

TOWN OF FARMINGTON  
PLAN & ZONING COMMISSION  
MEETING MINUTES  
January 22, 2024

Present for the hybrid meeting were Chair Halstead, Commissioners Bandle, Canto, Carrier, St. Germain, Sanford and Alternate Commissioners Polsky, Tucci, Zimmermann. Town Planner Rutherford, Assistant Town Planner Daigle and Clerk Michaud were also present. Town Council Chair Capodiferro was present online. The meeting was called to order at 7:00 p.m.

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

Alternate Commissioner Zimmermann and Assistant Town Planner Daigle were present online.

Secretary Sanford read the legal notice into the record.

### **NEW BUSINESS**

#### **Sign Pro Inc. – 291 Farmington Avenue**

Kristine Braccidiferro, Sign Pro Inc., presented the request to install three (3) building signs. The proposed signs are for tenants BPS Perio, CTMAX and Dental Associates. Each building sign is a reverse lit channel letter and logo sign made of aluminum. Ms. Braccidiferro stated as a condition of approval there is a possibility of installing a dimmer switch for the proposed halo lighting. The proposed signs meet the area requirements of the zoning regulations.

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

VOTED: To approve the Sign Pro Inc. sign application for 291 Farmington Avenue as presented and on file in the Planning Office with the condition a dimmer switch is installed so that lighting can be adjusted if requested by Town Staff.

#### **Briana Senese – 30 Tanbark Trail**

The applicant was not present, and this matter was tabled until later in the meeting.

#### **Marcel Mirambeaux – 721 New Britain Avenue**

Site plan application to place 400± cy of fill in back yard at 721 New Britain Avenue. Town Planner Rutherford explained that in early September 2023 Town staff was made aware of a large quantity of fill placed in the back yard of 721 New Britain Ave. On September 7, 2023, staff arranged to meet the owner at the property to review the back yard and confirm the importation of the fill material. Staff confirmed the fill had been placed in the back yard to level the yard. Using aerial photographs, CT State topography, and notes and photos from the site visit, staff estimated approximately 300 to 400 cubic yards of fill was brought onto the property. Staff directed the owner that either a permit for the fill had to be secured with the Plan and Zoning Commission in compliance with Article II, Section 24 of the regulations; or the fill had to be removed from the property. The owner submitted the attached application on September 12, 2023. However, the owner has not submitted any of the required supporting documents necessary to evaluate the request, confirm the nature and volume of material imported onto the

property, confirm side and end slopes and confirm no impact to adjoining properties. Article II, Section 24 refers to Article II, Section 22, Earth Excavation, for the information needed in order for the Commission to make an informed decision. At this time the applicant has used the original 65 days for site plan permitting and 52 of the 65 days of the extension time, and no progress has been made to secure the necessary documents. Staff is requesting the Commission deny the application without prejudice due to a lack of supporting information.

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

VOTED: To deny the Marcel Mirambeaux site plan application to place 400± cy of fill in back yard at 721 New Britain Avenue as submitted, without prejudice.

### **PUBLIC HEARING (7:13pm)**

#### Michael Lavoie – 12 Winthrop Drive

Commissioner St. Germain stated for the record he listened to the December 11, 2023 recording of this hearing and reviewed the application materials.

Application for a special permit for home business to keep poultry and raise rabbits at 12 Winthrop Drive, R9 zone. Continued from the December 11, 2023 meeting. Mr. Lavoie summarized he is seeking approval to keep thirty (30) rabbits and to keep poultry. He currently has reduced the number of poultry to twenty-one (21) and has someone coming to look at taking two ducks this week. Since the last meeting he has done some site cleanup. The Animal Control Office and Zoning Enforcement Officer have visited the site for inspection, and he has no outstanding items with either. Commissioners asked if it was necessary to have thirty rabbits. Mr. Lavoie responded yes, and explained it is the optimal number for breeding purposes for show rabbits. He was asked if he had applied for a business license. Mr. Lavoie responded no, he views the raising of rabbits as more of a hobby. Commissioners expressed concern with the number of animals on the property. There was discussion regarding the number of baby rabbits during the typical breeding season and how long it takes to find homes for them. Mr. Lavoie explained spring and summer is when they breed the rabbits and that it takes approximately eight weeks to rehome them. The Commissioner asked for confirmation there was no issue installing a fence along the westerly property line for screening. Mr. Lavoie responded he has no objection. The Commissioners asked Mr. Lavoie if he had a preference regarding rabbits or poultry if limited in overall quantity. Mr. Lavoie responded it would be hard to decide which to rehome because he has had them since 2019 but stated he could reduce the number of poultry if necessary. The Commission asked if any rabbits have escaped the hutches. Mr. Lavoie responded no, but there is a wild rabbit that lives in a brush pile near them and he is slowly dismantling the brush pile. There was general clarification regarding the location of rabbit hutches and poultry coop/pen area. Discussion ensued regarding reducing the number of rabbits to a maximum of twenty (20) through natural reduction. Mr. Lavoie had stated the life span is approximately 7 to 10 years. Other Commissioners suggested placing a restriction on the total number of animals giving flexibility to the property owner to determine on the number of rabbits and poultry understanding the maximum number of poultry is limited to twenty per the zoning regulations. Again, Mr. Lavoie was asked for input regarding which animal he could reduce the overall number of. Mr. Lavoie responded he could part with some chickens.

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

The public hearing closed at 7:46 p.m.

A motion was made and seconded (Sanford/Bandle) to approve the Michael Lavoie application for special permit for home business to keep poultry and raise rabbits at 12 Winthrop Drive, R9 zone.

Commissioners discussed limiting the number of animals to 30 rabbits and 10 poultry. Another suggestion was limiting the numbers to 20 rabbits and 20 poultry understanding baby rabbit would be rehomed within eight weeks and requesting the property owner obtain a business permit.

Another Commissioner suggested setting a maximum number at 40 animals, with a maximum of 20 poultry, with a reduction of rabbits over time to 20.

Commissioners asked about the opportunity to revisit in one year for issues/complaints. Town Planner Rutherford responded yes, they can revisit in one year.

After further discussion upon a motion made and seconded (Sanford/Bandle) voted unanimously to rescind the motion on the floor.

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

VOTED: To table this matter until the February 12, 2024 meeting.

Yuksel Cakrak – 864 Plainville Avenue

Application for special permit for home business (commercial kitchen) in the R20/R30 zones. Mr. Cakrak explained he was seeking approval to operate a commercial kitchen to prepare gluten free/sugar free meals for delivery to families. The meals would be delivered by Shef. Two deliveries a day, Monday through Friday at 11 a.m. and 2 p.m. No weekend hours. They will prepare a maximum of 50 meals per day. Mr. Cakrak stated he has a business license and will make an application with the health district for their approval. The business will be run by just the two of them to start but they may have a third person to help in the future. Information about the Shef company was submitted to the Commissioners for review. Mr. Cakrak was asked if there will be an increase in trash as a result of the proposed kitchen use. He responded no, they will not need a dumpster and will be able to use the Town's routine trash pickup service. The only other deliveries to the home will be the occasional Amazon delivery of to-go food containers for the meals they prepare. They will shop themselves and purchase food to prepare and will not have refrigerator trucks deliver food. The Commission asked for confirmation that they will not install a sign. Mr. Cakrak confirmed no signs.

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

The public hearing closed at 8:13 p.m.

Upon a motion made and seconded (Carrier/St. Germain) it was unanimously

VOTED: To approve the Yuksel Cakrak application for special permit for home business (commercial kitchen) in the R20/R30 zones as presented and on file in the Planning Office with the condition that this approval is limited to this applicant.

Douglas Nash – 18 Fairview Drive

Application for special permit to raise seventeen (17) poultry in the R20 zone. Mr. Nash stated he was seeking approval to keep and raise seventeen (17) hens. He has a 20' x 30' fenced in garden with a coop attached. The hens roam the fenced in garden area during the summer months and winter in the coop. He provided a photo of the metal food storage bin that is kept locked. The Commissioners asked if Mr. Nash has read and agrees he is in compliance with the items listed in the Agenda Review dated January 18, 2024. Mr. Nash responded yes.

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

The public hearing closed at 8:22 p.m.

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

VOTED: To approve the Douglas Nash application for special permit to raise seventeen (17) poultry in the R20 zone as presented and on file in the Planning Office with the following conditions:

1. A structure and fence enclosure shall be required for all poultry. Any structure or fence enclosure used for this purpose shall be located at least ten feet from any lot line. All structures and fence enclosures shall be located in the rear yard.
2. Coops shall be allowed at not more than 50 square feet, no more than 10 feet in height, and be located no less than 10 feet from the side and rear property lines.
3. All poultry must be contained within a fenced enclosure.
4. No male poultry shall be kept on any property.
5. Food must be stored and waste materials must be disposed of, in a manner that will not cause odor, flies, or attract vermin.

Carie Currier – 35 Fairview Drive

Application for special permit to raise thirteen (13) poultry (hens) in the R20 zone. Ms. Currier said she is requesting approval to keep and raise thirteen (13) hens she has on her property. The coop design drawing was shown as the coop currently housing the hens. The coop is located more than 10 feet from the side property line. Waste from the hens is used in their gardens. The Commissioners asked for confirmation they comply with the items listed in the Agenda Review dated January 18, 2024. Ms. Currier responded yes.

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

The public hearing closed at 8:27 p.m.

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

VOTED: To approve the Carie Currier application for special permit to raise thirteen (13) poultry (hens) in the R20 zone as presented and on file in the Planning Office with the following conditions:

1. A structure and fence enclosure shall be required for all poultry. Any structure or fence enclosure used for this purpose shall be located at least ten feet from any lot line. All structures and fence enclosures shall be located in the rear yard.
2. Coops shall be allowed at not more than 50 square feet, no more than 10 feet in height, and be located no less than 10 feet from the side and rear property lines.
3. All poultry must be contained within a fenced enclosure.
4. No male poultry shall be kept on any property.
5. Food must be stored and waste materials must be disposed of, in a manner that will not cause odor, flies, or attract vermin.

Qui Juan Chen – 902 Farmington Avenue

Application for special permit for personal service shop (nail salon) in the FP zone. Ms. Chen stated she is requesting approval to operate a nail salon, by appointment only at the former Design Forum location. The Commissioners asked the number of employees and customers are anticipated. Ms. Chen responded in the beginning there will be four employees. The Commission asked about the hours of operation. Ms. Chen stated they will be open 7 days/week (9:30 to 7:30 M-F, 9:30 – 6:30 Sat. and 10-5 Sun.) the first year. She hopes the second year to close one day/week during the winter. When asked about parking, Ms. Chen said she has a parking agreement with the property owner. The Commission then asked for the ideal goal number of employees. Ms. Chen said her goal is to have seven or eight employees. Her employees carpool so they don't anticipate needing more than two or three parking spaces for employee parking. Robert Amenta, property owner, spoke to the parking agreement stating his business' busy time and the nail salon busy times are different so he is able to share his parking spaces with the salon. The parking agreement has been submitted as part of the application record.

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

The public hearing closed at 8:38 p.m.

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

VOTED: To approve the Qui Juan Chen application for special permit for personal service shop (nail salon) in the FP zone as presented and on file in the Planning Office.

John Senese – 222 Talcott Notch Road

Application for two-lot subdivision of 222 Talcott Notch Road. Bryan Panico, Cole Civil and Survey, stated they were before the Commission last year for a six-lot subdivision. Since that time there has been other interest in the property, and they are now seeking a two-lot subdivision. The new lot will be located in the northwest corner of the site and complies with the requirement of the R80 zone for area and frontage along Talcott Notch Road. Mr. Panico said the new lot will have well and septic to serve the new home. He received staff comments and is confident they can address them to the satisfaction of staff. They will be working with staff to ensure site stormwater is addressed adequately for the site. The Commission asked if the new driveway will be directly across from Northington Way. Mr. Panico responded no, it is just north of Northington Way.

Peter Coyne, 2 Northington Way, asked for confirmation stormwater runoff will be addressed by staff. Town Planner Rutherford responded, yes during the construction process.

The public hearing closed at 8:49 p.m.

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

VOTED: To approve the John Senese application for two-lot subdivision of 222 Talcott Notch Road as presented and on file in the Planning Office.

Briana Senese – 30 Tanbark Trail

The applicant was not present. Town Planner Rutherford explained the request. This lot is located on the eastern cul-de-sac of Tanbark Trail and functions as a through lot since the rear yard is adjacent to Plainville Ave. The applicant is seeking approval to install a 6ft vinyl stockade fence along the rear of 30 Tanbark Trail, along Plainville Avenue within the setback area, approximately 15 feet off the property line. The regulations require Commission approval for a fence height greater than 4 feet within the required yard (setback area). There was a brief discussion for clarification.

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

VOTED: To approve the Briana Senese request for fence exception to install a 6ft vinyl stockade fence along the rear of 30 Tanbark Trail as submitted and on file in the Planning Office.

**PLANNER'S REPORT**

Epicure Plaza – 838 Farmington Avenue

The property owner currently has a building permit application pending for façade renovations to this building. Town Planner Rutherford reviewed the proposed addition of gable entrances to Naples Pizza, Starbucks and M&R Liquors. The other tenants will have a signage panel with metal roofing over their space. Doghouse dormers, roofing, walkway details etc. were reviewed in detail. Existing florescent lighting will be replaced with LED strip lighting and a photometric plan will be submitted to staff prior to issuance of a building permit. Town Planner Rutherford asked the Commission if they would prefer a formal site plan application or if they were comfortable proceeding at a staff level. The Commissioners agreed this can proceed with staff review.

1722 New Britain Avenue

Town Planner Rutherford presented a proposed entrance overhang and landscape bed area for the east entrance of the new building the Commission approved in November 2023. The building is under construction and they have now submitted this minor change. After a brief discussion the Commissioners agreed this can proceed with staff review.

20 Scott Swamp Road

This building is closed and currently on the market. The Planning Office has received a number of potential use inquiries. Town Planner Rutherford confirmed the zoning designation is BR zone. After some discussion about the immediate area uses, the Commissioners were asked to consider what they envision for future development/reuse of this site that would be best suited for the area. The Commissioners are encouraged to email the Town Planner with their thoughts directly. The discussion will continue at the next meeting.

**MINUTES**

January 8, 2024

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

VOTED: To approve the January 8, 2024 Town Plan & Zoning Commission organizational meeting minutes and the January 8, 2024 meeting minutes.

**Online Training Reminder**

The UCONN Center for Land Use Education & Research (CLEAR) has a series of training sessions available on their website.

CLEAR Land Use Academy Basic Training (<https://clear.uconn.edu/luu/basic/>):

2. "Fundamentals of Reading Plans"

The Advanced Training (<https://clear.uconn.edu/luu/advanced/> )

3. Fair and Affordable Housing

Please confirm via email that you have completed the online modules by the end of February. We are obligated to certify to the Town Council that all training is completed by March 1, 2024.

The meeting adjourned at 9:41 p.m.

*SJM*