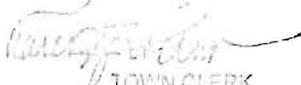


Town of Stafford
Planning & Zoning Commission
Regular Meeting
February 28, 2017
7:00 p.m. – Veterans' Room
Warren Memorial Town Hall

RECEIVED
STAFFORD, CT

2017 MAR -1 P 3: 35


TOWN CLERK

Members Present: Nancy Ravetto, Chair
Kathy Bachiochi
Gene Julian
Roger Pelizari
Leonard Clark, Alternate

Also Present: Attorney Mark Branse
Tom Gormley, Interim ZEO
Doug Fassett, Alternate
Public

PUBLIC HEARING

Application of Town of Stafford Planning and Zoning Commission. Proposed amendments to regulations pertaining to Farms and Agriculture, sections 1.20, 3.03, 3.07d, 3.10e, 3.27, 3.35, 4.21, 4.22, 5.02, 5.6, and creation of section 5.6.1 and section 5.6.2.

Nancy Ravetto, Chair, opened the public hearing at 7:00 p.m. in the Veteran's Meeting Room at Warren Memorial Town Hall. Due to a large public turnout, the meeting was immediately recessed to reconvene at the Senior Center at 3 Buckley Highway.

The meeting reconvened at the Senior Center at 7:17 p.m. Nancy Ravetto established a quorum with Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, Roger Pelizari, and she seated Alternate member Leonard Clark for Ron Houle. Kathy Bachiochi read the legal notice for the public hearing.

Attorney Mark Branse explained that the town's regulations have not kept up with changes in farming. As an example, he noted that the current regulations do not allow farm stands or agritainment type activities. He summarized the uniform set of definitions and provisions in the proposed regulations.

The public hearing was opened to public comment.

Denise Schlechtweg of 2 Deepwood Drive asked how the donkey adoption events would fit into these proposed regulations, and who would enforce compliance. Attorney Branse said he felt they would fall under agritainment, and require a Special Use Permit. Enforcement would fall under the purview of the Zoning Enforcement Officer.

Karl Milikowski of 21 Stafford Street expressed his appreciation for the hard work of the Commission in putting the proposed regulations together. He noted that he and his wife are the people that do the donkey adoption program. He said his goal is to grow seasonal plants on his farm and sell them in May and June, and September and October. He may possibly want to do "Pick Your Own" types of sales and also someday do sales of Christmas wreaths, poinsettia sales, and cemetery boxes. For this reason

he would prefer not to have a set season established but to require property owners to have a set number of consecutive weeks in which they do not sell. His main concern is the allowable area for sales. He envisioned selling out of a portion of the existing barn on his property and having a display area, and felt 500 square feet would be too restrictive.

Mike O'Donnell of 148 Orcuttville Road said he was opposed to removing the keeping of swine and fur-bearing animals in the proposed regulations. He noted there are people who raise swine in town and he would like to see swine and fur-bearing animals kept in the regulations for both commercial and non-commercial areas.

Kim Grant-Dodge, said she is from Enfield, but is buying land in Stafford, where she plans to do farming. She asked if the Commission had contacted the Connecticut Farm Bureau when crafting the regulations. Attorney Branse said he has worked with them in the past. She noted that in Massachusetts, state law overrules local jurisdictions. She asked if that is the same in Connecticut. Attorney Branse said it is not. Kim Grant-Dodge recommended the town form an Agriculture Committee and asked if the Planning & Zoning Commission would do this. Nancy Ravetto encouraged her to speak to the Board of Selectmen as this would fall under their purview.

Michael Milikowski of 28 Dunay Road said he read that farm stands are not allowed, but noted that many people have been running farm stands in town for years. He said he did not understand how this could be. Attorney Branse explained that zoning regulations list what is permitted, and so if it is not permitted, then it is prohibited. He noted farmers can sell at farmers markets.

Joan Nichols of the Connecticut Farm Bureau located in Wethersfield read from written comments, which she said she will submit for the record. She suggested the Commission not adopt the proposed regulations as written. She said they are well-intentioned but will hinder growth and discourage new farms. Nancy Ravetto noted that she did review information from the Farm Bureau provided by the Milikowskis when drafting their regulations. Joan Nichols recommended deleting the four definitions under "Agriculture" and instead adopt state definitions so that Stafford and the State of Connecticut would be in alignment. She also said she felt there was no need to omit swine from the regulations, noting that they are regulated by the health code. She said she felt some of the terms were ambiguous—such as wholesale vs. retail. She suggested adopting language that requires temporary farm stands to close six weeks during the calendar year, allowing each farm to individually decide which six weeks they would be closed. She said she felt the 500 square foot cap for farm stands was too restrictive. She also noted that greenhouses can extend the season for growing plants. Lastly, she recommended the town form an Agriculture Commission recommending they utilize the CT Farm Bureau and/or the American Farmland Trust for help with crafting regulations.

Laura Fonicello of 4 Handel Road said she and her husband Mark bought the old Hanson Farm where they raise hay and beef cows. She and her husband both said they find the amendments are too restrictive and not farm-friendly. They do not want their ability to diversify to be restricted.

Miranda West of 7 County Road asked if the Commission had reached out to the Connecticut Farm Bureau. Attorney Branse said the process began when Karl and Kim Milikowski reached out to them providing a draft regulation. Miranda West said the Commission should keep in mind that they represent the town.

Gloria Coles of 66 Handel Road reminded the Commission the last time she had been before them, when she discussed issues regarding the Redding Rock Riding Club on Handel Road. She said she was

unhappy with the final decision that came out of that Public Hearing and asked the Commission to be careful with what they might do in their decision on these regulations.

Samantha of Webber Road asked that the Commission keep rabbits in the regulations.

Chris Joseph of Collette Road spoke in favor of forming an Agriculture Commission. He said he felt the requirement that 70 percent of product sold be grown or produced on the property does not consider if the farmer has a crop failure. Stacy Joseph said the time restriction for sales hampers farmers from earning money in the off-season. She also said the proposed regulations do not consider community farm stands where multiple neighbors sell through one stand. She said farmers need to collaborate with others in order to sell more. She asked the Commission to consider allowing product to come from off-site to protect against farmer burnout.

Lisa Houlihan of West Stafford said the time restriction does not take into consideration those who raise turkeys and pigs, who would typically sell in November and December. She also said she felt the \$250 fee for a Special Use Permit for agritainment type activities was not feasible if one had to take one out each time they had an event. Attorney Branse explained that Special Use Permits (SUPs) for a use are generally perpetual, so if applicants outline their plans in the permit, including the types of events, how often they would occur, and other details, the SUP would apply to all of the events. He also noted that the SUP goes with the land, so if the property is sold, the new owner could continue to hold the same types of events there. He also noted that all SUPs require a public hearing.

Paul Maslik of Stafford asked that the Commission consider the recommendations provided by Joan Nichols of the Farm Bureau. He said swine should not be excluded. Dawn Maslik said the proposed regulations limit self-sufficiency and quality of life.

Chris Noone of Stafford said he felt the proposed regulations are too restrictive and will take a toll on farmers.

Walter Smith of 58 Prospect Street thanked the Commissioners for their volunteerism to the town. He said they need to consider what they want Stafford to be. He recalled several years earlier when a Walmart proposal was rejected, because the desire was to keep Stafford rural. He said the town does need more revenue and the proposed regulations will restrict tax revenue from farming operations.

Deb from Stafford said she has a small farm and sells out of the Ellington Farmers Market. She said she felt the SUP fee is exorbitant, and the Commission might want to scale the price. Attorney Branse said the SUP fee does not apply to farm stands. It is for agritainment types of activities.

Danielle Works of Hamden Road said she was opposed to the \$250 SUP fee, as people who work in agriculture already pay a lot of fees already.

William Braun of 73 Westford Road asked about the 2,500 square foot limitation on greenhouses in residentially zoned areas. He asked if Karl Milikowski would be able to expand his business at his present site. He would like to be able to see farmers allowed to expand their operations. Attorney Branse said if these regulations are adopted, residentially zoned properties would be limited to a maximum of 2,500 square feet of greenhouse space.

Paul Mcnerney of 37 Brendan Street said he would like to see the town embrace micro-farming, homesteading, and boutique farming as these are becoming more popular. He'd like to see less

regulation to allow smaller lots than ten acres for farming. Attorney Branse noted that the 10 acre minimum land requirement is only for the keeping of livestock.

Jamie Birchall of 18 Minor Road urged the Commission to consider the advice from the CT Farm Bureau. She said she felt the proposed regulations were too restrictive.

Victoria Bruno of 78 Stafford Street said she found the proposed regulations to be too restrictive and the language vague. She favored the town forming an Agriculture Commission.

Tracy Canestrari of 81 Buckley Highway asked about the Animal Commercial definition. She has a riding stable with a few boarders and wanted to know how this might impact her operation. Attorney Branse said the current regulations allow this by SUP and her activities are already permitted.

Deb Winicki of 14 Bellrose Street said that market farmers are becoming more popular but they are small scale. She said they use greenhouses and she is concerned that the restriction on the total amount of allowable greenhouse space will not be viable. She recommended they reconsider the restriction to allow more square footage.

Donald Bradway of 144 South Road recommended working with Joan from the Connecticut Farm Bureau.

Savannah Rummel of 4 Pinecrest Road said the restrictions don't encourage new farming businesses or young people considering getting into farming.

John Mordasky of Stafford said he feels farmers should be allowed to use their land as they wish with less restrictions.

Kathleen Bradway of 144 South Road said people should be able to use their land to its greatest potential and encouraged the Commission to work with the CT Farm Bureau.

Harry McKinney of 5 Wales Road said he was opposed to over-regulation and questioned if anyone on the Commission, if they farmed, could make a living with the regulations.

Roger Ingraham of 78 Highland Terrace clarified that if an activity is not permitted in the zoning regulations, then it is prohibited. Attorney Branse said this is in the CT statutes. Roger Ingraham said he wants to encourage innovative farming ideas and is opposed to excessive restriction.

Dave Mordasky of 21 Buckley Highway said that no matter what one does with a farm, when done, the land is better than when one started. He said the Commission's challenge is to preserve the land while also allowing people to do what they want with their land and come up with regulations that promote agriculture.

Kathy Tronsky of 2 Rice Road asked how the proposed regulations impact fur bearing animals. Attorney Branse said the proposed regulations would allow people to keep them as pets, but not raise them as part of a commercial operation.

John Mordasky of Stafford asked that the Commission stand with farmers, as they have pride and a passion for what they do.

Kim Milikowski of 21 Stafford Street clarified that the current regulations allow for roadside stands and the cease and desist order she and her husband received was issued due to the scope of their operation. She said what precipitated the whole issue is that there is no definition in the regulation for roadside stands. She said she is not sure if there is a difference or if it is just semantics between a roadside stand and a farm stand. She recommended not adopting the proposed regulations and working with Joan from the CT Farm Bureau.

Amanda Mack of 10 Charter Road said she found the proposed regulations to be discouraging. She asked what the \$250 fee for a SUP goes toward. Attorney Branse explained that the fee goes toward the required legal notices that must be published in the newspaper.

John Barnett of 38 Brendan Street noted that there are already pig farmers in town. He said he felt the regulations were too restrictive.

Kalee Prue of 65 Westford Avenue said she would like to homestead but the proposed regulations will make it difficult for her. She said Commissioners should have consulted with farmers before writing the regulations. Attorney Branse noted that Commissioners cannot call and consult with individual farmers as all discussions must be held in public. There can be no exparte communication.

Tim Rummel of 4 Pinecrest Road said he felt the proposed regulations will result in an elimination of farmers in town.

Christine Pellegrini of 4 Skyview Lane asked about exparte communication. Attorney Branse explained that all communications must be done in the public eye and so the purpose of a public hearing is for the Commission to hear from the public. Christine asked if an Agriculture Commission were formed if members of that group could speak with the Planning and Zoning Commission. Attorney Branse said that any individual or group can approach the PZC, but it must be done in the open---during a PZC meeting or public hearing. Christine also asked how a decision is made on the proposed regulations, if it goes to a public vote. Attorney Branse said it does not go to referendum. After the public hearing closes, the Commission will have time to consider the comments received and will vote on the proposed regulations.

Kim Grant-Dodge said the term "agritainment" is not common and indicates Commissioners are not familiar with farming. She encouraged the Commission to work with the Farm Bureau and talk to the Department of Agriculture.

Gene Julian noted that the proposed regulations were not drafted overnight and that the Commission has been working on this for a year. He said all of their meetings are held in public. He implored the public to please come to their meetings and get involved. The Commission welcomes and appreciates their input.

Laura Fonicello of 4 Handel Road reiterated that agriculture is a demanding and evolving type of business to work in. She said the town needs to give farmers the opportunity to grow and can help by not being too restrictive.

Chris Noone of 10 Charter Road noted that from the comments he has been hearing, there appear to be a lot of people who are already breaking the rules. He said these people are not causing harm or injury to anyone and the proposed regulations will impact farmers negatively.

Bill Blakiewicz of Ellington suggested the Commission follow recommendations from the CT Farm Bureau.

A Suffolk High School student said the proposed definitions for agriculture do not fit with what she is being taught in agriculture classes at school.

There was a question about where the proposed regulations go from here. Attorney Branse said that once the public hearing closes, then the Commission cannot take any additional public comment. They will discuss the regulations further taking into account all that they have heard this evening. They can make minor changes to the proposed regulations based on the input, but any substantial change would require a new public hearing.

A member of the public noted that there currently exists a large retail commercial greenhouse in a residential zone.

Joan Nichols from the CT Farm Bureau said the Bureau has worked with farmers for 96 years and they have a lot of institutional knowledge. She offered a potential process to follow. She said the definitions are confusing and expects they would create an enforcement issue. She noted that East Windsor went through a similar situation where their proposed farm regulations were not well received by residents in the farming community. As a result they formed a group comprised of people from Planning and Zoning and of local farmers, and they worked together on a set of zoning regulations. The CT Farm Bureau provided some input, so that the second time it went to public hearing, things went more smoothly.

Attorney Branse asked Joan Nichols if she had read Stafford's current zoning regulations. He read from some of the current regulations. He said he would want to avoid a predetermination situation, but that the Commission could work with farmers so long as meetings were held openly.

Tom Bode of Stafford said it is unclear to him what is permitted with a roadside stand. He also said it appears the Commission drew from neighboring towns to help craft their regulations and suggested it would be better to look at existing practices in town as a better model.

Karl Milikowski of 21 Stafford Street noted that the 2,500 square foot limitation on greenhouses does not take into account the differences between greenhouses, hoopouses, and high tunnels. Each are used for different reasons.

Nancy Ravetto read a letter sent in by Rick and Amy Hartenstein of Hydeville Road. They requested that the proposed regulations include an exception for maple syrup sales, providing a selling season from February 15 through October 31. Nancy Ravetto also read an email from Andy Abromaitis of Pelham, New York, who sent a letter on behalf of relatives who live in Stafford. The letter was sent in opposition to the Milikowski's farm stand operation, stating that they grow plants on other land besides their residence, that the parking would cause congestion, and that they are not sensitive to their neighbors' concerns. Karl Milikowski responded that he has no other land where he grows product and he is respectful of all his neighbors.

Katherine Tronsky and Sandra Tronsky, both of 2 Rice Road spoke favorably of the Milikowskis.

There were no further questions or comments from the public.

Gene Julian made a motion, seconded by Kathy Bachiochi to close the public hearing at 10:00 p.m. Motion was unanimously approved.

A brief recess was taken before the start of the regular meeting.

Agenda:

1. Call to order and establish a quorum.
2. Review minutes of February 14, 2017 Regular Meeting
3. Application of Simon Says LLC for Renovation and Occupancy, Location: 112 West Stafford Road, Map, 46, Lot 63.1/64, Zone C, Owner: Gary Michalec
4. Discussion and possible action: Application of Town of Stafford Planning and Zoning Commission, Proposed amendments to regulations pertaining to Farms and Agriculture, sections 1.20, 3.03, 3.07d, 3.10e, 3.27, 3.35, 4.21, 4.22, 5.02, 5.6 and creation of section 5.6.1 and section 5.6.2.
5. New and Other Business
6. Adjournment

1. Call to order and establish a quorum.

Nancy Ravetto called the meeting to order at 10:10 p.m. at the Senior Center and established a quorum with Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, Roger Pelizari, and Leonard Clark, who had been seated during the Public Hearing for Ron Houle.

2. Review minutes of February 14, 2017 Regular Meeting.

Kathy Bachiochi made a motion to approve the minutes, seconded by Leonard Clark. Kathy Bachiochi, Leonard Clark and Nancy Ravetto voted in favor. Gene Julian and Roger Pelizari abstained. Motion carried.

3. Application of Simon Says LLC for Renovation and Occupancy, Location: 112 West Stafford Road, Map, 46, Lot 63.1/64, Zone C, Owner: Gary Michalec.

Interim ZEO Tom Gormley said he had heard from the applicant earlier in the day saying he would not be at the meeting this evening. This application will be placed on the March 14, 2017 meeting agenda.

4. Discussion and possible action: Application of Town of Stafford Planning and Zoning Commission, Proposed amendments to regulations pertaining to Farms and Agriculture, sections 1.20, 3.03, 3.07d, 3.10e, 3.27, 3.35, 4.21, 4.22, 5.02, 5.6 and creation of section 5.6.1 and section 5.6.2.

Nancy Ravetto said that based on the excellent public participation at the public hearing, she recommended the Commission not make any decision this evening, but rather continue to discuss and review the comments made. Attorney Branse noted that because this application was initiated by the Commission, the Commission has unlimited time from the close of the public hearing to render a decision. The Commission will add a continued discussion to the next meeting's agenda. Until any decision is made, the current regulations remain in place.

5. New and Other Business

Gene Julian asked if the Commission will have the information they need on the Simon Says application for the next meeting. Tom Gormley said the applicant informed him he will be sending the information to the office for this Friday, and while the office will not be open on Friday, Commissioners should receive it in plenty of time to review before the next meeting.

6. Adjournment

Roger Pelizari made a motion to adjourn, seconded by Leonard Clark. All were in favor. The February 28, 2017 meeting of the Planning & Zoning Commission was adjourned at 10:15 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary



118 HYDEVILLE ROAD | STAFFORD SPRINGS, CT 06076
860-916-9645

I would like to ask the P&Z commission to consider making an exception to the new proposed regulations. Maple sugar harvest season starts approximately February 15th each year. During this season, many sugar houses have customers who purchase syrup and other maple products while visiting.

My proposed exception to **the Farm Stand, Temporary** regulations will be to add as follows:

Maple Sugar House Sales – February 15th through October 31st

Without this exception, as the regulation is currently proposed, maple sugar houses would not be allowed to have a farm stand in front of their property to sell their products during their main harvest season.

Thank you for this consideration.

Sincerely,

Rick and Amy Hartenstein

Zoning Commission

Andi Abromaitis Cork <andic66@hotmail.com>

Tue 2/28/2017 6:42 PM

To:Ma Abro <MARTY_42@msn.com>;

To the Zoning Commission of Stafford Springs CT and First Selectmen Tony Frassinelli and John Perrier, My name is Andi Abromaitis Cork. I am writing on behalf of my family Jen Abromaitis and Martha and Mark Abromaitis who have lived at 11 Stafford Street for 40 years.

I live in Pelham, NY. A town that is the second train stop on Metro North outside of the Bronx and the 4th train stop out of Grand Central Station. It is a beautiful, very small suburban town a few miles from New York City. It has tree lined streets and sidewalks and the residents of Pelham treasure and protect our trees and green spaces. If anyone within the town of Pelham would like to cut down one single tree on their own private yard, they are not allowed. Instead, the town must be notified first by the tree owner and all the surrounding neighbors are sent certified letters announcing that this tree will be cut down. There is then a day available to anyone in disagreement to have the opportunity to attend court to vocalize their concerns. We are lucky to live on the doorstep of wonderful New York City but we work hard to protect whatever trees and open spaces we have left.

I grew up at 11 Stafford Street with my family, Martha and Peter Abromaitis, my brothers Jeff and Mark Abromaitis, and my sister Jen Abromaitis. We love and appreciate our big, open lawn and what used to be the gorgeous wetlands and meadows and pond and woods that surrounded us. At the time, these many acres were owned by John Greene. In the summers the hay surrounding our property would grow long and former First Selectman John Julian would come with his tractor to mow and bail the hay for his animals. My parents ever mindful of this precious land and beauty that surrounded us, reached out to John Greene many times to request buying "the field". My mother, Martha, made it clear on every attempt that they would never develop the land. They only wanted to ensure that it be protected and perhaps one day be donated to the town in a land bank. Every time, John Greene rejected my mother's requests and made it perfectly clear that he would "never sell".

There are open springs on this land, there is a beautiful pond, it is a flyway for many different types of birds, there were plentiful wild animals that regularly came from the woods to wander through the fields from fisher cats to bears to deer to turkeys. We would skate on the pond and cross country ski in the fields in the winter time and we would set up chairs as if we were at a drive in movie to watch the meteor showers in August. The fall foliage was spectacular. People would come from all over and park on our front lawn to take pictures of the trees over looking the meadow and the pond. My husband Peter and I were married in our back yard on Stafford Street and at nightfall, the fireflies came out over the long grass in the field. All of our guests lined up to watch this beautiful display as if it was a fireworks performance. Most all of this is gone for us now.

In 2009, we were heartbroken to find that Mr. Greene went ahead and sold the field to Mr. and Mrs. Milikowski. Instead of it going to a development company or any type of housing estate we were told to be grateful that it was instead going to become a donkey farm. My parents, and indeed my whole family, support nature and animal conservancy. We were concerned, however. We hoped that the Milikowski's

would be respectful and sensitive to the fact that they moved into an established, historic neighborhood with homes that backed up onto and overlooked their amazingly special and beautiful undeveloped land that we all felt very protective of.

We were also reassured by someone named "Ingrid" on the Stafford Preservation Committee that the land was full of fresh springs and wetlands so the development would be limited. This never came to pass. Immediately the development of the Milikowki's field began. It was obvious that it was not to be "limited" and there seemed to be zero town regulations that overlooked what they could and could not do. There was also zero consideration for long established families that lived along this land for decades before they moved in. Saddest of all, no protection of the fields, pond or woods. Multiple barns, a house, a garage, outhouses, sheds, work houses, pens, and fences were all built and installed. The finished product is a spectacle in itself but living through the demolition of this treasured, precious land was criminal and wasteful by the town and heartbreaking for all who respected and appreciated the beauty of the nature and the animals that used to reside there. The development continued. There are now gas tanks, and fences upon fences, and pens and gates and generators and trailers and trucks and four wheelers running through the fields. One weekend while visiting my parents the trees behind us were being taken down with a chain saw. One after the other, the trees would come crashing down. The roar of the chain saw and crashes were loud and disturbing. On the other side of the field more trees have continued to be taken down. All so that they can manipulate how many farming acres they have so that they can justify putting their garden business in the middle of this residential neighborhood. There are mammoth piles of debris full of ancient, now dead trees. The springs that one time froze over in the winter to create small skating ponds are now covered in swamped crops of Christmas trees that the Milikowskis are attempting to grow. They've build giant green houses that seem to be heated by generators that kick on through out the day. They make loud engine noises and produce smoke and turn on and off all day long.

I am writing this letter to please urge the zoning commission to consider the established neighbors that have lived alongside this field for far many decades before the Milikowski's have come along. My mother has a beautiful garden that she built with my father and has worked in every year since 1977. There was a 200 year old apple tree that hung over that garden. It was in the corner of our property alongside the field. When the Milikowski's moved in they decided to put up a fence along the outskirts of their land and ours. Because of this, they took out any vines that were along this shared property. The vines were taken off of this ancient apple tree and after 200 years, it immediately died. I have 3 sons that built a fort under that tree that they played in year after year, we have all of our family animals buried under that tree, it gave shade to my mom's garden for over 30 years. It was an entire world and history to us that just came down in one afternoon. The Milikowskis seem to have no sensitivity or respect or concern for the community and neighbors that live around them. They have green houses on property in other parts of Stafford. Why can they not do their selling and planting there? Why instead on Stafford Street? A developed, long standing historical neighborhood? Trucks, generators, customers parking cars, destroying an exquisite, precious ecosystem that was a treasure in Stafford. Where is the zoning office? Where is the regulation? Not one of those trees could have been taken down in Pelham, NY (2 hours from Stafford). You should be protecting the treasures you have. Yet there seems to be zero protection for the land, the families. If there are other feasible options, why aren't they used? I'm am please asking on my family's behalf to protect this land and neighborhood.

Thank you,

Andi Abromaitis Cork