

TOWN PLAN AND ZONING COMMISSION  
PUBLIC HEARING AND REGULAR MINUTES

July 25, 2016

Present were Chairman Dunn, Commissioners Doeg and Jarvis and Alternate Commissioners Charette and Donald and the Town Planner and Clerk. Secretary Doeg opened the meeting at 7:00 p.m.

Secretary Doeg read the legal notice into the record.

Chairman Dunn explained the process of the meeting to the public.

Alternate Commissioner Donald was appointed to vote on behalf of Commissioner Fraprie. Alternate Commissioner Charette was appointed to vote on behalf of Commissioner Brenneman.

**PUBLIC HEARINGS**

**Bristol Farms LLC – 398 and Lot 8787 Scott Swamp Road**

Special permit and site plan approval to expand off-site parking lot located at 398 and Lot 8787 Scott Swamp Road, R12 zone. Attorney Timothy Furey, Furey Donovan, Tracy & Daly, P.C., commented revised plans were submitted to staff last week. The plans were amended to reduce the site coverage to 39.8% and to replace White Pine trees with Green Spruce. They need to update this change on other areas of the plan. Attorney Furey commented on a letter dated July 20, 2016 from Eric Pizzoferrato, 15 Harold Road. Regarding Mr. Pizzoferrato's comments on grading and drainage, Attorney Furey said he would leave the review and comments to Town staff. Regarding adding a fence along the northerly property line, this is along the condo association's property and through prior discussions there has been no request to install a fence. They do not object to installing a fence along the easterly property line as requested. Lighting has been updated to change pole lighting to bollard lighting along the eastern property line. Attorney Furey would like feedback from the Commission regarding sidewalks. The State will not allow them to install a sidewalk in the right-of-way and the property line is 60 to 80 feet from the edge of the roadway. There was some discussion regarding the sidewalk distance from the roadway and whether or not it connects to existing adjacent sidewalks. The Commissioners indicated sidewalks are not necessary in this area. Commissioners asked about lighting hours, how the parking lot is monitored to ensure no one parks on the landscape areas and about snow storage. Attorney Furey responded they would like to keep the lights on until 10p.m. but could accept 9:30p.m. The parking lot has signs that state parking is for employees only and the vendor they had an issue with has been talked to about parking. Mr. Crowley stated during the winter months they lose some parking spaces. In the event of a major snow event the snow will be trucked off site.

Attorney Furey asked that this hearing be continued to the September 12, 2016 meeting so that they could address staff comments.

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

The Commission stopped taking testimony at 7:29 p.m.

Upon a motion made and seconded (Jarvis/Doeg) it was unanimously

VOTED: To continue this hearing to the September 12, 2016 meeting.

Grace Congregational Church – 110 South Road

Special permit application to locate donation bin on property at 110 South Road, R40 zone. Dennis Gobar, 11 Munson Road, stated they would like to place a Charities of Hope donation bin on their site. He then provided information showing the Charities of Hope organization has 140 bins across the State of Connecticut. The Commissioners asked for clarification on how the bin will be monitored and emptied. Mr. Gobar responded the bin is electronically monitored at the office of Charities of Hope and when it is detected to be half full a pick up is scheduled to empty the bin. The Commission asked if the bin will be emptied during normal business hours. Mr. Gobar was not certain but said he could talk to them about it. The donation bin is for clothing and shoes only. When asked if there has been any feedback from the neighbors Mr. Gobar responded no.

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

The public hearing closed at 7:33 p.m.

Commissioner Doeg moves and Commissioner Jarvis seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for 110 South Road to place a clothing donation bin as displayed on the plans in the Zoning Office; and

**Whereas** the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS Section 8-3(c) ; and

**Whereas** the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

**Now therefore be it resolved that the Commission** approves the special permit request with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations and representations made by the applicant;
- The hours the bin is permitted to be picked-up/emptied is between 8 a.m. and 5 p.m. weekdays; and
- The bin shall be for clothing and footwear only.

The motion passed unanimously.

Jack Kemper – 4 Maiden Lane

Special permit application to construct addition to house in excess of thirty percent of existing house at 4 Maiden Lane, R20 zone. The applicant has requested this application be continued to September 12, 2016.

Recko Farm LLC – Lot 22-1 Perry Street (132 Perry Street)

Special permit application to construct new house in excess of 1,600 sq. ft. at Lot 22-1 Perry Street (132 Perry Street), R9 zone. The applicant did not meet the notice requirements as required by Article IV., Section 12.C.2. of the Farmington Zoning Regulations. The applicant has requested this application be continued to September 12, 2016.

Atlantic National LLC – 855 Farmington Avenue

Application for special permit and site plan approval for retail use at 855 Farmington Avenue, B1 zone. Attorney Christian Hoheb represented the applicant. They have worked with Town Staff and the Architectural Design Review Committee on the façade of the existing building. He then handed out a letter from Sammy Fathalla regarding traffic at this site. Mr. Fathalla's letter stated his has experience operating Verizon wireless retail stores for the past seven years, and weekends hours from 11 a.m. to 2 p.m. will be the most active times. The store will operate with a total of 3 to 4 employees and they expect 5 to 7 customers per day. Jack Kemper, Kemper Associates, reviewed a rendering of the building showing the removal of the existing cupola, installation of awnings on the gable ends, new windows and door, PVC trim and panels, goose neck lighting and a sign. Attorney Hoheb discussed the location of the State right-of-way and that preliminary discussions with them seem to indicate that no encroachment permit will be necessary. Town Planner Warner stated the site has been in its current configuration since the late 50's. Commissioners asked for the hours of operation. Ben Keller responded the store hours will be 10 a.m. to 8 p.m. Monday through Saturday and 11 a.m. to 6 p.m. on Sunday. There was a brief discussion regarding snow removal.

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

The public hearing closed at 7:49 p.m.

Commissioner Doeg moves and Commissioner Jarvis seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for 855 Farmington Ave. to allow a change of use from dry cleaning establishment to Verizon Wireless Retail on the plans in the Zoning Office; and

**Whereas** the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS Section 8-3(c) ; and 6

**Whereas** the Commission evaluated the proposal in accordance with Article IV Section 12 of the regulations, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

**Now therefore be it resolved that the Commission** approves the special permit request with the following conditions:

- The proposal shall adhere to all relevant sections of the regulations and representations made by the applicant;
- Submit landscape plan for subject property and planted island on State of CT property; and
- Hours of operation are limited to 10 a.m. to 8 p.m. Monday through Saturday and 11 a.m. to 6 p.m. Sunday.

The motion passed unanimously.

Farmington West Estates – Windswept Lane

Application for Phase III nine-lot subdivision on Windswept Lane in Snowberry Cobble, AH zone. Kenneth Hrica, P.E., Hrica Associates LLC, represented the applicant. Phase III is the nine-lot subdivision on 1.3 acrea. Each parcel is approximately 1/8 of an acre and each house will be between 2,000 and 2,400 sq. ft. Windswept Lane will be a private road and will be maintained by the Homeowner’s Association. The Inland Wetlands Commission reviewed and approved this application May 18, 2016. Mr. Hrica stated they have no issue addressing engineering comments. There was a brief discussion regarding clarification of the court decision of this development. Commissioners asked if on street parking is prohibited. Mr. Hrica responded no. It was suggested on street parking be restricted or prohibited. The Commission asked about unapproved signs at the entrance to the development adding they need to be removed. Mr. Hrica said he would speak to the owners.

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

The public hearing closed at 7:58 p.m.

Commissioner Doeg moves and Commissioner Jarvis seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a re-subdivision for Phase III subdivision on Windswept Lane in Snowberry Cobble, AH zone to create nine building lots in accordance with the Court approved Snowberry Cobble concept plan; and

**Whereas** the Commission found the application to be complete and conducted a properly noticed public hearing on the request in accordance with CGS Section 8-23 and Section 2.02 of the Farmington Regulations for Subdivision; and

**Whereas** the Commission evaluated the proposal in accordance with Section 2.05 of the regulations, reviewed all departmental comments, considered the public testimony and gave due consideration to the Farmington Plan of Conservation and Development.

**Now therefore be it resolved that the Commission** grants conditional subdivision / re-subdivision approval with the following conditions:

- The proposal shall adhere and conform to all relevant sections of the regulations and representations made by the applicant including, but not limited, to bonding, open space, sidewalks, lighting, erosion & sediment control, landscape and screening etc.;
- This motion is conditioned on compliance with the most recent memorandum from the engineering division;
- Prior to the start of any work bonding shall be in place and the plans shall be amended to adhere to any and all departmental comments, including but not limited to the Town Planner and Engineering and any conditions of approval;
- The applicant shall remove all non-conforming real estate signs; and
- Per the Town of Farmington Sign Regulations all signs shall be submitted to the Commission for approval prior to installation.

The motion passed unanimously.

### **NEW BUSINESS**

#### **ebm-papst Inc. – 110 Hyde Road**

William Aston, Jr., ebm-papst Inc., was present with the Director of Manufacturing. Mr. Aston stated the business is growing and they would like to replace the existing small nitrogen supply tank with a larger tank. The larger tank will be located in the same location as the existing tank. However, a concrete pad will have to be installed for the new tank due to its size/weight. Fewer deliveries will be needed for the larger tank. Mr. Aston reviewed the footprint and screening. The new tank will required twice the footprint as the existing tank. The existing fence is ten feet tall but the new fence is proposed to be six feet tall. This is tall enough to restrict access to the tank.

Upon a motion made and seconded (Doeg/Charette) it was unanimously

VOTED: To approve the request for site plan modification to install larger Nitrogen tank as presented and on file in the Planning Office at 110 Hyde Road.

#### **Spirit Halloween – 1600 Southeast Road**

Tim Moran, Spirit Halloween, stated they would like to install a temporary sign at the former Sport Authority space for a temporary Halloween store. The sign would be up approximately ninety days or August 15<sup>th</sup> through November 15<sup>th</sup>. The landlord has approved the temporary sign. The 6' x 20' temporary sign will not be lit and meets the size criteria of the zoning regulations.

Upon a motion made and seconded (Doeg/Jarvis) it was unanimously

VOTED: To approve the sign application for Spirit Halloween as presented and in file in the Planning Office at 1600 Southeast Road.

Carrier Learning Center – 740 Plainville Avenue

Bryan Panico, Harry E. Cole & Son, reviewed the proposed regrading plan. Mr. Panico stated a field adjustment was made to raise the building elevation three to four feet when water table issues were encountered. They are working with staff regarding outstanding engineering issues and have made drainage improvements as requested. When asked if the abutting properties will be impacted by storm water drainage Mr. Panico responded no. He explained that with the drainage improvements made there is a slight reduction in off-site drainage. John Carrier, JFC Endeavors, added there is a neighbor to the north but the finished floor elevation will remain lower than the previous home. The engineering staff has reviewed the site plan and has no concerns.

Upon a motion made and seconded (Jarvis/Charette) it was unanimously

VOTED: To approve the request for site plan modification as presented for property located at 740 Plainville Avenue.

Informal Discussion – 80 Mountain Spring Road

No one was present for this matter.

Informal Discussion – 1 Canal Path, 820 Farmington Avenue, 3 Waterville Road

Attorney Christian Hoheb explained his client has had and will continue to have meetings with neighbors and committees regarding this potential future project. Mark Marzi, Don Hammerberg Associates, presented elevations of the preliminary development of the site. To the rear of the site is the location of a 20 unit apartment building consisting of one-bedroom units and underground parking. Also shown was a small multi-use retail/office use building and a larger multi-use restaurant/retail/office use building. A future application would require a zone change and he noted they are trying to maintain the village character and create a walkable environment. Attorney Hoheb was seeking feedback from the Commission. Parking and traffic were main concerns expressed by the Commissioners.

Municipal Lighting Project

Town Planner Warner talked about the conversion of all lights at the schools to LED. This has been discussed at the historic district commission meetings and the Architectural Design Review Committees. Loureiro Engineering will be invited to come before the Commission in September to go over the plan for each school.

**PLANNER'S REPORT**

2018 Plan of Conservation and Development

Town Planner Warner explained the requirement to update the Town's Plan of Conservation and Development per State Statute. Failure to update the Plan as required every ten years may affect the Town's ability to obtain grants from the State.

**MINUTES**

Upon a motion made and seconded (Doeg/Jarvis) it was unanimously

VOTED: To approve the minutes of the July 11, 2016 meeting.

The meeting adjourned at 9:03 p.m.

*SJM*