

Town of Stafford
Planning & Zoning Commission
Regular Meeting
September 12, 2017
7:00 p.m. – Veterans' Meeting Room
Warren Memorial Town Hall

RECEIVED
STAFFORD, CT
2017 SEP 14 P 12:21
est.
Stafford
TOWN CLERK

Members Present: Nancy Ravetto, Chair
Gene Julian
Kathy Bachiochi
Ron Houle
Leonard Clark, Alternate

Also Present: Dave Perkins, Zoning Enforcement Officer
Doug Fassett, Alternate
Guy Hesketh, P.E, F. A. Hesketh & Associates
Harvey Edelstein, President, Real Estate Diagnostics
Dr. David Mordasky, Agricultural Commission Chair
Public (including several Agricultural Commission members)

PUBLIC HEARING

In accordance with public act 17-155 "An Act Concerning Temporary Health Care Structures," the Town of Stafford Planning & Zoning Commission will hold a public hearing on a proposed "opt-out" of the regulation. Public Act 17-155 allows, with conditions, the siting of temporary structures on residential lots to house a caregiver who is responsible for the unpaid care of a mentally or physically impaired person. At this meeting, interested persons may be heard and written communication received. Copies of legal notice and related information are on file in the Zoning Office, Town of Stafford, CT and at www.staffordct.org.

Nancy Ravetto, Chair, opened the public hearing at 7:02 p.m. and established a quorum with regular members Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, and Ron Houle, and she seated Alternate member Leonard Clark for Roger Pelizari.

Dave Perkins provided an overview of Public Act 17-155, noting it will go into effect October 1, 2017, unless the town opts out. He reviewed the definitions, setbacks, and allowable permit fees in the Act, and reviewed potential enforcement issues. He reviewed Section J and its requirements for opting out. There were no questions or comments from the Commission, nor from the public.

Nancy Ravetto made a motion to close the public hearing, seconded by Gene Julian. All were in favor.

Agenda:

1. Call to order and establish a quorum
2. Review minutes of August 22, 2017 Regular Meeting.
3. Discussion and possible action; PA 17-155, an act concerning temporary health care structures
4. Report from the Agricultural Advisory Commission
5. Stafford Housing Authority; Site Plan Modification. Location: 55 Woodland Springs Drive.
6. Review Zoning Regulations.
7. New and Other Business.
8. Adjournment.

1. Call to order and establish a quorum.

Nancy Ravetto, Chair, called the regular meeting to order at 7:11 p.m. and established a quorum with regular members Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, and Ron Houle, and Alternate member Leonard Clark seated for Roger Pelizari.

2. Review minutes of August 22, 2017 Regular Meeting.

Gene Julian made a motion to accept the August 22, 2017 Regular Meeting minutes, seconded by Kathy Bachiochi. All were in favor.

3. Discussion and possible action; PA 17-155, an act concerning temporary health care structures

Gene Julian said he felt the existing zoning regulations for in-law apartments already fill this need and that he saw no reason, therefore, to adopt an additional regulation. The in-law apartments use the same water and sewer hookups as the main dwelling without having another building on the property. Nancy Ravetto agreed.

Gene Julian asked for Dave Perkins opinion. Dave Perkins said he felt the 15-day requirement to approve or deny a permit from the time the application is submitted is someone onerous, and the 500 square foot limitation on the structures are a bit small. He also said he felt the definition of an impaired person is far too broad. The Act could open the town up to having structures of this type all over town and as close as five feet from a property line, and is not in harmony with Stafford's Plan of Conservation and Development.

There were no further questions or comments from the Commission or the public.

Gene Julian made a motion, seconded by Ron Houle, to recommend to the Board of Selectman that the town opt out of Public Act 17-155 "An Act Concerning Temporary Health Care Structures" due to the fact that the town already has an in-law apartment

regulation that addresses the needs of impaired persons, that the definition of an impaired person for the purposes of this Act is too broad, that the fifteen day requirement to act on a permit application is onerous, that it is onerous also for the ZEO to police such temporary health care structures, and because it is not in harmony with Stafford's Plan of Conservation and Development. All were in favor.

Nancy Ravetto made a motion, seconded by Gene Julian, to change the order of the Agenda to reverse Items 4 and 5. All were in favor.

4. Stafford Housing Authority; Site Plan Modification. Location: 55 Woodland Springs Drive.

Guy Hesketh reported that over the course of the past two years, there were a number of landscape changes that occurred at the Woodland Springs project that resulted in a landscape plan that is different than the previously approved landscape plan. He said their intention was to show revisions for the maintenance building and landscaping but some funds were not going to become available and coming back to the Commission to discuss them was an item that fell through the cracks. Some of this occurred during the change in personnel between when former ZEO David Palmberg left the town and was replaced by Dave Perkins. Dave Perkins participated in a field walk of the site on August 30, 2017 when these changes were discussed.

Guy Hesketh reviewed the proposed revised landscape plan (09-01-17 revision). He noted changes to plantings along the entrance drive, and a few other areas on the site, including around the dumpsters and generators. He said the original plan called for leaving a low spot on the site wooded. However, they found they had about 22,000 to 23,000 yards of excess material on the site that needed to be disposed of, and found the wetland soils in that original area were marginal. He said they received authorization from the Inland Wetlands Commission to use that area for the excess material to maintain a balanced site.

Gene Julian said he was disappointed that they did not come back to the Commission when they knew these changes were going to happen. Harvey Edelstein, President of Real Estate Diagnostics, the developer, said he agreed there was no excuse for not documenting the changes. He did say, however, that Dennis Milanovich has been working with them throughout the process and they are getting close to completing the project. They are presently integrating the suggestions made by town personnel into the site and landscape plan. He assured the Commission that going forward they will bring forward any changes they may need to make.

Gene Julian asked Dave Perkins where the Commission should go from here. Dave Perkins said that in hindsight the wetland issue was a good thing, because it solves a problem about where they can put the snow. Additionally, the plants added around the dumpsters and generators will be better aesthetically, and they did some nice, attractive things around the detention basin. From an 8-30g and site plan point of view, he said he is comfortable with the compromise, and moving forward he will be working with the developer. He also noted that there is a \$25,000 bond on the project.

Ron Houle made a motion, seconded by Gene Julian to approve the updated site plan modification for 55 Woodland Springs Drive (Landscape Plan, LS-1, LS-2, and LS-3 revised 09-01-2017), with all of the plantings depicted on the 08-03-2016 revised plan to be installed by September 12, 2018. All were in favor.

5. Report from the Agricultural Commission

David Mordasky, Chair of the Agricultural Advisory Commission (AAC) provided an overview of the work their Commission has done to date. He recognized the other members of the Commission: Myron Avery, Donald Bradway, Ken Crary, Martha Abromaitis, Karl Milikowski, Deborah Szemrelyo, and alternates Christopher Joseph and Stephen Clark, and student member Savannah Rummel. He also recognized all of the other residents interested in agriculture who have participated in their meetings. He read the Commission's statement of intent and noted they have focused on signs and signage and farm stands and farm stores. He said throughout the process, he has kept Dave Perkins informed and that Dave has provided consistent feedback about where their recommendations might fit in the regulations.

The Commission walked through the recommended revisions to the zoning regulations which Dave Perkins integrated into the current regulations. There was consensus that the definition of Agriculture (p. 8) was appropriate. The AAC provided a definition for Agriculture – Commercial, while recommending to remove definitions for Agriculture -- Non-commercial, Agriculture – Animal Commercial, and Agriculture Animal Non-Commercial. There was consensus that this was appropriate as well.

On Page 12, the Farm terms were removed as redundant.

Nancy Ravetto noted that there were no definitions for greenhouses and hoop houses. Dave Perkins said he did not feel it was necessary, as people know what they are and a structure is a structure.

The Commission discussed Roadside Stands and Roadside Markets (p. 15). Dave Mordasky said the 800 square foot size was somewhat arbitrary and based on the size of the 20' x 40' Elm Knoll tent. Nancy Ravetto said other area towns allow stands at 300 to 500 square feet. Dave Mordasky said farmers will tend to make their stands the size that they need, and so he would expect someone who does not need that size of space, will not put up something that large. He said the size of a stand often depends on what is being sold and how the farmer wants it displayed.

Gene Julian expressed concerns about the ability for the ZEO to enforce the requirement that at least 50 percent of a farmer's wares be grown/created on the property. There was no disagreement but this would provide the town with some teeth to enforce if needed. Nancy Ravetto asked about verbiage on requiring that farm stands be seasonal. Lauren DeFoe, an attorney who has been helping with the language, noted that she included language that says "seasonal in nature." The AAC did not want to define a specific season as they wanted to include, for example, people that sell Christmas trees and

wreaths. She noted that a farm that has an existing building for sales will only use it when they have something to sell. She said the language reflected their intention to make the distinction that they are not calling for putting up new permanent structures.

Gene Julian questioned why roadside markets were allowed to be only 800 to 1,000 square feet. He asked why they didn't cap them at 800 square feet as well. Dave Perkins said anything over 800 square feet would require a special permit. Lauren DeFoe said they separated the two (roadside stands and roadside markets) to prevent building a lot of permanent structures all over town.

After some additional discussion, there was consensus to allow roadside stands up to 800 square feet and roadside markets up to 800 square feet, with roadside markets allowed to be larger if approved by special permit.

Leonard Clark noted that the Fire Department has an annual Christmas Tree sale, but their trees are not produced on the site. Dave Perkins said he could come up with some additional language for municipal sales that addresses this and will work with David Mordasky on it.

Under Section 3.16 Accessory Buildings, Item E (p. 22), the wording was revised slightly to state that "More than one greenhouse as an accessory use may be allowed on a *commercial* farm, but such buildings shall be an accessory and incidental to the main agriculture use of the property."

Section 3.17.A.4 was removed as it is already regulated under the farming section.

The Commission discussed the Schedule charts under Article IV. Under 4.2, Schedule of Permitted Main Uses. It was agreed that Item 6 should only list Agriculture, and that a separate line item should be included for Poultry only (not livestock or piggeries), permitting the keeping of poultry in zones A, B, and C. A permit would be required. It was agreed that the Schedule of Permitted Accessory Uses is a work in progress and needs to be further refined. The same was agreed for Schedules 5.2 and 5.3.

The Commission discussed the Adaptive Reuse Overlay Zone, which is not a part of agriculture. Nancy Ravetto explained that this gives the town the ability to reuse buildings they could not do in the past because they were not located in the correct zone. An example would be the Pinney School. Leonard Clark can be helpful in this area as the chair of the new Historical Commission in Stafford.

The Commission discussed Sign Regulations, Section 6.3, p. 66. There was agreement on the proposed language.

On p. 78, Nancy Ravetto asked why "open" land (under Item 2) was removed from the language for horse and pony farms, riding academies, or boarding stables. It was explained that horses like wooded pastures as they provide shade and shelter. Under item 3 in this same section, the AAC recommended that no riding ring or boarding stable or

any similar structure or area for the keeping of animals or for the storage of fertilizer or manure will be located closer than 50 feet (rather than the previous 300 feet) to any property line or street line, lot line, etc. Nancy Ravetto felt this was far too close, as neighbors might be overwhelmed by the smell of manure and/or by flies. John Wilson, who has participated in the AAC meetings and who keeps horses, said the language is consistent with what presently exists. He noted there are a lot of old barns in town that are not in compliance.

Gene Julian asked if it would become a health department issue if there is a well on the property. Dave Perkins said the health department does investigate complaints regarding manure odors. John Wilson said the health department does issue corrective measures; however, Nancy Ravetto said she would prefer to craft language that avoids pitting neighbors against one another. Dave Perkins emphasized that this language is more specific to pony farm operations. Kim Milikowski said these operations require a site plan approval and suggested the storage of manure could be properly addressed during that process.

Bruce Dobson, who has also been involved in the AAC meetings, said he would not be able to meet the 300' requirement. The PZC and AAC discussed a possible compromise on distances. Dave Perkins said he would work on some potential wording and bring it to their next meeting. Lauren Defoe reminded everyone that this language could also refer to a fenced in horse area, and not just barns.

Student representative Savannah Rummel reviewed language specific to the keeping of animals for 4-H, FFA, and other similar projects. She said it is important to carve out language for students who will need to keep an animal as part of a project (such as Rockville's Vo-Ag) program. Her mother, Jody Rummel said this is also important to these students' parents who need to know what kind of animal they can keep on their property.

Under A, Applicability (p. 78), the language was revised to read: "These controls apply to the keeping of farm animals in any zone. Commercial farms over 10 acres in size are exempt from Section 7.4.

There was agreement that the minimum requirements for manure storage may need to be worked on further.

Under Item G (p. 80), the language was revised to read: "All other animals not covered under these regulations may be permitted at the discretion of the Commission *and the Zoning Enforcement Officer.*"

At the close of the review, Nancy Ravetto asked what the average acreage is for farms in the residential zones. The answer was about 20 acres. She asked if members of the AAC might find it beneficial to allow farms of 20 or more acres to be able to install solar arrays, as it could be a big boost to their bottom line. David Mordasky said the problem with large arrays is that they take farm land out of production.

Ms. Ravetto said right now large arrays are not allowed in residential zones, where most farms are located. She said they could add something to their regulations that would allow them if they have 20 or more acres. Leonard Clark said it would be a good option for a farmer who no longer can farm but does not want to sell his farmland for development. Lauren Defoe recommended that they add this language as it simply offers additional options to farm owners. There was consensus to add language of this sort to the proposed regulations.

Dave Perkins said he would make the changes to the proposed regulations as were discussed this evening and bring them back for the next meeting. Kathy Bachiochi said she also has a number of spelling and grammatical corrections that need to be incorporated. Dave Perkins suggested they set the public hearing for the second meeting in October.

6. Review Zoning Regulations.

This was completed as part of Agenda Item 5.

7. New and Other Business.

Nancy Ravetto noted that the owner of the recently approved food truck is not adhering to the conditions of her approval, not removing the truck from the site overnight on a regular basis. Dave Perkins will check into this. It was also noted that the tattoo parlor sign is still up; however, Dave Perkins noted that the size does meet the regulations.

Nancy Ravetto said that over the years there have been a number of conversations about the maximum size limit for retail space that Stafford should allow. Currently, the town allows 30,000 square feet and up to 40,000 square feet. She would like to revisit this cap and consider raising it to 60,000 square feet. Gene Julian said historically, the town has recognized that with few areas in town having access to both public water and sewers, that this premium space should be preserved for commercial and/or industrial business, rather than retail.

Ron Houle asked why they should have any cap at all, and just judge any application on its own merits. Leonard Clark said studies have found that when towns invite huge amounts of retail, they bring in tax revenue, but also huge expenses as well. He said they need to focus on commercial/industrial development and let retail develop around that. He said retail stores depress wages.

Nancy Ravetto said she felt raising the cap to 60,000 square feet might draw more small and mid-sized retail. Ron Houle said retail is up against great challenges in general as they are competing with Amazon. Gene Julian said the one exception would be grocery stores. He suggested they go for raising the cap to 60,000 square feet, and reminded the Commission that the town's consultant, Don Poland, had said most developers looking at a town have already done their research to determine whether a project is viable there long before they ever approach it. The higher cap might make Stafford more attractive. There was a general consensus to look at this further.

Nancy Ravetto asked Dave Perkins to press Aubuchon to at least put up a sign saying "Future Home of Aubuchon" as a number of residents continue to call asking when the project is going to start.

8. Adjournment.

Ron Houle made a motion to adjourn, seconded by Leonard Clark. All were in favor. The September 12, 2017 meeting of the Planning & Zoning Commission was adjourned at 9:53 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary