

FARMINGTON, CONNECTICUT  
TOWN PLAN AND ZONING COMMISSION

1 Monteith Drive, Farmington, CT 06032-1053

Tel: 860-675-2325

FOR TPZ USE

NUMBER Z- \_\_\_\_\_

Rec. Nbr. \_\_\_\_\_

Rec. Amt. \_\_\_\_\_

TYPE OF APPLICATION

\_\_\_\_\_ Change of Zone

X

\_\_\_\_\_ Amendment to Regulations

\_\_\_\_\_ Special Permit

\_\_\_\_\_ Site Plan Approval

\_\_\_\_\_ Removal or Deposit of Earth Products

\_\_\_\_\_ Waiver

1. Name of Applicant Town of Farmington Town Plan and Zoning Commission Phone: (860) 675-2325

Mailing Address 1 Monteith Drive, Farmington

2. Name of Contact Shannon Rutherford, P.E. Phone: (860) 675-2325

Mailing Address 1 Monteith Drive, Farmington

Email Address rutherford@s@farmington-ct.org

3. Name of Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

4. Property Address \_\_\_\_\_

\_\_\_\_\_ Acreage \_\_\_\_\_

5. Assessor's lot number \_\_\_\_\_ 6. Zone: Present \_\_\_\_\_ Proposed \_\_\_\_\_

7. Is parcel within 500 feet of a municipal boundary? Yes  No

8. Is there a home/building over 75 years of age proposed to be demolished? Yes  No

9. Does the home/building have an historic inventory completed? Yes  No

10. Description of request Revised Article II, Section 11.A.3 BR Zone to allow conversion of vacant nursing/convalescent homes (PA 24-143 Section 3)

11. Please indicate adjoining property owners and location as follows: (Attach separate sheet, if necessary).

Bounded: Northerly by: \_\_\_\_\_

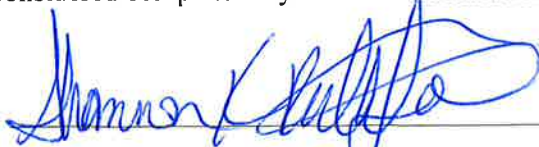
Westerly by: \_\_\_\_\_

Southerly by: \_\_\_\_\_

Easterly by: \_\_\_\_\_

12. All information submitted with this application is true and accurate to the best of my knowledge. The applicant understands that this application is to be considered complete only when all information and documents required by the Commission have been submitted.

Date 11/14/2024



Signature of Applicant

(Must be owner or agent of party with a legal interest in the property)  
*If not owner, provide written consent of owner to sign application*

## **Section 11. BUSINESS RESTRICTED ZONE (BR)**

- A. PERMITTED USES. The following uses requiring only a Zoning Permit as specified in Article V.
1. Signs. Signs shall be permitted as specified in Article IV. Section 7.
  2. Accessory Uses in conjunction with an approved special permitted use in Section B.
  - ~~2.~~ 3. Conversion of an existing Nursing or Convalescent home into multifamily housing, constructed prior to (EFFECTIVE DATE) in accordance with Public Act 24-143, Section 3. Such conversion shall comply with the requirements found within the RDM Zone.
- B. USES ALLOWED ONLY BY SPECIAL PERMIT. In addition to specific requirements listed here, the standards provided in Article IV. Section 12. shall also apply to applications submitted under this section. Article IV. Section 12. shall also apply to application procedures, hearing and notice requirements and site plan information.
1. Church, School, College, Public and Private School.
  2. Public Utility Building and Structure not including service or storage yards.
  3. Radio and Television Studio.
  4. Municipally owned or leased Building and Structure used in connection with the governmental or proprietary functions of the Town of Farmington or any other government.
  5. Community Building for use by residents of the community or neighborhood and maintained and operated for community purposes.
  6. Hospital, Charitable and Philanthropic Institution except correctional institutions.
  7. Convenience Store.
  8. Retail Store and Personal Service Shop.
  9. Fast Food Restaurant, Dairy Bar, Grill, Coffee Shop, except mobile type of eating and drinking place, place offering curb service and drive through windows. Where alcoholic beverages are sold, the limitations of Article IV. Section 5. shall apply.
  10. Restaurant (low turnover). Where alcoholic beverages are sold, the limitations of Article IV. Section 5. shall apply.
  11. Shop for making articles to be sold primarily at retail on the premises, provided that those engaged in making the articles shall not exceed five in number.
  12. Studio and Sample Room.
  13. Hotel, Motel and Inn.
  14. Nursing Home and Convalescent Home.
  15. Theater, except open-air drive-in theater.
  16. Newspaper and Job Printing.
  17. Funeral Home.
  18. Business Offices, Research and Development.
  19. Bank.
  20. Medical Offices.
  21. Animal Hospital provided the following conditions can be met:
    - a. No animal hospital may be open for business, except in the event of any emergency, prior to 8:00 A.M. or after 8:00 P.M.;
    - b. No outside kennels or runs for animals shall be allowed;
    - c. Overnight boarding shall be allowed only in enclosed buildings. No animal hospital

- shall board more than 100 animals;
- d. Animal hospital structures shall be located not closer than 250 feet to any existing residential structures not used for commercial purposes, and shall be designed as to keep noises from emanating from the buildings, except that in times of emergency, such as electrical failure, natural ventilation may be used; and
  - e. Any animal hospital located within a Flood Perimeter Overlay Zone shall file with the Police Department, subject to its approval, an emergency evacuation plan for evacuation of all animals in the event of flood warnings issued by the National Weather Service or other appropriate authority.

## 22. Laboratory for Medical Research

This may include a compounding facility for the mixing and packaging of pharmaceutical product, with or without warehousing, provided the following conditions are met:

- a. No chemical reactions will take place in conjunction with any compounding activity which will result in the synthesis of a new product.
- b. There shall be no outside storage.
- c. The facility shall not produce chemicals or biological materials for sale except as otherwise approved by the Commission.
- d. The identity and estimated quantity of hazardous materials and waste used or produced, as defined by State or Federal law, shall be presented to the Commission for approval.
- e. No process shall be undertaken which will result in the emission of materials to air, subsurface or surface waters.

23. Health Club and Sports Facility.

24. Club and Fraternal Organization.

25. Garden Supply Center.

26. Banquet Hall or Catering Facility.

27. Day Care Center.

28. Private or Public Parking Facility.

29. Billiard Parlor provided the following conditions are met:

- a. No alcoholic beverages shall be sold or consumed within the establishment;
- b. Notwithstanding Paragraph A. Subparagraph 2. above, any accessory use for a billiard parlor must be approved by the Commission as part of the special permit.

30. Rehabilitation Center.

31. Auction House.

32. Animal Day Care Center.

The boarding of animals in conjunction with such animal day care use shall only be permitted by special permit, shall be ancillary to the animal day care use and shall conform to the following standards:

- a. The maximum number of animals boarded on the premises shall not exceed 50
- b. All animals must be boarded within an enclosed building
- c. Such building shall be noise proofed
- d. No animal day care center which contains the boarding of animals shall be located within a 400-foot radius of any residential zoning boundary as measured from the

- property line of the animal day care center
- e. The hours of operation for the pickup and drop off of animals boarded shall be limited to between 6 a.m. and 10 p.m.

As a condition of the special permit the Commission may further limit the number of animals boarded and the hours of operation.

C. GENERAL REQUIREMENTS FOR ALL DEVELOPMENT WITHIN A BR ZONE.

1. A tract of land within the BR Zone may be developed in stages. However, The Commission may require that certain data be submitted for the entire tract. This may include site topography, natural resources data, traffic, parking and circulation, grading, erosion and sedimentation control and storm drainage.
2. Height and Area Requirements.
  - a. Maximum height of buildings: 36 feet
  - b. Yards:
    - Front yard: 65 feet
    - Rear yard: 50 feet (when abutting residential zone)  
30 feet (in all other cases)
    - Side yards: 50 feet each
  - c. Where any Business Restricted Zone adjoins Interstate Highway 84 the side or rear yard setback from the highway line shall be 150 feet. All development including buildings, structures, driveways and parking areas is prohibited within this yard area with the exception of signs, utility lines or utility structures.
    - Minimum lot size - 80,000 square feet \*
    - Minimum frontage - 200 feet \*
3. Off Street Parking. Off street parking shall be provided in conformance with Article IV. Section 8.

\* Nothing herein shall prevent the construction, alteration or use of a building or premises upon a legally established lot shown on a map or described in any instrument of conveyance filed in the office of the Town Clerk and located in a BR Zone prior to December 23, 1988 which does not conform to the minimum lot size or minimum frontage requirements listed above.

- D. LIGHTING. Exterior lighting shall be of such intensity, or located or directed in such a way, so as not to produce glare on public streets or neighboring property. The Commission may require a reduction in lighting after 10:00 P.M. or when otherwise found to be warranted in order to protect nearby residential properties.

- E. HOURS OF OPERATION FOR SPECIAL PERMIT USES. At the time of the public hearing the Commission may require the submission of projected hours of operation. The Commission shall review the impact of such schedule of hours on the immediate neighborhood as well as current and projected traffic circulation patterns. As part of the special permit, reasonable limitations on hours of operation may be imposed.

- F. LOT COVERAGE. No more than 40 percent of the lot may be covered with impervious surfaces. However, the Commission may by a five-sixths vote permit up to 50 percent lot

coverage. In making such a decision, the Commission shall be guided by Article IV, Section 12.

- G. EXPIRATION OF PERMIT. The approval of an application for special permit shall be void and of no effect unless construction of the project commences within one year from the date the approval is granted by the Commission. For purposes of this regulation the term construction shall be defined as the installation of a permanent building foundation. The Commission may grant up to two six-month extensions of this period upon written request by the applicant. The Commission shall withhold approval of any or all extensions unless the development plan is brought into conformance with any relevant zoning regulations which have been amended subsequent to the original approval and if the applicant fails to provide adequate evidence that construction is able to begin within the extended time period sought. This evidence shall include, but not be limited to, the acquisition of any or all required government approvals and project financing. Any appeals of such special permit, site plan, inland wetlands or subdivision approval shall extend the aforementioned one-year period the length of such appeal.

**House Bill No. 5474**

Sec. 3. (NEW) (*Effective October 1, 2024*) (a) For the purposes of this section, (1) "summary review" means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations and that public health and safety will not be substantially impacted, (2) "dwelling unit" has the same meaning as provided in section 47a-1 of the general statutes, as amended by this act, (3) "multifamily housing" has the same meaning as provided in section 8-13m of the general statutes, and (4) "nursing home" has the same meaning as provided in section 19a-490 of the general statutes.

(b) Any zoning regulations adopted by a municipality pursuant to section 8-2 of the general statutes shall allow for the conversion of any nursing home into multifamily housing subject only to summary review, provided (1) such nursing home is a freestanding structure, (2) such nursing home is not a nonconforming use, (3) such conversion does not result in the substantial alteration of the footprint of such structure, (4) such conversion does not result in the total demolition of such structure, and (5) the owner of such nursing home has declared, in writing to the municipality, that such nursing home has been vacant for a period of not less than ninety days immediately preceding the submission of the summary review application to the planning commission, zoning commission or combined planning and zoning commission of the municipality.

(c) Notwithstanding the provisions of subdivisions (3) and (4) of subsection (b) of this section, a municipality may require that a public hearing be held, a variance, special permit or special exemption be granted or some other discretionary zoning action be taken if the conversion of the nursing home structure into multifamily housing will result in the substantial alteration of the footprint of such structure or

**House Bill No. 5474**

the total demolition of such structure.

(d) The summary review process for the approval of the conversion of a nursing home into multifamily housing shall require that a decision on any such application be rendered not later than sixty-five days after receipt of such application by the planning commission, zoning commission or combined planning and zoning commission, except an applicant may consent to one or more extensions of not more than an additional sixty-five days or may withdraw such application.

Sec. 4. Subsection (c) of section 4b-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(c) (1) Not later than thirty days after receipt of such notification from the secretary, the following agencies shall determine and notify the secretary in writing if the land, improvement or interest serves the following needs: [(1)] (A) The Commissioner of Economic and Community Development, whether it can be used or adapted for economic development or exchanged for property that can be used for economic development; [(2)] (B) the Commissioner of Transportation, whether it can be used for transportation purposes; [(3)] (C) the Commissioner of Energy and Environmental Protection, whether it can be used for open space purposes or to otherwise support the department's mission; [(4)] (D) the Commissioner of Agriculture, whether it can be used for farming or agricultural purposes; [(5)] (E) the Commissioner of Veterans Affairs, whether it can be used for veterans' housing; [(6)] (F) the Commissioner of Children and Families, whether it can be used to support the department's mission; [(7)] (G) the Commissioner of Developmental Services, whether it can be used to support the department's mission; [(8)] (H) the Commissioner of Administrative Services, whether it can be used to house state agencies or can be leased; and [(9)] (I) the Commissioner of Housing, whether it can be used as an emergency shelter or transitional living facility for