

TOWN OF FARMINGTON  
PLAN & ZONING COMMISSION

February 13, 2023

Present for the online web meeting were Chair St. James, Commissioners Carrier, Grabulis, Halstead, Hutvagner, Sanford. Town Planner Rutherford, Assistant Town Planner Daigle and Clerk Michaud were also present. The meeting was called to order at 6:30 p.m.

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

**INFORMAL DISCUSSION**

1928 Building

Russ Arnold, PE, Director of Public Works/Town Engineer, provided an update on the future of the 1928 Building Project, presenting the conceptual layout and design. The Commission will receive a request for an 8-24 referral this spring.

**NEW BUSINESS**

URForm, LLC – 15 Farm Springs Road

Bret Bowin presented the proposal to install two building signs at 15 Farm Springs Road. The building sign on Building A will be non-illuminated and the sign on the portico will be halo lit. The signs proposed comply with the zoning regulations. Mr. Bowin commented they are working on the monument sign at the street and will be back at a later date with those details. The Commissioners asked for confirmation from the applicant they will comply with staff comments to install a dimmer switch for the halo lights and the B sign LED diodes face the wall for 'halo' lit lighting. Mr. Bowin confirmed they have no issue complying with these requests. Howard Fishman provided a brief update on timing to open the B wing and the amenities.

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

VOTED: To approve the URForm, LLC sign application to install two building signs at 15 Farm Springs Road, as presented and on file in the Planning Office.

Artfx – 1449-1495 Farmington Avenue

Lawrin Rosin, Artfx, presented the request to replace a monument sign for the Farmington Court Apartments. The new monument sign has an overall height of 5' 10" and sign panel width of 5' 6". Existing ground mounted lighting will be updated with LED fixtures (approximately 2,800-3,000 lumens and 3,000 K CCT). Commissioners asked clarifying questions.

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

VOTED: To approve the Artfx sign application for 1449-1495 Farmington Avenue as presented and on file in the Planning Office with the condition staff review light fixture/lighting before a building permit is issued for this sign.

Steeve Joseph – 55 Lovely Street

Mr. Joseph proposes to install a sign post no taller than six feet with two double-sided 10”x22” signs for the approved homes businesses at 55 Lovely Street. The sign will be installed south of the walkway to their home. Town Planner Rutherford provided clarification using the GIS mapping system to describe the location of the sign, the topography of the property and the sight line travelling north and south on Lovely Street.

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

VOTED: To approve the Steeve Joseph sign application to install detached sign at 55 Lovely Street as presented and on file in the Planning Office.

F.P.K. LLC – 1019 Farmington Avenue

Site plan approval for outdoor patio area. Costa Bouzakis, owner of Farmington Pizza Kitchen, stated he constructed an outdoor patio area on the east side of his restaurant. The patio area has a wooden fence around the perimeter. The fence will be changed to a six-foot privacy fence. He plans to plant three trees within the mulch berm along the eastern property line. Table umbrellas will not include advertisements. Mr. Bouzakis said he has reached out to the owner of the adjacent property to obtain a current written shared parking agreement. There was some discussion for clarification on employee parking, dumpster location, parking agreements and seating. Mr. Bouzakis added his business is primarily takeout and he does not anticipate a parking issue. Mr. Bouzakis agreed the total seating capacity / use (indoor / outdoor) at any one time will not exceed 14 patrons.

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

VOTED: To approve the F.P.K. LLC application for site plan approval for outdoor patio area at 1019 Farmington Avenue as presented and on file in the Planning Office with the following conditions:

1. 6 ft privacy fence shall be installed along the eastern edge of the patio no later than June 1, 2023.
2. Lighting for the patio shall not exceed a color temperature of 4,000K, shall be downcast, shall not trespass onto the adjacent property or cause nuisance to Route 4 traffic, and shall be turned off when the restaurant is closed. Lighting shall be reviewed with Town Staff prior to installation.
3. Table umbrellas shall not include product advertisements.
4. The combined indoor / outdoor seating capacity shall not exceed 14 at any one time.
5. Provide a letter indicating there is a current agreement in place between the current owners for shared parking for employees.
6. The three trees to be planted along the eastern property line shall be at least 2-inch caliper at the time of planting and shall be installed not later than June 1, 2023.

Raym-Co – 62 Spring Lane

Application for site plan approval for garage addition at 62 Spring Lane. Ben Hildebrand, Sage Engineering and Contracting, Inc., presented the proposed 3,600 sq. ft. garage addition. He has received staff comments and they have no concerns addressing the comments. Updated architectural plans were submitted to accurately show the proposed height of the garage. The

Commissioners asked clarifying questions about the garage addition height, planted screening and for the location of the previously approved addition to the building. Mr. Hildebrand provided clarification and stated they still plan to construct the addition, but he does not have a timeline.

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

VOTED: To approve the Raym-Co application for site plan approval for garage addition at 62 Spring Lane as presented and on file in the Planning Office with the following conditions:

1. Engineering comments shall be addressed to the satisfaction of town staff.
2. Screening buffer between accessory garage and Spring Lane.

AMCO Development LLC – Lot 8572 Oakland Avenue

Accept application for special permit to construct home in excess of 2,200 sq. ft. at Lot 8572 Oakland Avenue, R9 O.G. zone and schedule public hearing (recommend hearing date of March 13, 2023).

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

VOTED: To accept application for special permit to construct home in excess of 2,200 sq. ft. at Lot 8572 Oakland Avenue, R9 O.G. zone and schedule public hearing for March 13, 2023.

Carrier Group Inc. – Lots 8517 & 8518 Morea Road

Commissioners St. James, Grabulis, Halstead, Hutvagner and Sanford participated in this matter.

Accept application for 25-lot cluster subdivision of Lots 8517 & 8518 Morea Road, R40 zone and schedule public hearing (recommend hearing date of March 13, 2023).

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

VOTED: To accept the Carrier Group Inc. application for 25-lot cluster subdivision of Lots 8517 & 8518 Morea Road, R40 zone and schedule public hearing for March 13, 2023.

**PUBLIC HEARING**

Michael Reiner – 17 Talcott Notch Road

Application for special permit for food court use at 17 Talcott Notch Road, BR zone. Mr. Reiner presented his proposal to convert approximately 3,300 sq. ft. of first floor space, toward the rear of his building, to a food court with six or seven food vendors; presented plan includes eight locations. The food court will be available for tenants and outside customers in neighboring buildings. He expects mostly takeout business, but 24 seats are proposed for indoor dining. Parking details for the site were presented. There was some concern expressed by the Commission with parking becoming an issue if the food court became too popular. There are no plans for outdoor dining at this time. Commissioners asked about the location of hoods for the restaurant vendors. Mr. Bowin responded the plans have not been finalized but he anticipates them to be on the side of the building and screened to blend in with the building. When asked for the hours of operation Mr. Reiner responded one tenant will likely begin early

morning to serve breakfast and the remaining vendors will open 11:30 a.m. and close by 8 p.m. seven days a week. The Commission asked about the approved church use on Sunday and if there will be a parking conflict. Mr. Reiner responded he does not anticipate a conflict; the reported church congregation is 50 to 60 members. The Commission asked if additional dumpsters would be located on the property for the restaurant use. Mr. Reiner responded no, he has two dumpsters that are underutilized. A brief discussion ensued regarding a previously approved parking plan that was not constructed and if the need arises to provide additional parking given the new use onsite. Town Planner Rutherford explained when a waiver of parking is in place and it is determined the additional parking is needed, the applicant will need to construct the additional spaces within a reasonable time frame of being directed to do so by TPZ or the Zoning Enforcement Officer.

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

The public hearing closed at 8:08p.m.

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

VOTED: To approve the Michael Reiner application for special permit for food court use at 17 Talcott Notch Road, BR zone as presented and on file in the Planning Office with the following conditions:

1. The seating capacity for food court is limited to 24 seats.
2. The parking lot should be re-stripped to clearly define the available parking spaces.
3. Hood units for restaurant vendors shall be screened to the satisfaction of staff.
4. The hours of operation are limited to 6 a.m. to 8 p.m., seven days a week.

Harold M. Wilson – 61 Ely Road

Application for special permit for clear cutting and restoration in Ridgeline Protection Area for property located at 61 Ely Road, R80 zone. Mr. Wilson explained he has a very unique property explaining the condition of the site when he purchased 61 Ely Road. He provided historic photographs of the house on the ridgeline stating the original house was constructed before the ridgeline protection regulations were adopted. Mr. Wilson stated in 2020 he cut over 50 diseased or dead trees in the front, side and rear yards. In August 2022 he hired a tree expert to remove dead/dying trees and had them remove several years' worth of weeds, brush and other invasive plants. Mr. Wilson had been issued a Cease-and-Desist Order and went before the Zoning Board of Appeals. The Zoning Board of Appeals upheld the Order and Mr. Wilson was instructed to submit an application for special permit with a restoration plan for the clear cutting done in the ridgeline without approval. Mr. Wilson has hired an arborist, but they have not provided a report yet. Due to the steep slope it is difficult for them to get an accurate tree count of how many trees were cut. A proposed tree placement plan was submitted with the application, but a report is needed from the arborist.

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

VOTED: To continue the public hearing for the Harold M. Wilson application for special permit for clear cutting and restoration in Ridgeline Protection Area for property located at 61 Ely Road, R80 zone to the February 27, 2023 meeting.

**PLANNER'S REPORT** (8:50p.m.)

Land Use Training

Town Planner Rutherford stated UConn Clear has scheduled virtual Land Use Training for land use commissioners. The training will be offered over three consecutive Thursdays in February. The training is free. February 16, 2023 training will be Fair and Affordable Housing.

Town Winter Newsletter

The Winter Newsletter will include Town Plan and Zoning Commission News as discussed at the last meeting providing an update on the approved moratorium and work session discussions the Commissioners are conducting during this pause. Any resulting proposed changes to the regulations will proceed through the typical public hearing process.

Upcoming Guest Speakers

1. Desegregate CT has asked to present to the Commission to discuss their upcoming proposal Work, Live, Ride. - February 27<sup>th</sup> at 6:30pm
2. Nancy Parent, Directory of Community Services – discuss roles and responsibilities of the Housing Authority in Farmington – March 27<sup>th</sup> at 6:30pm

Upcoming Applications

Town Planner Rutherford provided a reminder of upcoming public hearings and asked the Commissioners if they would also prefer hard copies to review. Staff will let the Commissioners know when the hard copies are available for pickup.

**WORK SESSION**

The Commission continues to work toward incorporating some of the Objectives and Strategies of the Affordable Housing Plan into the residential zoning regulations in a way they feel is most appropriate for Farmington. Town Planner Rutherford provided a summary of key housing legislation coming before the General Assembly this year. In addition, responses to questions forwarded to Town Planner Rutherford were reviewed. Commissioners are encouraged to continue forwarding questions as they review materials.

**MINUTES**

Meeting Minutes

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

VOTED: To approve the January 23, 2023 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 9:50 p.m.

*SJM*