

TOWN OF FARMINGTON PLAN & ZONING COMMISSION
May 8, 2023

Present for the hybrid meeting were Chair St. James, Commissioners Grabulis, Halstead, Hutvagner, Sanford and Alternate Commissioners Rackliffe, Walsh. Town Planner Rutherford, and Clerk Michaud were also present. The meeting was called to order at 7:00 p.m. Town Council Liaison K. Vibert was present online (at 7:04 pm).

Present in the Council Chambers were all Commission members, Town Planner Rutherford and Clerk Michaud.

Secretary Halstead read the legal notice into the record.

Alternate Commissioner Rackliffe was appointed to participate in place of absent Commissioner Carrier.

Commissioner Carrier and Alternate Commissioner Bandle were not present at the meeting.

NEW BUSINESS

Sign Pro Inc. – 15 Executive Drive

Krissy Braccidiferro, Sign Pro Inc., present online, presented the proposed signs. The 84.5 sq. ft. building sign will be halo lit. The one-sided ground sign has an overall proposed height of six feet with a stone base and will be externally illuminated. The Commissioners did not express concerns with the proposed signs.

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

VOTED: To approve the Sign Pro Inc. sign application for 15 Executive Drive as presented and on file in the Planning Office.

PUBLIC HEARING (7:07 p.m.)

Town of Farmington/Eversource

Jim Ruzbasan, Highway & Grounds Superintendent and Tree Warden for the Town of Farmington, explained all trees proposed for removal are located on Town property within the right-of-way, pose a safety concern and are a risk to the roadway and power lines. Photographs of the trees were displayed for clarification of the condition of the trees. Also in attendance was Julian Picciano from Eversource, to assist with clarifying the scope of work and conditions of the trees.

Peter Roberts, 326 Old Mountain Road, asked that action on this request is deferred until the trees are marked stating it was not clear which trees will be removed.

Robert Burnett, 354 Old Mountain Road, supported comments made by Mr. Roberts.

Marcello Jacoe, 229 Old Mountain Road, supported comments made by Mr. Roberts.

Mr. Ruzbasan responded he would get together with them to clarify which trees are proposed for removal.

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

VOTED: To continue the Town of Farmington/Eversource public hearing to May 22, 2023.

David Spitz – 19 Burlington Road

Application for special permit for expanded home in excess of 2,400 sf of living area and 3,200 sf of total area at 19 Burlington Road, R20 zone. Mr. Spitz attended in person and presented the new home he and his wife would like to construct on this newly created parcel approved on June 20, 2022. Mr. Spitz further explained the home was designed to accommodate his wife's disability and the footprint is a little larger than the footprint provided on the subdivision site plan. The cape style home will be set back approximately 150' from the street. The Commission asked some general clarifying questions about the home.

Susan Elphick, 7 Burlington Road, spoke in favor of the application in person.

There was no other public comment. No written correspondence was received by the Planning Office for this application.

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

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

VOTED: 5 in favor (Grabulis, Halstead, Hutvagner, Rackliffe, Sanford) to 1 opposed (St. James) to approve the David Spitz application for special permit for expanded home in excess of 2,400 sf of living area and 3,200 sf of total area at 19 Burlington Road, R20 zone as presented and on file in the Planning Office.

Izabela and Christopher Gaylord – 48 Webster Street

Application for special permit for expansion of home in excess of 1,600 sq. ft. living area and 2,200 sq. ft. of total area at 48 Webster Street, R12 zone. Mr. Gaylord, attending in person, presented the request to remove the existing enclosed porch on the side of their home and construct a two-story addition. The addition will extend two feet further into the side yard than the existing enclosed porch and will be no closer to the street. The Commission asked to view the GIS mapping system for clarification/orientation of the proposed work.

No written public correspondence was received by the Planning Office for this application.

There was no one present in person or online to speak in favor or in opposition of this application.

The public hearing closed at 7:37 p.m.

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

VOTED: To approve the Izabela and Christopher Gaylord application for special permit for expansion of home in excess of 1,600 sq. ft. living area and 2,200 sq. ft. of total area at 48 Webster Street, R12 zone as presented and on file in the Planning Office.

Jack Kemper – 6 Crosswood Road (7:44pm)

Application for special permit for accessory apartment located at 6 Crosswood Road, R40 zone. Continued from April 24, 2023. Mr. Kemper, present in-person, stated for the record there have been no changes to the proposal. At the last meeting he presented the plan to raise the garage roof for the construction of a second story accessory apartment. The architecture of the second story addition will be the same style as the existing home with matching siding, trim and windows. Stairs inside the garage will lead to the accessory apartment. Mr. Kemper said the approximate apartment size is 874 sq. ft.

There was no public comment in person or online in favor or in opposition of the application.

The public hearing closed at 7:40 pm.

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

VOTED: To approve the Jack Kemper application for special permit for accessory apartment located at 6 Crosswood Road, R40 zone as presented and on file in the Planning Office.

Amber Nogiec – 34 River Road

Chair St. James asked Commissioner Halstead to be acting chair for this matter while she recused herself from this matter and left the room.

Alternate Commissioner Walsh was appointed to participate in Chair St. James' place.

Application for special permit to raise no more than twenty (20) fowl at 34 River Road, R20 zone. Continued from April 24, 2023. Ms. Nogiec, present online, stated she met with the Town's Animal Control Officer and Town Planner Rutherford at the property. Town Planner Rutherford stated they found the existing coop to be in good condition. Ms. Nogiec confirmed the chickens/ducks will be confined at all times. Food will be kept in the house and at night any food in the coop is brought inside. The Commission asked for confirmation on the number of fowl at this time. Ms. Nogiec responded they have three hens and two ducks. The Commission suggested approving a smaller number of fowl with a six-month review. Town Planner Rutherford said she contacted the Farmington Valley Health District and there are no specific guidelines regarding the composting of waste or the processing of fowl. There wasn't anything specific for small private property raising of fowl but the public health code was provided to the Commissioners with their meeting materials.

In-Person Public Comment:

Demetri Vernadakis, 38 River Road, spoke in opposition to this application expressing concerns with the attraction of rodents and diseases they carry.

On-Line Public Comment:

Christopher St. James, 11 Brightwood Road, spoke in opposition to the application commenting concern with condition of the property, the fowl attracting other wildlife and that this was not appropriate for this neighborhood.

Ms. Nogiec responded they don't have rodent issues. The food is kept in the house and food in the coop is brought in overnight.

The Commissioners discussed how the regulations allow a residential property owner to have six fowl by right through a registration process. Ms. Nogiec asked what happens if false accusations are made in the future. Town Planner Rutherford explained the process staff follow to investigate complaints received by the Planning Office.

The public hearing closed at 7:59 p.m.

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

VOTED: To approve the Amber Nogiec application for special permit to raise no more than twenty (20) fowl at 34 River Road, R20 zone as presented and on file in the Planning Office with the following amendment:

1. No more than seven (7) fowl shall be raised.
2. This special permit shall be reviewed in six months for complaints.

Town Farm Development LLC - 152 Town Farm Road (8:05 p.m.)

Commissioner Grabulis recused himself from this matter and left the meeting.

Alternate Commissioner Walsh was appointed to participate in place of Commissioner Grabulis.

Application for modification of conditions of approved special permit for event use at 152 Town Farm Road, R40/FW zones. This public hearing is continued from April 24, 2023. Attorney Christian Hoheb present in-person, summarized the purpose of the proposed amendments are to provide advanced traffic calming measures and to monitor sound. Dave Falt, Town Farm Development, present in-person, presented a sound video from the Cinco de Mayo event. Next Mr. Falt reviewed the details of a comparison chart of the existing special permit conditions of the April 24, 2017 approval and the February 22, 2023 proposed revisions. The purpose of the proposed revisions is to provide clarification to the language. Commissioners asked for clarification on the number of events (equestrian and non-equestrian) currently permitted and the proposed increase in events. When asked to respond to the questions of how the uses of the site

fit in the R40 zone, Mr. Falt responded, when he worked with former Town Planner Warner for the 2015, 2016 and 2017 applications he was told the historic equestrian use of the site is an existing permitted use of the 60+ acre site. Commissioners asked about the holding Cars & Coffee events on Sunday mornings. Mr. Falt responded this takes place at the same time as other equestrian activities. The Commission asked why polo events have play-by-play announcements and if they are necessary. Mr. Falt responded that is the nature of equestrian events using the Kentucky Derby as an example. Mr. Falt was asked if all non-equestrian events are non-profit. He responded all the events have a cause/component for charity. The Commission asked for clarification on where the noise meter set up typically along the fence line. Mr. Falt responded the fence line is the property line, they walk along the fence to measure sound as required by Ordinance. There was general discussion about other events and sounds.

Public Comment (In-Person)

Anne Gerard, 20 Chiltern Street, spoke in opposition to the application expressing concern with noise.

Kate McDonald, 1 Kempton Mews, spoke as a traumatic brain injury survivor with post traumatic epilepsy and how low frequency soundwaves now cause her pain. She also discussed the difference between frequency and decibels with respect to sound and that both must be considered to understand the impact to others.

Michelle Grande, 6 Ashford Court, spoke in opposition to the application. Stating although she enjoys sound of activity, Cars & Coffee is too loud on a Sunday morning.

Jennifer Bennett, 14 Clermont Park, spoke in support of the application.

Kathy Braga, 57 Prattling Pond, spoke in support of the application.

Nina Jankowski, 18 Salisbury Way, spoke in opposition to the application.

Annie George, 2 Kempton Mews, spoke in opposition to the application.

Grace Bennett, 14 Clermont Park, spoke in support of the application.

Jennifer McCulloch, Event & Marketing Manager for Bozzuto's spoke about the benefits to the community for funds raise at events.

Peter Guertin, 12 Henley Commons, spoke in opposition to the application expressing concern with noise, increased use of the facility and types of events at the facility.

Nancy Bullock, 2 Chipping Campden, spoke in opposition to the application.

Jim McCahill, 126 Town Farm Road, spoke in opposition to the application.

Public Comment (On-Line)

Ken Giantonio, 243 Waterville Road, spoke in opposition to the application, expressing concern with noise.

Kristy Sevag, publicist for Farmington Polo Club spoke in support of the application.

Henry George, 2 Kempton Mews, spoke in opposition to the application.

John Kuk, 275 Waterville Road, spoke in opposition to the application.

Written Correspondence

Town Planner Rutherford displayed written correspondence received.

David Dahle, 151 Town Farm Road, email dated April 11, 2023, opposed the application.

Ken Giantonio, 243 Waterville Road, email dated April 10, 2023 opposed the application.

Andrew Hahn, 2 Kew Gardens, email dated April 12, 2023 opposed the application.

David Dahle, 151 Town Farm Road, email dated April 12, 2023 opposed the application.

Anne Gerard, 20 Chiltern Street, email dated April 17, 2023 opposed the application.

Judith Krohomer, 11 Elizabeth Road, letter dated April 16, 2023 opposed the application.

Jim McCahill, 126 Town Farm Road, letter dated April 17, 2023 opposed the application.

Pauletter Luedee, 17 Elizabeth Road, email dated April 18, 2023 opposed the application.

Susan Dahle, 151 Town Farm Road, letter opposed to application.

Cathy Keller, 31 Gerard Avenue, email dated April 20, 2023 opposed the application.

Melissa McCahill, 126 Town Farm Road, letter dated April 19, 2023 opposed the application.

Richard Gliszczynski, letter dated April 19, 2023 opposed to application.

G. Peter Bloom, 13 Wentworth Park, email dated April 23, 2023 opposed the application.

Jenny Jarvis, 147 Town Farm Road, email dated April 23, 2023 on behalf of her grandmother, opposed the application.

Henry George, 2 Kempton Mews, email dated April 24, 2023 opposed the application.

Ken Giantonio, 243 Waterville Road, email dated April 24, 2023 opposed the application.

Kevin and Darla Sahr, 10 Thatcher Terrace, letter in support of the application.

Nancy Bullock, 2 Chipping Campden, email dated April 24, 2023 opposed the application

Patricia Jarvis, 147 Town Farm Road, email dated April 24, 2023 opposed the application.

Anne Gerard, 20 Chiltern Street, email dated April 24, 2023 opposed the application.

Dean Cusano, 66 Woodruff Road, letter in support of the application.

David Dahle, 151 Town Farm Road, email dated April 25, 2023 opposed the application.

Cheryl McCarthy, Middletown, email dated April 26, 2023 in support of application.

Peter Andrews, 16 Fernhurst, email opposed the application.

Pierre Guertin, 12 Henley Commons, email dated May 1, 2023 opposed the application.

Anne Gerard, 20 Chiltern Street, email dated May 2, 2023 opposed the application.

Kai Monahan, 6 Grosvenor Place, email dated May 2, 2023 opposed the application.

Matthew Goodwin, 4 Clermont Park, email dated May 3, 2023 opposed the application.

Thomas Cocomo, Jr., 1 Fitzwilliam Park, email dated May 5, 2023 in support of application.

Dr. Sandra Scantling, 3 Lowell Road, email dated May 7, 2023 opposed the application.

Annie George, 2 Kempton Mews, email dated May 8, 2023 opposed the application.

Gabey and John Giblin, 4 Kempton Mews, email dated May 4, 2023 opposed the application.

Jay Sicklick, 21 Salisbury Way, letter dated May 4, 2023 opposed the application.

G. Peter Bloom, 13 Wentworth Park, email dated May 8, 2023 opposed the application.

The Commission asked if the Cars & Coffee event start time could be delayed. Mr. Falt stated they are willing to consider a delayed start time. Confirmation was requested on the hiring of two officers as offered. Mr. Falt responded yes. Attorney Hoheb summarized there have been three extensive hearings in an effort to ratify the prior approval and address concerns.

The public hearing closed at 11:26 p.m.

OLD BUSINESS

Commissioner Grabulis rejoined the Commission on-line at 11:29 p.m.

Carrier Group Inc. – Lots 8517 & 8518 Morea Road

Application for 25-lot cluster subdivision on Lots 8517 & 8518 Morea Road. Chair St. James asked for clarification on which Commissioners are eligible to vote on this matter. *Public hearing closed April 24, 2023.* Town Planner Rutherford stated the Planning Office received a petition after the hearing closed to try to force a super majority decision by the Commission. The Town Attorney confirmed the statutes are clear, an approval of this application requires a simple majority only. In an overabundance of caution by recommendation of the Town Attorney the Inland Wetlands Commission will be asked to review the current site plan to confirm it complies with their original approval from last spring and is consistent with the conditions of the approval. Commissioners commented on how they will vote based on compliance with the zoning regulations and not personal preference on the proposal.

PLANNER’S REPORT

Metacomet Trail

Peter Dorpalen, Trail Manager for the southern portion of the Metacomet Trail within Farmington, is requesting approval to create a bypass for a portion of the Metacomet Trail, to the east of Trumbull Lane, on land owned by the Town of Farmington (Lot 8885 South Ridge Road). A map provided shows where they would like to construct a spur as a bypass to allow for safer use during inclement weather and for those less experienced hikers. At the present time, they would like to keep the existing trail as well, for those more experienced hikers, and the great views along the ridgeline. No trees are planned to be cut, and they stated they will need to cut one tree that has fallen across the proposed spur. The Commission expressed no concerns with the request and agreed the Town Planner may work directly with Mr. Dorpalen.

WORK SESSION – 2023 Residential Zoning Review

Town Planner Rutherford commented she received an ADU document with a request to revisit the Town’s position. Information will be discussed at a June meeting.

No work session due to the hour.

MINUTES

Meeting Minutes

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

VOTED: To approve the April 24, 2023 Town Plan & Zoning Commission meeting minutes.

The meeting adjourned at 11:55 a.m.

SJM