

TOWN OF FARMINGTON PLAN & ZONING COMMISSION  
March 27, 2023

Present for the hybrid meeting were Chair St. James, Commissioners Grabulis, Halstead, Hutvagner, Sanford and Alternate Commissioners Bandle, Rackliffe, Walsh. Town Planner Rutherford, Sr. Assistant Town Planner Cyr and Assistant Town Planner Daigle were also present. The meeting was called to order at 7:00 p.m.

Present in the Council Chambers were all Commission members, Town Planner Rutherford, and Assistant Town Planner Daigle. Sr. Assistant Town Planner Cyr was present online.

Secretary Halstead read the legal notice into the record.

**NEW BUSINESS**

First Church of Christ - 75 Main Street

Chair St. James appointed Alternate Commissioner Bandle to participate in place of absent Commissioner Carrier.

Biff Schechinger, present online, presented the proposal to add one additional nine square foot panel to the existing post sign with two nine square foot panels. The new panel is for the nursery school. The Commissioners sought confirmation that the proposal complies with the sign regulations for total area and if the sign is externally illuminated. The sign as proposed does comply with the regulations, requiring a 5/6 vote for area over 25 sf, and is not externally illuminated.

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

VOTED: To approve the First Church of Christ sign application for property located at 75 Main Street as presented and on file in the Planning Office.

Sign Pro – 9 Farm Springs Road

Chair St. James appointed Alternate Commissioner Bandle to participate in place of absent Commissioner Carrier.

Kristine Bracidiferro, Sign Pro, present online, presented the proposed Hartford HealthCare monument sign panel, parking lot entrance sign panel, entrance door graphics, building sign and retaining wall sign for Hartford HealthCare. The Commission asked for clarification of proposed lighting for the signs. For the monument sign at the entrance to Farm Springs Road, the Hartford HealthCare sign panel will replace the street name at the bottom. The street name would then be moved to the top of the monument sign increasing the square footage of the sign requiring a 5/6 vote of the Commission. The proposed monument signs are shown as internally illuminated, which is not permitted by the zoning regulations. The building sign and retaining wall sign were presented as halo-lit. It is suggested the monument signs be halo lit with dimmer switches. Ms.

Bracideferro, confirmed the applicant's willingness to change the lighting for the monument signs to halo-lit.

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

VOTED: To approve the Sign Pro sign application for Hartford Healthcare located at 9 Farm Springs Road as presented and on file in the Planning Office with the condition that monument signs 1 and 2 internal illumination is changed to halo lit with dimmer switches.

Jack Kemper - 6 Crosswood Road

Accept application for special permit for accessory apartment use in excess of 650 sq. ft. in the R40 O.S. zone and schedule public hearing (recommend hearing date of April 24, 2023).

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

VOTED: To accept the Jack Kemper application for special permit for accessory apartment in the R40 O.S. zone and schedule public hearing for April 24, 2023.

Amber Nogiec - 34 River Road

Accept application for special permit to raise no more than twenty (20) fowl in the R20 zone and schedule public hearing (recommend hearing date of April 24, 2023).

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

VOTED: To accept the Amber Nogiec application for special permit to raise no more than twenty (20) fowl in the R20 zone and schedule public hearing for April 24, 2023.

**PUBLIC HEARING** (7:18 p.m.)

Gloria and Dale Masse - 868 Plainville Avenue

Chair St. James appointed Alternate Commissioner Rackliffe to participate in place of absent Commissioner Carrier.

Application for special permit to raise not more than twenty (20) fowl at 868 Plainville Avenue, R20/R30 zone. Mrs. Masse stated they currently have six hens and they would like to add additional hens, up to 19. Robert Masse indicated he is constructing a 44 sq. ft. fully enclosed coop. The Commission asked for confirmation that roosters are not permitted, feed must be in enclosed containers and waste will be composted in their gardens. The Masse's confirmed.

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

The public hearing closed at 7:22 p.m.

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

VOTED: To approve the Gloria and Dale Masse application for special permit to raise not more than twenty (20) fowl at 868 Plainville Avenue, R20/R30 zone as presented and on file in the Planning Office.

Town Farm Development LLC - 152 Town Farm Road

Application for modification of conditions of approved special permit for event use at 152 Town Farm Road, R40/FW zones. Attorney Christian Hoheb submitted a request for continuance to the April 10, 2023 meeting.

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

VOTED: To continue the Town Farm Development LLC matter to the April 10, 2023 Town Plan and Zoning Commission meeting.

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 noted he forwarded a letter from B&M Tree Service, LLC dated March 23, 2023 of their visual inspection of the hillside. The letter stated Ash trees and Hemlocks were dying or in decline. No remediation plan has been provided at this time. It was suggested a number of sumac and other invasive plants were cut. It was recommended native trees be used as part of the restoration plan.

Upon a motion made and seconded (Hutvagner/Sanford) 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 April 10, 2023 meeting.

Carrier Group Inc. – Lots 8517 & 8518 Morea Road (8:54p.m.)

Chair St. James appointed Alternate Commissioner Walsh to participate in place of absent Commissioner Carrier.

Application for 25-lot cluster subdivision on Lots 8517 & 8518 Morea Road. Attorney Christian Hoheb represents the applicant and made some introductory comments about affordable housing, the informal meeting held in advance of the public hearing and public comments about the Town or Land Trust should purchase the property. Tom Daly, PE, SLR Consulting, responded to some questions and concerns raised during the previous meeting. The roadway widths/cul-de-sac meet the regulations. The new private roads will be the responsibility of the Homeowner's Association ("HOA"). An Integrated Pest Management plan for lawn care use of herbicide/pesticide will be part of the HOA documents. Cluster subdivision design has smaller lawns than a traditional subdivision. No traffic calming is proposed for Cope Farms and no

sidewalk is proposed for Morea Road. In response to Mr. Roy in Bristol, his property is adjacent to land that will remain all open space and all storm water drains north to south. Mr. Daly stated he has worked to address all staff comments. Emily Foster, PE, SLR Consulting, presented the results of two twenty-four-hour counts, peak hours 7-8am and 4-5pm. Trip generation (“ITE”) is the industry and state standard for trip rate. Ms. Foster ran an analysis with higher volumes and the level of service will still be good. Attorney Hoheb then reviewed the criteria for a special permit (Article IV, Section 12). Lisa Mancini, Executor of the Trust, provided the history/ownership complexity for this property. The Land Acquisition Committee appraisal was substantially less than they had seen previously. A second appraisal was conducted with the benefit of having completed a wetland study; the appraisal was submitted to the Land Acquisition Committee. In February 2020 the Town Council decided they did not want to pursue the purchase of this property. In June 2020 the family actively listed the property for sale. They received multiple offers and carefully reviewed them. The Carrier proposal was best with the majority remaining as open space.

Commissioners’ questions included groundwater and storm drainage inquiries. Town Planner Rutherford confirmed the stormwater calculations are accurate. Comments on revised plans, integrated pest management plan and traffic.

In-Person Public Comment (8:30 p.m.)

Frank Carlozzi, 2 Tall Timbers Drive, expressing concern with traffic and commenting on the developer’s five-year warranty on the proposed new homes and a guarantee on his home and expressing concern with the impact of stormwater to homes downstream.

Steve Trinkaus, Southbury CT, presented his comments contained within his March 6, 2023 letter of his review of the application upon the request of the group Save Morea Road. Comments were about stormwater management, impacts to wetlands and watercourses and the general subdivision design.

Arleen Kline, 43 Cope Farms Road, spoke in opposition to the application, commenting on the opposition petition. Ms. Kline reiterated concerns raised in her letter.

Lisa Troy, 27 Tall Timbers Drive, spoke in opposition to the proposed development expressing concern with traffic, stormwater, wildlife, flooding and wetlands.

Ed Gelardi, 1 Ships Oak Lane, spoke in opposition to the proposed development expressing concern with traffic, fire truck access and the general need for additional homes.

Mary Rydingsward, President, Pequabuck River Watershed Association, read the full letter into the record from the Farmington River Watershed Association, The Pequabuck River Watershed Association, and email dated February 24, 2023 from Carol Noble. A second email from Carol Noble was entered into the record.

Kay Higgins, 15 Tall Timbers Drive, expressed concern with traffic and the removal of trees.

Online public comment during meeting: (10:05 pm)

Dan Gabree, 18 Tall Timbers Drive, spoke in opposition expressing concern with traffic.

Gary Higgins, 15 Tall Timbers, spoke in opposition to the application commenting on a conflict of interest and concerns with drainage and traffic review.

Bruce Chudwick, 9 Tall Timbers Drive, spoke in opposition to the application commenting on disappointment in staff review comments in response to his suggestion a sidewalk be installed on Morea Road and for traffic calming on Cope Farms.

Town Planner Rutherford displayed written correspondence received for the record:

Benjamin Sarconi, 176 Plank Hill Road, email dated March 27, 2023 in opposition to the application, expressing concern with flooding, traffic, lawn treatment and wildlife impact.

Aparna Iyer, email dated March 27, 2023 in opposition to the application.

Emily Hultquist, NHCOC, received March 23, 2023 finding no apparent conflict with the known concerns of regional goals and policies or neighboring towns.

Mike and Monica Blum, 36 Tall Timbers Drive, email dated March 13, 2023 in opposition to the application.

Kay Higgins, 15 Tall Timbers Drive, email dated March 22, 2023 commenting on minutes of the last meeting.

Stacy Leskiw, 1 Reservation Road, email dated March 20, 2023 opposed to the application.

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

VOTED: To continue this public hearing to the April 24, 2023 Town Plan & Zoning Commission meeting which will be conducted in the Town Hall Council Chambers and on-line. The meeting will be hybrid and Commissioners are expected to participate in person unless there are extenuating circumstances.

The Commissioners then took a five-minute break.

## **OLD BUSINESS**

### **BB Development LLC – 368 Plainville Avenue (10:28 pm)**

(Eligible Commission Members: Chair St. James, Halstead, Hutvagner, Sanford, Rackliffe, Walsh)

Application for special permit and site plan approval for gas station with convenience store located at 368 Plainville Avenue, B1 zone. The Commissioners considered whether or not they were ready to vote on this application. General comments from some felt the number of dispensing pumps could be reduced from five to four.

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

VOTED: 4 in favor (Halstead, Rackliffe, Sanford, Walsh) to 2 opposed (St. James, Hutvagner) to approve the BB Development LLC application for special permit and site plan approval for gas station with convenience store located at 368 Plainville Avenue, B1 zone with the following conditions:

- A. The applicant shall address Item No. 1 through 20 of the March 24, 2023 Planner's Report to the satisfaction of staff;
  1. Plan approved is based on final plan submitted on March 10, 2023 and presented on March 13, 2023.
  2. Engineering comments dated February 24, 2023 shall be addressed to the satisfaction of town staff.
  3. In accordance with Inland Wetland approval dated February 1, 2023.
  4. All excavation and soil management shall adhere to the Soil Management Plan dated February 9, 2023 and other representations made during the hearing.
  5. All portions of the monument sign, including ground mounted lighting, shall be contained on the subject property and not overhang into the right-of-way.
  6. A separate sign permit is required with the Plan and Zoning Commission.
  7. Security grilles, if installed over the front doors of the building, shall be colored to blend with the building architecture. Stainless steel will not be permitted.
  8. All rooftop units of any kind shall be screened from view from the road and residential neighbors.
  9. Dimmer switches shall be provided for site lighting as noted on photometrics plan.
  10. Applicant to review with ConnDOT the bypass lane on Plainville Ave. northbound at site driveway to accommodate left turns into the property. Applicant shall copy Town staff on all correspondence with ConnDOT.
  11. Hours of operation shall be limited to 5 am to 10 pm.
  12. Fuel deliveries shall not take place during the weekday peak hours of 6 am to 8am and 4 pm to 6pm.
  13. All other deliveries, other than dairy, shall occur between 8am and 6pm.
  14. Dumpster and recycling pickup shall be limited to 8am – 6pm Monday – Saturday.
  15. All exterior lighting shall be turned off within 1-hour of closing.

16. Landscape buffer along western edge of property as presented on March 13, 2023 shall require a 5/6 vote as it does not strictly adhere to Article IV, Section 13.
17. Bicycle rack to be provided to accommodate at least two bicycles.
18. The dumpster enclosure shall be a minimum of a 6-ft stockade fence with swing gate; with a full fence enclosure, landscape screening of the enclosure is not required.
19. The transformer and electrical panel for the EV charger shall have a minimum of a 6-ft stockade fence enclosure with swing gate; with a full fence enclosure, landscape screening of the enclosure is not required. If a fence with gate is not installed, evergreen screening will be required.
20. The proposal shall adhere to all relevant sections of the regulations, the submitted plans and representations made by the applicant.

B. The number of fuel pumps shall be reduced from 5 to 4.

Planner's Report Item No. 16 – landscape buffer along the western edge of the property as presented on March 13, 2023 requires a 5/6 vote as it does not strictly adhere to Article IV, Section 13

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

VOTED: 5 in favor (Halstead, Hutvagner, Rackliffe, Sanford, Walsh) to 1 opposed (St. James) to approve the landscape buffer along the western edge of the property as presented on March 13, 2023.

### **PLANNER'S REPORT**

No Planner's Report

### **WORK SESSION** – 2023 Residential Zoning Review

No Work Session.

### **MINUTES**

#### Meeting Minutes

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

VOTED: To approve the March 13, 2023 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 11:16 p.m.

*SJM*