

TOWN OF FARMINGTON
PLAN & ZONING COMMISSION
MEETING MINUTES
March 25, 2024

Present for the hybrid meeting were Acting Chair Sanford, Commissioners Afshar, Bandle, Canto, Halstead, St. Germain, and Alternate Commissioners Polsky, Tucci, Zimmermann (at 7:05pm). Town Planner Rutherford, Assistant Planner Daigle and Clerk Michaud were also present. The meeting was called to order at 7:00 p.m.

Present in the Council Chambers were all Commission members except Commissioner Halstead and Alternate Commissioner Zimmermann were present online. Town Planner Rutherford, Assistant Planner Daigle and Clerk Michaud were present in the Council Chambers.

Acting Secretary St. Germain read the legal notice into the record.

The board welcomed the newly appointed Commissioner Afshar.

NEW BUSINESS

Luke McCormick – 20 Wolf Pit Road

Mr. McCormick presented his Eagle Scout project to construct a baseball equipment shed at 20 Wolf Pit Road. The equipment shed is proposed to be located behind the home plate backstop fence of the baseball diamond. The 8' x 10' shed will provide a secure place to store the necessary equipment to hold baseball games at this ballfield. Commissioners asked clarifying questions about the proposed color of the shed, how it would be constructed, what base material will be under the shed and if it will be locked. Mr. McCormick responded the color will be dark green, a contractor will supervise construction of the shed which will be installed on a stone base and then confirmed it will be locked.

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

VOTED: To approve the Luke McCormick site plan application for Eagle Scout project to install baseball equipment shed at 20 Wolf Pit Road as presented and on file in the Planning Office.

CMG Group LLC – 45 S. Main Street

Site plan approval to allow entertainment at Yume restaurant located at 45 S. Main Street, Unionville. Yune Wong Lau, owner of Yume presented her request to allow karaoke in the restaurant bar area twice a week for approximately three hours only. She stated since the pandemic there has been a noticeable change to her business and although people are returning to in person dining, it has not returned to pre-pandemic levels. Her thought is providing entertainment may encourage more people to return to in-person dining. Commissioner asked if there will be any changes to the hours of operation. Ms. Lau responded no. The Commission asked her to confirm the day(s) and time the karaoke will be offered. Ms. Lau responded Thursday and Sunday evenings after 8pm for 2 ½ hours max. She is hiring a company called FM Productions LLC to run the karaoke entertainment operation. Commissioners asked for the expected capacity of attendees and confirmation this will be indoor use only. Ms. Lau responded her capacity is 20 people and yes, the use will be indoors only.

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

VOTED: To approve the CMG Group LLC application for site plan approval to allow entertainment (karaoke) at Yume Restaurant located at 45 S. Main Street, Unionville.

PUBLIC HEARING

Acting Chair Sanford explained the public hearing process to the public.

Bradley Finocchio – 8456 Main Street

Commissioner Tucci recused himself from this application and left the room.

Application for special permit to construct new home and pool in ridgeline protection area and expanded home in excess of 4,000 sq. ft. of living area and 5,000 sq. ft. of total area, not to exceed 7,200 sq. ft. in total at 8456 Main Street, R40 zone. Steve Giudice, LS, Cole Civil & Survey, explained this parcel is a lot of record also known as Lot 19A and the lot does not have frontage along the street. The new house will have access from Forest Hills Drive. Mr. Giudice explained the topography of the property, the location of the ridgeline and limits of the ridgeline protection area. The single-family house is proposed outside the ridgeline protection area but a pool with pool house and shed are proposed within the ridgeline protection area between the 75 ft and 150 ft ridgeline setback. Mr. Giudice stated the home will be serviced with a private well and public sanitary sewer. Oversized rain gardens were depicted on the plot plan designed to treat storm water runoff. Also included on the plot plan was the proposed sedimentation barrier with details regarding a straw bale barrier and filter fabric. In addition to the special permit for work done with the ridgeline protection area, they are also seeking a special permit regarding the proposed size of home. Mr. Giudice stated they believe the size of the proposed house is consistent with other homes in the neighborhood. Regarding the ridgeline protection area, he provided a profile of the slope, existing trees and the proposed home and explained how they conducted a balloon test for the purposes of the proposed development of the site. Town Planner Rutherford provided additional information about her site visit during the balloon test. Mr. Giudice explained the agreement to plant a mix of evergreen and deciduous trees along the proposed edge of clearing (the 75 ft setback to the ridgeline) for additional screening of the future house. Commissioners asked some clarifying questions about the balloon test. Additionally, Commissioners asked if testing has been done to determine if blasting will be needed. Mr. Giudice responded no, they had not but they understood the requirement to come back to the Commission with a new special permit application for blasting if needed. There was some discussion about the health of existing trees. Mr. Giudice said that although he has not inventoried the trees they appear to generally be in good health. The Commission expressed some concern that too much clearing may take place. Mr. Giudice responded they typically stake out the limit of clearing and meet with staff onsite before clearing takes place. The applicant was asked to confirm if they have received and are confident they can address staff comments. Mr. Giudice responded yes. The Commission asked for clarification on how rain gardens generally work. Mr. Giudice provided a detailed explanation. The Commission asked for more information about the square footage of the proposed house. Jack Kemper, Kemper Associates, responded the finished living area is approximately 4,900 sq. ft. and the garage is approximately 1,500 sq. ft.

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

The public hearing closed at 8:07 p.m.

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

VOTED: To approve the Bradley Finocchio application for special permit to construct new home and pool in ridgeline protection area at 8456 Main Street, R40 zone as presented and on file in the Planning Office, with the condition the applicant continue to work with staff regarding the limit of clearing prior to conducting any tree removal.

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

VOTED: To approve Bradley Finocchio application for special permit to construct new home in excess of 4,000 sq. ft. of living area and 5,000 sq. ft. of total area, not to exceed 7,200 sq. ft. in total at 8456 Main Street, R40 zone as presented and on file in the Planning Office.

EBM-Papst, Inc. – 100 / 110 Hyde Road

Application for special permit and site plan approval for addition to building and related site improvements at 100 / 110 Hyde Road, CR/C1 zone. Tim Griffing, EIT, Loureiro Engineering Associates, presented the existing conditions for orientation to the site. He explained 100 Hyde Road is mainly office space and that 110 Hyde Road is engineering and manufacturing. The site plan showed the location of a proposed approximately 15,000 sq. ft. building addition to the 110 Hyde Road building. The new building area will include three loading bays, one of which will be a drive-through bay for larger vehicles. There is no increase in staff or employees per shift connected with this addition. Mr. Griffing presented details of the grading and drainage plan/stormwater management system to support the improved manufacturing operations on site for material loading/unloading and processing at the facility. Site renovations will require the removal of existing parking areas within an existing parking area. The project is intending to merge both the 100 and 110 Hyde Rd parcels into one complete parcel to eliminate zoning compliance issues. This plan limits disturbance and clearing as much as possible, appropriate erosion control measures are included in the plans presented and the landscaping plan proposes the addition of a mix of deciduous and evergreen trees. Mr. Griffing reviewed the building plans, and proposed parking area photometric and lighting plan. Exterior materials of the new building will match the existing building façade. A portion of the existing building roof, in addition to a portion of the new addition roof area, will continue to drain into the existing 15” HDPE header pipe that has a dedicated outfall north of the project area into the existing wetland area to the north. The remainder of the roof area and a portion of the new driveway and landscape area are proposed to drain to an underground infiltration / detention basin system. Connecticut Water Company submitted a letter dated March 25, 2024 in response to their review of the proposed project as it is located with the FIP Wellfield Aquifer Protection Area. Although they have no significant concerns at this time, they did recommend that the use of pesticides/fertilizers to establish and maintain the landscaped areas be minimized. The Commissioners asked the applicant to confirm they have no issue complying with the recommendation of Connecticut Water. Bill Aston, Jr., EBM Papst, responded they have no issue complying. Commissioners asked about a dumpster for the manufacturing operation. Mr. Griffing responded a dumpster will be located inside for scrap and will be picked up by a roll off

truck that will enter the building and take the dumpster away. The Commission asked if there was an expected increase in traffic associated with this project. Mr. Aston responded they do not expect additional truck traffic. The applicant was asked to confirm that with the changes to the parking area and addition they will remain ADA compliant. Mr. Griffing responded yes and used the site plan to clarify.

Albert Tomasso, 1 Eaton Place, spoke in support of this application.

Town Planner Rutherford provided a summary of the written correspondence receive from Connecticut Water Company dated March 25, 2024 while it was displayed for the record.

The public hearing closed at 8:46 p.m.

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

VOTED: To approve the EBM-Papst, Inc. application for special permit and site plan approval for addition to building and related site improvements at 100 / 110 Hyde Road, CR/C1 zone as presented and on file in the Planning Office with the condition the work with CT DEEP and Connecticut Water Company to the satisfaction of staff.

Farmington Town Plan & Zoning Commission – Text Amendment

Application for amendment to the zoning regulations to comply with PA 23-142 regarding Family and Group Child Care Home and Daycare Center. Garrett Daigle, Assistant Town Planner, provided background regarding PA 23-142 by noting during the 2023 legislative session, the Connecticut General Assembly approved Public Act 23-142 “An Act Concerning Certain Protections for Group and Child CareHomes. This act prohibits Zoning Regulations from treating a family child carehome [≤ 6 Children] and group child carehomes [≤ 12 Children] located in a residence, different than a single or multi-family dwelling. Previously, only Family Child Care Homes of not more than 6 children were considered exempt. The proposed text amendment updates our zoning regulations to align with this Act; amendments are proposed to Article I, Section 9 Definitions and Article II Use Regulations as detailed in the detailed amendment presented and previously provided to the Commission and posted to the website. There were no questions or concerns expressed by the Commission.

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

The public hearing closed at 8:55 p.m.

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

VOTED: To approve Farmington Town Plan & Zoning Commission application for amendment to the zoning regulations to comply with PA 23-142 regarding Family and Group Child Care Home and Daycare Center as presented and on file in the Planning Office.

PLANNER’S REPORT

155 Scott Swamp Road

The owner of the storage facility at 155 Scott Swamp Road would like to install a formal flagpole for the American flag to replace smaller flag poles on the site. The proposed flagpole will be no more than 40 feet tall and they have not decided on the size of the flag. There was discussion about the location and size of the pole and whether there would be conflict with the flag and the building depending on the size of the flag, if it need to be at half mast, etc. The Town Planner will work with the property owner on the final details but the Commission did not have concern with the proposal.

Winchell Smith Dam Removal

The Farmington River Watershed Association is working with CT DEEP Fisheries Division to remove this timber crib dam which is filled with boulders. The dam has deteriorated over time and DEEP is looking to remove it for better fish passage and boating passage. They have met with the Town and Miss Porter's School regarding the project which will be accessed from Town of Farmington property west of the dam where they will setup for the dam removal. The east bank abutment will remain in place as it is an integral part of the Miss Porter's Admin Building. The abutment on the west bank will be removed. Town Planner Rutherford said as more information becomes available, she will update the Commission but that per state statute no local permitting is required.

Raising of Fur Bearing Animals

Town Planner Rutherford asked the Commission if there was interest in considering a text amendment regarding the raising of fur bearing animals for the purpose of selling or adopting. There was some discussion regarding a recent application and the Commissioners were asked to think about it for future discussion. In the meantime, staff will see what neighboring towns are doing on the subject and share that information with the Commission at a later date.

OTHER BUSINESS

CRCOG

Commissioner Bandle provided an update on the recent meeting he and Commission St. Germain attended. The meeting included a presentation on the 2024 Regional Plan of Conservation and Development.

MINUTES

March 11, 2024

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

VOTED: To approve the March 11, 2024 Town Plan & Zoning Commission meeting.

The meeting adjourned at 9:45 p.m.

SJM