

Written correspondence received from Pete Harrison, Director, Desegregate Connecticut, dated January 9, 2023 expressing concern with the proposed moratoriums was read into the record.

Written response to Attorney Tim Hollister's correspondence from Town Attorney Robert DeCrescenzo, Updike, Kelly, & Spellacy, PC, dated January 6, 2023 was read into the record.

Commissioners asked for confirmation that site plan changes can move forward, option for a six-month moratorium with a six-month extension if needed, the current regulations do not allow the Commission to impose a condition of approval to require affordable units, if other moratoriums have been used in Town, how the Commission will proceed with work/research necessary to amend the regulations during this pause on multi-family and single-family development, and for clarification regarding the CGS 8-30g appeal process noted on one of the presentation slides. Town Planner Rutherford responded yes, site plan changes can continue to move through the approval process. The Commission can choose to place a time limit of six-months with an option for a six-month extension instead of twelve-months if they like. Correct, the current regulations do not allow the Commission to impose a condition of approval

requiring affordable units. Other moratoriums such as cannabis have been approved in the past. Town Planner Rutherford indicated we will work with the Commission providing information on what other communities are doing, investigate pros / cons of implementing changes related to residential uses and affordable housing, and will share research / webinar data with the Commission. The pause will allow the Commission time to adjust its zoning regulations to conform to the adopted Affordable Housing Plan goals and objectives. Lastly, Town Planner Rutherford said municipalities that do not have 10% of housing units deemed affordable are subject to affordable housing appeals through CGS 8 30g and talked about that process. It was suggested the wording in the single-family language “three or more dwelling units or lots” be in bold text.

Ed Gelardi, 1 Ships Oak, spoke in opposition of the permitted exemptions within the moratoria text.

The public hearing closed at 9:41 p.m.

Multi-Family Residential Housing Moratorium

Upon a motion made and seconded (Hutvagner/Sanford) it was unanimously

VOTED: To approve the Town of Farmington, Plan and Zoning Commission application for amendment to the zoning regulations to add Article I, Section 5. A. Multi-Family Residential Housing Moratorium as presented and on file in the Planning Office with an amended expiration date this Moratorium shall not exceed six (6) months from the effective date of adoption unless extended another six (6) months by the Plan and Zoning Commission.

The effective date of this Multi-Family Residential Housing Moratorium is 1-day after the date of publication of the approval.

This moratorium expires July 20, 2023 unless extended as stated above.

Single-Family Residential Housing Moratorium

Upon a motion made and seconded (Sanford/Halstead) it was unanimously

VOTED: To approve the Town of Farmington, Plan and Zoning Commission application for amendment to the zoning regulations to add Article I, Section 5. B. Single Family Residential Housing Moratorium as presented and on file in the Planning Office with an amended expiration date this Moratorium shall not exceed six (6) months from the effective date of adoption unless extended another six (6) months by the Plan and Zoning Commission.

The effective date of this Single-Family Residential Housing Moratorium is 1-day after the date of publication of the approval.

This moratorium expires July 20, 2023 unless extended as stated above.

PLANNER'S REPORT

1024 Farmington Avenue

Town Planner Rutherford provided a sketch of the proposed location of an exterior walk-in cooler for Claudia's new location. The cooler is proposed to the rear, northeast corner of the building and will be screened with a fence. The cooler would be visible when travelling west on Farmington Avenue only; therefore, the fence on the east side should provide sufficient screening. The fence will be 6ft stockade type fence. Commissioners were asked if they were comfortable with staff handling the permitting process via the building permit or if they would prefer a formal site plan application. The consensus of the Commission was to have staff handle the permitting review process.

MINUTES

Meeting Minutes

Upon a motion made and seconded (Carrier/Sanford) it was unanimously

VOTED: To approve the December 12, 2022 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 10:00 p.m.

SJM