

TOWN OF FARMINGTON
PLAN & ZONING COMMISSION
MEETING MINUTES
December 11, 2023

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

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

Secretary Halstead read the legal notice into the record.

Alternate Commission Bandle was appointed to vote in place of absent Commissioner Grabulis.

Chair St. James read a statement and thanked fellow Commissioners for their dedication and service to the Plan & Zoning Commission, and the Planning Staff for their guidance and support along the way.

NEW BUSINESS

Creative Dimensions – 1690 New Britain Avenue – sign

Jessica Fetzer, Creative Dimensions, presented the request to install a tenant sign panel on the existing monument sign at 1690 New Britain Avenue for Mott Corporation. There are no changes proposed to the height and location of the monument sign, including no illumination. There were no concerns expressed by the Commission.

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

VOTED: To approve the Creative Dimension sign application for property located at 1690 New Britain Avenue as presented and on file in the Planning Office.

Carrier Group Inc. – Lots 8517 & 8518 Morea Road – extension request

Commissioner Carrier recused himself from this matter. Alternate Commissioner Canto was appointed to participate in place of Commissioner Carrier for this matter.

Town Planner Rutherford explained the 25-lot R40 cluster subdivision of Lots 8517 & 8518 Morea Road was approved by the Commission on May 22, 2023. The Subdivision Regulations require the applicant to address all comments, prepare documents and file the subdivision within 90-days of the appeal period of the approval, providing there is no appeal of the decision. Although the TPZ approval was not appealed, on July 24, 2023 the court granted a motion to re-open an appeal of the Wetland decision for this project. This action paused the 90-day requirement for filing of the subdivision documents, as verified with the Town Attorney. On November 8, 2023 the court dismissed the Wetlands Appeal and the 90-day time period restarted. Due to the timing of holidays and meetings in November and December the applicant is requesting additional time to address final conditions of approval and prepare final documents. Per the Subdivision Regulations the Commission may grant up to two 90-day extensions. This request is the first request for an extension.

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

VOTED: To approve the Carrier Group Inc. request for 90-day extension of time to file subdivision documents dated November 22, 2023.

Yuksel Cakrak – 864 Plainville Avenue

Accept application for special permit for home business (commercial kitchen) in the R20/R30 zones and schedule public hearing (recommend hearing date of January 22, 2024).

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

VOTED: To accept the Yuksel Cakrak application for special permit for home business (commercial kitchen) in the R20/R30 zones and schedule public hearing for January 22, 2024.

Douglas Nash – 18 Fairview Drive

Accept application for special permit to raise seventeen (17) poultry in the R20 zone and schedule public hearing (recommend hearing date of January 22, 2024).

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

VOTED: To accept the Douglas Nash application for special permit to raise seventeen (17) poultry in the R20 zone and schedule public hearing for January 22, 2024.

Carie Currier – 35 Fairview Drive

Accept application for special permit to raise thirteen (13) poultry (hens) in the R20 zone and schedule public hearing (recommend hearing date of January 22, 2024).

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

VOTED: To accept the Carie Currier application for special permit to raise thirteen (13) poultry (hens) in the R20 zone and schedule public hearing for January 22, 2024.

Qui Juan Chen – 902 Farmington Avenue

Accept application for special permit for personal service shop (nail salon) in the FP zone and schedule public hearing (recommend hearing date of January 22, 2024).

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

VOTED: To accept the Qui Juan Chen application for special permit for personal service shop (nail salon) in the FP zone and schedule public hearing for January 22, 2024.

John Senese – 222 Talcott Notch Road

Accept application for two-lot subdivision of 222 Talcott Notch Road and schedule public hearing (recommend hearing date of January 22, 2024).

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

VOTED: To accept the John Senese application for two-lot subdivision of 222 Talcott Notch Road and schedule public hearing for January 22, 2024.

Carrier Holdings LLC – 34 West District Road

Commissioner Carrier recused himself from this matter. Alternate Commissioner Canto was appointed to participate in place of Commissioner Carrier for this matter.

Accept application for three-lot subdivision and special permit to construct three homes in excess of 2,400 sq. ft. of finished living area in the R30 zone and schedule public hearing (recommend hearing date of February 12, 2024).

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

VOTED: To accept the Carrier Holdings LLC application for three-lot subdivision and special permit to construct three homes in excess of 2,400 sq. ft. of finished living area in the R30 zone and schedule public hearing for February 12, 2024.

PUBLIC HEARING

Noreen Galvin – Text Amendment

Commissioners Hutvagner and Halstead stated for the record that although they were absent at the November 6, 2023 meeting they have listened to the recording and are caught up on materials for this matter.

Application for text amendment to Article IV, Section 21 Accessory Apartments. Continued from November 6, 2023. Town Planner Rutherford reviewed the text amendment process to date and provided a summary of the amendment proposed as presented at the November 6, 2023 public hearing. As stated at the November public hearing, the amendment was continued to tonight's meeting to allow additional time for public comment and additional time for the Commission members to review as the original submission was revised substantially. John Galvin briefly reviewed background information he presented at the last meeting that lead to their application. Commissioners asked some clarifying questions about occupancy, how habitable area is calculated and septic/sanitary sewer connections. Town Planner Rutherford responded providing the language in proposed amendment. There was a discussion around adding a purpose statement that aligns the regulation with the Affordable Housing Plan.

Jeffrey Moores, 152 Woodpond Road, expressed concern with adding rental space in their single-family neighborhood.

Jay Bombara, 13 Mountain Road, expressed concern with the process, potential size of accessory dwelling units in residential neighborhoods and how they will be monitored. He was not opposed to attached units.

Mr. Galvin responded to comments and concerns. Commissioner Carrier expressed concern with the change from the existing regulation requiring occupancy by a family member or domestic

help. Town Planner Rutherford provided additional clarification regarding differences between the existing regulations and the proposed.

Patricia Moores, 152 Woodpond Rd., spoke against the regulation change citing increase in population adjacent to the lake will contribute to increased water quality concerns with the lake.

Mr. Galvin spoke again addressing comments and concerns raised.

Jay Bombara, 13 Mountain Road, reiterated his concern is with the detached dwelling units, not the attached dwelling units.

The public hearing closed at 8:45 p.m.

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

VOTED: 5 in favor (Bandle, Halstead, Hutvagner, St. James, Sanford) to 1 opposed (Carrier) to approve the Noreen Galvin application for text amendment to Article IV, Section 21 Accessory Apartments as presented and on file in the Planning Office, with the condition a purpose statement is added at the beginning of the regulation aligning the regulation to the Affordable Housing Plan. The motion passed.

This amendment becomes effective 16 days after publication of this decision.

Michael Lavoie – 12 Winthrop Drive

Application for a special permit for home business to keep poultry and raise rabbits at 12 Winthrop Drive, R9 zone. Mr. Lavoie stated he is seeking approval to raise rabbits and poultry. He currently has thirty (30) breeding rabbits, twenty (20) chickens and six (6) ducks. The rabbits are in hutches along the rear property line and the chickens and ducks are in a pen in the yard. Food is kept in trash cans to keep rodents out and waste is composted in the back yard and made available to anyone that wants it for their gardens. A GIS map showed the location of the hutches and pens. The Commission asked if he has received any complaints. Mr. Lavoie responded the only comment he has received is from visitors commenting on rabbits living outside in hutches. Commissioners asked if the number given at thirty rabbits is a stable number or if that number fluctuates. Mr. Lavoie responded that when the rabbits are bred, they have as many as thirty-six (36) babies. The Commission asked Mr. Lavoie for his feedback on them limiting the number of rabbits. Mr. Lavoie responded it would be difficult to choose. The Commission expressed concern with the proximity of the compost to the conservation easement area. Town Planner Rutherford provided a survey showing the limit of the conservation easement and wetlands boundaries. There was some discussion about how long Mr. Lavoie has had the animals. Mr. Lavoie stated he is currently working to reduce the number of chickens. Animal Control was called to the property to check on the animals and Mr. Lavoie stated the Animal Control Officer has been out to the site to reinspect and there are no outstanding concerns. Mr. Lavoie has granted an extension of time to keep this hearing open so that he can address property maintenance concerns with the Zoning Office. There was some discussion about installing a fence along the westerly property line for screening. Mr. Lavoie had no objection.

Written correspondence in opposition to this application has been received from Keith Bernier at 9 Winthrop Drive.

There was no other public comment.

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

VOTED: To continue the Michael Lavoie application for a special permit for home business to keep poultry and raise rabbits at 12 Winthrop Drive, R9 zone to January 22, 2024.

Brian Burbank – 10 Glen Hollow Drive (9:11pm)

Application for special permit to construct accessory structure in excess of 700 sq. ft. at 10 Glen Hollow Drive, R20 zone. Mr. Burbank explained he currently has two sheds on his property for the storage of motorcycles, vehicles and property maintenance equipment. He would like to replace the two structures with one detached two-car garage. The garage will be deep enough to park two vehicles end to end, have enough room for his motorcycles and motorcycle trailer, and property maintenance equipment. He commented on other homes in the neighborhood having detached garages. The new accessory garage is under contract with The Barn Yard.

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

The public hearing was closed at 9:23 p.m.

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

VOTED: To approve the Brian Burbank application for special permit to construct accessory structure in excess of 700 sq. ft. at 10 Glen Hollow Drive, R20 zone as presented and on file in the Planning Office.

PLANNER'S REPORT

Dunkin – 12 Mill Street, Unionville

This location was closed briefly for remodeling and now they are seeking approval to replace existing signs due to rebranding. The Architectural Design Review Committee has expressed some concern with the building sign and is working with the sign company to resolve. Town Planner Rutherford asked if the Commission would be comfortable with staff approving a building permit once the issue is resolved as there is no change in the overall size and location of the signs. The Commission agreed the new signs can be handled administratively.

1722 New Britain Avenue

Town Planner Rutherford presented the sign panel graphic for B & R at 1722 New Britain Avenue. The sign design and location were included in the site plan approved by the Commission at the November 6, 2023 meeting. There is no change in size and location proposed. The Commission agreed the new signs can be handled administratively.

Out-Going Commissioners

Town Planner Rutherford thanked out-going Commissioners Inez St. James (4.5 years), Mike Grabulis (6 years), Matt Hutvagner (2 years) and James Rackliffe (2 years) for their service on the Commission. Their participation and contributions have been greatly appreciated.

Commissioner Training

Reminder that Commissioner Training will take place January 8, 2024. The meeting will be at 6:30 pm for Election of Officers and any New Business items. Training will start at 7pm with Attorney Bob DeCrescenzo.

MINUTES

Meeting Minutes

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

VOTED: To approve the November 6, 2023 Town Plan & Zoning Commission meeting minutes.

The meeting was adjourned at 9:35 p.m.

SJM