

TOWN PLAN AND ZONING COMMISSION  
PUBLIC HEARING AND REGULAR MINUTES

September 26, 2016

Present were Chairman Dunn, Commissioners Brenneman, Doeg, Fraprie, Jarvis and Tucker and Alternate Commissioners Charette and Donald and the Town Planner and Clerk. Secretary Doeg opened the meeting at 7:02 p.m.

Secretary Doeg read the legal notice into the record.

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

**EXECUTIVE SESSION– Pending litigation Calco Construction and Development Co. v. Plan and Zoning Commission Town of Farmington**

The Commission did not go into Executive Session because the Town Attorney was unable to attend this meeting.

**PUBLIC HEARINGS**

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

Alternate Commissioner Charette was appointed to vote on behalf of Commissioner Tucker for this matter.

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. Continued from September 12, 2016. Mark Lovely, Lovely Development, provided an update to questions the neighbor at 144 Perry Street had regarding the location of the property line. They met at the site and reviewed the location of the property pins as located by a surveyor. The Incremona's no longer dispute the location of the shared side yard lot line and were not present at the meeting.

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

The public hearing closed at 7:08 p.m.

Commissioner Fraprie moves and Commissioner Brenneman seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for Lot 22-1 Perry Street (132 Perry Street) to construct a new home in the R9 zone in excess of 1,600 sq. ft. 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 motion passed unanimously.

Betty & Victor DaCruz – 9 Serra Drive

Application for special permit to raise poultry (up to six hens) at 9 Serra Drive, R40C zone. Continued to September 26, 2016. Mr. DaCruz stated they would like to have up to six chickens at 9 Serra Drive. The back yard area where the coop will be located is secluded and they are surrounded by open space. Waste will be composted for use in their gardens.

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

The public hearing was closed at 7:10 p.m.

Commissioner Jarvis moves and Commissioner Fraprie seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit as required pursuant to Article 1 Section B. #16 of the Farmington Zoning Regulations (regulations) for Poultry raising at 9 Serra Drive; 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:

1. There shall be no rooster;
2. There shall be no more than 6 (six) chickens at any one time;
3. There shall be no exterior lighting on the coop; and
4. The special permit shall be reviewed in one year and at that time the Commission will review any complaints concerning this use and can choose to revoke the special permit or make it permanent.

The motion passed unanimously.

GG Mart – Valero Gas – 1387 Farmington Avenue

Application for special permit to install propane exchange cage at 1387 Farmington Avenue, B1 zone. Stephen Taylor, Paraco Gas, presented the request to install the propane exchange cage at the Valero Gas station. The cage is proposed to be located on the left side of the building (facing Farmington Avenue) and will be protected with two concrete crash barriers. No screening was

proposed. The Commission reviewed photos of the proposed steel cage and concrete barriers. There was some discussion regarding the size of signage on the cage. It was recommended Town Staff review and approve proposed signage on the cage.

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

The public hearing was closed at 7:14 p.m.

Commissioner Fraprie moves and Commissioner Doeg seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for the outdoor storage and retail sale of propane at 1387 Farmington Avenue; 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; and
- Signage on the propane containers shall be reviewed and approved by Town Staff.

The motion passed unanimously.

#### Blue Rhino of New England – 145 Brickyard Road

Application for special permit to install propane exchange cage at 145 Brickyard Road, CR zone. Wayne LaFleche, Blue Rhino, presented the request to install a propane exchange cage on the pavement of the parking lot. The cage will be protected with two concrete crash barriers. The cage will hold twenty-one twenty pound propane tanks. The Commission reviewed photos of the proposed steel cage and concrete barriers. The Commission also asked for clarification on the signs on the cage. Mr. LaFleche explained the only signs on the cage are mandatory identifying and emergence contact information.

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

The public hearing was closed at 7:19 p.m.

Commissioner Jarvis moves and Commissioner Tucker seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for the outdoor storage and retail sale of propane at 145 Brickyard Road; 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; and
- Signs proposed on the propane cage shall be reviewed and approved by Town Staff.

The motion passed unanimously.

Blue Rhino of New England – 352 Scott Swamp Road

Application for special permit to install propane exchange cage at 352 Scott Swamp Road, B1 zone. Wayne LaFleche, Blue Rhino, presented the request to install a propane exchange cage at Cumberland Farms. The cage is proposed to be located at the front right corner of the building with two concrete crash barriers installed in front of it. The Commission reviewed photos of the proposed steel cage and concrete barriers. Also in the same area is an ice machine and air pump. Mr. LaFleche stated there is also room for the cage in this location.

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

The public hearing closed at 7:22 p.m.

Commissioner Jarvis moves and Commissioner Tucker seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for the outdoor storage and retail sale of propane at 352 Scott Swamp Road; 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; and
- Signs proposed on the propane cage shall be reviewed and approved by Town Staff.

The motion passed unanimously.

5-Corners Farmington Associates, LLC

Petition to amend the Plan of Conservation & Development regarding Lot 8031 Birdseye Road, Lot 8037 Birdseye Road, Lot 8021 Colt Highway and Lot 8129 Colt Highway located at the corner of Colt Highway and Birdseye Road. The applicant requested this hearing be opened and immediately continued to October 12, 2016.

Upon a motion made and seconded (Brenneman/Fraprie) it was unanimously

VOTED: To continue 5-Corners Farmington Associates, LLC to the October 12, 2016 meeting.

Limitless PROformance – 504 Main Street

Application for special permit for gym use at 504 Main Street, C1 zone. The applicant did not post the zoning sign noticing the public hearing so this matter was tabled.

R & R Realty Investors LLC – 30 Mill Street, Unionville

Application for special permit and site plan approval for medical office use located at 30 Mill Street, UC zone. Stephen Repka provided a handout regarding available parking for the existing site. In addition he provided a breakdown of parking needed based on the building square footage. ProHealth and Advanced Benefit Strategies will occupy space on the first floor and EBenefits Group and Crisis Pregnancy Center will occupy space on the second floor. There was some discussion regarding parking requirements in the Unionville Center zone.

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

The public hearing closed at 7:31 p.m.

Commissioner Jarvis moves and Commissioner Brenneman seconds the following resolution:

**Whereas** the Farmington Town Plan and Zoning Commission (Commission) received an application for a special permit for medical office use at 30 Mill Street, Unionville; 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 motion passed unanimously.

## NEW BUSINESS

### Sign Pro Inc. – 62 Spring Lane

The sign application was tabled to the next meeting so the applicant can consider alternate locations outside the right-of-way and sewer easement areas.

### Robert Schechinger – 75 Main Street

Town Planner Warner reviewed the proposed replacement sign with the Commission. The proposed sign has been approved by the Farmington Historic District Commission. The proposed sign is a replacement for an existing sign and will be placed in the same location. No change to lighting for the sign is proposed.

Upon a motion made and seconded (Tucker/Fraprie) it was unanimously

VOTED: To approve the sign application for 75 Main Street as per plan submitted and on file with the Planning Office.

### Don Hammerberg Associates – 525 New Britain Avenue

Alternate Commissioner Donald recused herself from this matter.

Hans Winkel, Don Hammerberg Associates, represented the owner of ServPro. The site plan modification proposes to make alterations to the parking area to accommodate a vehicle ramp, relocate a handicap ramp, new dumpster pad and installation of outside oil/water separator. The vehicle ramp will be used for the five service vans that will be parked inside the building. Relocation of the handicap ramp will provide access to the office area. Mr. Winkel said the dumpster pad will be screened with a slatted chain link fence. No changes to lighting are proposed.

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

VOTED: To approve the application for site improvements for property located at 525 New Britain Avenue with the following conditions:

1. The applicant shall submit a landscape plan for the front island when the application for building permit is submitted. The free standing sign shall be incorporated into the landscape plan; and
2. The applicant shall address to the satisfaction of the Chief of Engineering Services comments dated September 15, 2016.

### Sushila Lamsal – 17D Depot Place

Town Planner Warner reviewed the proposed four square foot building sign with the Commission. The detached sign proposed to be located on a separate parcel also requested cannot be considered and has been discussed with the applicant. No lighting is proposed for the building sign and the size complies with the requirements of the zoning regulations.

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

VOTED: To approve the application for building sign at 17D Depot Place as submitted and on file in the Planning Office.

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

VOTED: 1 in favor (Tucker) to 5 opposed to approve the application for detached sign at Lot 8659 Plainville Avenue.

### 222 Talcott Notch Road

Waiver of the 150' separation requirement of Section 4.08.01 of the Subdivision Regulations. Severino Bovino, Kratzert, Jones & Associates, Inc., reviewed the preliminary layout regarding the future subdivision of 222 Talcott Notch Road. Before design layout for a proposed subdivision is finalized, he is asking for a waiver. The waiver is requested because the future private road will be located approximately 90 feet from Northington Way, which is less than the required 150 foot separation required in the Subdivision Regulations. If the waiver is granted a formal subdivision application will be submitted in the future.

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

VOTED: To grant the request for waiver of the 150' separation requirement of Section 4.08.01 of the Subdivision Regulations for property located at 222 Talcott Notch Road as submitted and on file with the Planning Office.

### **PLANNER'S REPORT**

Town Planner Warner provided an update to the Commission regarding a complaint received regarding the keeping of homing pigeons. The Zoning Regulations do not specifically list them as a permitted use and a Cease & Desist Order was issued. The property owner filed an appeal with the Zoning Board of Appeals. The Board upheld the Order at their September 19, 2016 meeting.

### **MINUTES**

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

VOTED: To approve the minutes of the September 12, 2016 meeting.

The meeting adjourned at 8:03 p.m.

*SJM*