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Town of Stafford
Planning & Zoning Commission
Regular Meeting
March 27, 2018
7:00 p.m. – Veterans’ Meeting Room
Warren Memorial Town Hall

Members Present: Nancy Ravetto, Chair
Kathy Bachiochi
Ron Houle
Gene Julian
Cynthia Rummel

Also Present: Dave Perkins, Zoning Enforcement Officer
Leonard Clark, Alternate
Dave Palmberg, Alternate
Michael Delano, Alternate
Christopher Joseph, Alternate
Public

Public Hearings

Changes to the zoning regulations including: In-law apartments, agricultural tourism, gasoline sales, and accessory buildings.

Nancy Ravetto, Chair, opened the public hearing at 7:00 p.m., establishing a quorum with Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, Ron Houle and Cynthia Rummel. She explained the public hearing process.

Dave Perkins, ZEO, reviewed the proposed regulation changes. He noted that in recent months, the PZC voted to opt out of Public Act 17-155, an Act Concerning Temporary Health Care Structures. Instead, the PZC is proposing to allow residents to have in-law apartments for certain defined relatives as well as for caregivers. If after the in-law or caregiver leaves the apartment, it may be rented out to the general public but at affordable housing prices as defined by Connecticut General Statutes. This proposal also eliminates the three-year renewal requirement as it was cumbersome to enforce. Nancy Ravetto also noted that the proposed change eliminates the requirement that the homeowner convert their home back to its original condition (with no in-law apartment) after the family member or caregiver leaves.

Dave Perkins reviewed accessory agricultural activities. This is a new regulation formulated by the Agricultural Advisory Committee and deals with agri-engagement and events. He defined such events and provided examples. Fee-based activities would be allowed by permit and would include passive use of farms as well as small and large scale events. He outlined the parameters

for events and which would require a site plan review and which would require a special permit. The proposed regulations address location, lighting, and noise levels as well.

Nancy Ravetto read into the record a letter from Susan Phillips of 17 Stafford Road, who lives next door to a farm. Ms. Phillips' letter indicated she is opposed to the regulations for agri-engagement events as she has concerns about excessive noise and traffic.

Dave Perkins reviewed the proposed regulations for automotive sales and repair, service garages, gasoline stations and convenience stores. He noted that under the current regulations such businesses are prohibited if they are within one thousand feet of any entrance to a public park or playground school, college, place of worship, public library or residentially zoned dwelling on the same side of the street, which would eliminate these businesses everywhere in town. The new proposal reduces the distance requirement to one hundred feet. It also permits convenience stores as an accessory use, with some requirements.

Nancy Ravetto noted under Article V – Commercial Districts, some permitted uses were added.

Dave Perkins explained the proposed changes for accessory buildings. He said the original intent was to regulate small sheds. This regulation was tweaked to allow accessory buildings not more than 200 square feet in size and 12' in height to be forty feet back from the front line or in the same plane as the house. Gene Julian said this is another example of simply cleaning up confusing regulations or making them more straight forward.

Nancy Ravetto read the March 9, 2018 Report on Zoning Referral Z-2018-15 from CRCOG into the record. The report found no apparent conflict with regional plans and policies or concerns of neighboring towns.

The hearing was opened to public comment.

Martha Abromaitis of 11 Stafford Street asked if the proposed changes for accessory buildings applied to all residents or just farmers. Dave Perkins said it applied to all residents. She then read a statement in opposition of the proposed commercial agricultural regulations.

Leonard Clark of 29 Westford Road noted that under Item 4.1 nieces and nephews were left out of the list of in-laws that in-law apartments could be for. Dave Perkins said they stayed with the relatives allowed under the original regulations. Leonard Clark also asked if the noise levels allowed at evening events for agricultural activities would have a maximum decibel level allowed requirement. Nancy Ravetto noted that if the proposed activity or agricultural use employs an amplified sound system, the applicant must comply with Connecticut DEEP noise standards.

Leonard Clark asked about the cross-outs (colleges, churches, public libraries, or dwellings) under Section 7.6.A.3. Dave Perkins noted that any non-conforming use is already grandfathered, so it would be redundant to include them.

David Palmberg of 45 Greaves Road W, brought up deed restrictions on in-law apartments. He asked if the home was sold if the apartment was to qualify as affordable housing if the ZEO would need to approve that. Dave Perkins said the ZEO would need to. David Palmberg noted that Table D, which shows setback requirements for auto sales, auto repairs, and gas stations was eliminated. He asked what the setback would be for gas stations. Dave Perkins said the setbacks would follow whatever underlying zone the gas station is in. Dave Palmberg said his concern was about the possibility of cars queuing up for gas pumps, but would expect that would be addressed during a site plan review.

Tyler Roberts of 27 Stafford Street noted that under Section 3.17.A for the Location of Accessory Buildings, there is a reference to Section 7.2F and he could not find that. Dave Perkins said this is a mistake, and it should be corrected to reference Section 7.4F, which deals with sheltering animals. A correction will be made if these proposed regulations are approved.

Tyler Roberts asked if convenience stores should be added to the table. Dave Perkins said convenience stores are covered under retail uses. Tyler Roberts also asked for some clarification under Section 7.6.B.1 for the issuance of permits. Dave Perkins said the proposed regulations were just changed to adhere to state statutes, which require that gas station locations be governed by the Planning and Zoning Commission, while service station locations be governed by the Zoning Board of Appeals.

Tyler Roberts said he felt reducing the minimum required distances for gas and service stations from one-thousand feet to one-hundred feet was excessive. He said he felt this would be an inconvenience for homeowners. He also noted that the Agricultural Activity permit application refers to "Ag-tivity" in quotes and because this word has never been defined, it could create problems.

Dr. David Mordasky of 21 Buckley Highway, Agricultural Advisory Committee Chair, said their Committee understood that this word probably should not be on the form, but deferred to Lorin DaFoe who provided their committee with pro bono legal advice. Lorin Dafoe of Lake Shore Boulevard said the AAC was originally using that term, which while not a legal term was helpful to people to understand the types of activities they were referring to. The application, a legal document, represents a compromise in which the legal term "Agricultural Activity" is spelled out, but the word "Ag-tivity" is placed in quotations as a reference to the common term people have become used to.

Tyler Roberts said the allowances for people attending agricultural activities is vague as it does not specify any number of people. Nancy Ravetto said the proposed regulations put a limit on the number of vehicles allowed at any given time. More than 20 cars at a time requires a special use permit. Tyler Roberts said he felt this would create the potential for too many people at any given event. He also said he felt the noise levels for amplified music should include a definitive decibel number. Otherwise the ZEO would have to use his best judgement. Tyler Roberts read a formal statement he had prepared in opposition to the proposed regulations.

Dr. David Mordasky of 21 Buckley Highway and AAC Chair asked for a show of hands of those in favor of the proposed regulations. The room was full and a large number of people raised their

hands. He said several months ago he was asked to address agri-tainment types of activities and he enlisted the help of Lisa Houlihan who had experience in this area. He said they needed to establish some regulations around these activities to provide guidance to the community. He said the committee put a lot of effort into their recommendations. He said if they do not preserve agriculture in town, it will be gone. He recognized that farmers need to do all they possibly can to make ends meet so they can preserve their farms, and by supporting these regulations, it will help agriculturalists to survive.

Leonard Clark, 29 Westford Road, said he researched noise levels and found some towns limit the hours after which they can have amplified noise. He suggested considering establishing a restriction on amplified noise between the hours of 10 PM and 8 AM. Nancy Ravetto said the Commission did discuss this, but noted they would not know the proposed activity until a permit is filled out. She said they could put requirements on hours and lighting during the special permit process.

Lisa Houlihan, 424 Springfield Road, said the AAC's recommendations did not come out of nowhere. She said their efforts began with a call to the Connecticut Farm Bureau, as the Bureau is well-versed on what various communities do across the state. The AAC also got significant input from the ZEO. The Committee then also tweaked recommendations to fit Stafford and its local farms. She said the ZEO worked with them on the activity permit as he wants to be aware of activities going on around town. She said there are a lot of different activities farms do to make ends meet, and these regulations would apply to farms all over town.

Steven Clark of 16 Collette Road East said he used to manage a Christmas tree farm some 30 years ago and they sometimes had as many as 300 cars in their lot at any given time. It was a social event with tailgating types of parties. He said it can and did work for them.

Andrea Eldridge of 27 Stafford Street read a statement in opposition to the regulations. She said they were written unethically and could be easily misinterpreted. She was opposed to agri-activities being allowed in single family, residential zones due to public safety issues and inconveniences to neighbors. She was also opposed to recommendations made by the AAC as their members were not elected.

Lisa Houlihan, 424 Springfield Road, said there is no straight agri-zoning in Stafford to the best of her knowledge and so farms are mixed throughout the various zones. She noted that agri-engagement activities are part and parcel of farming these days. She said right now, fee-based activities, if not permitted, are prohibited and she recommended regulated them rather than disallowing them outright.

John Wilson of 119 Stafford Road said the objections to these proposed regulations should have been hashed out during the AAC's open meetings, but he never saw anyone come to the meetings to voice their objections. He said the AAC was born out of the public hearing on agricultural regulations several months ago.

Deb Winicki of 14 Belrose Street asked about how the Agricultural Activity Permit would apply to Community Supported Agriculture farms. She noted that the local CSA has pickups on

Wednesdays and Saturdays as well as some other events. She asked if they could get a blanket permit for the season. Dave Perkins suggested they fill out a permit with dates and descriptions of events. He said there is no fee, and it will help him be aware of activities going on in town.

Tracy Canestrari of 81 Buckley Highway said she felt this was a good effort that involved the AAC, the PZC and the ZEO. She said the proposed regulations, if adopted, will result in fewer problems with agricultural activities. She said people should also be aware that not all farms are alike and different activities can take place on different parcels.

Tyler Roberts, 27 Stafford Road, said farming is exploding in town and people should not forget their non-agriculture neighbors.

Stacey Joseph of Collette Road said she felt some of the objections are an over-reaction as most of these activities are temporary often lasting just a few hours, an evening, or a day. She said such activities are the sign of a thriving community and children love them. They also help farmers to make ends meet.

Andrea Eldridge, 27 Stafford Street, noted that Lisa Houlihan had said the AAC looked at what other towns do. Andrea gave the example of Worthington Pond Farm in Somers, which held a number of events, but was eventually given a cease and desist order and shut down. She said she agreed that these activities are fun for children, but they should not encroach on abutting neighbors. She said this is not farming, that farmers should be in their fields getting their hands dirty, and much of what they are doing now is not the way farms were run in the 1800s.

Karl Milikowski of 21 Stafford Street said there is a misperception about how hard farmers work and that he does a lot of manual work with his flowers, plants and with his animals.

Don Bradway of 144 South Road agreed that farming is not done the same as it was in the 1800s, that farmers have also had to change with the times if they want to survive. He said if Stafford wants to preserve its farms and rural roots, then residents need to be open to helping farmers make ends meet with other activities.

Lisa Houlihan said the Worthington Pond Farm is in her neighborhood, and while they were issued a cease and desist order, it was a great disappointment to many people in the neighborhood and area.

There were no further comments from the public. Ron Houle said he felt these proposed regulations address a townwide issue, are a good start, and something to build on.

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

Warren Memorial Town Hall
1 Main Street
Stafford Springs, CT 06076
March 24, 2018

ATTN: Mary Mitta/Nancy Ravetto/Zoning Board:

Regarding Agritainment Events at the Foster Hill Farm & Garden:

Please know as one of the Farm's adjacent neighbors, I am very concerned about the ramifications of approving these proposals at the Zoning Board Meeting on Tuesday.

For someone who has lived here for 20 plus years, planning to soon enjoy quiet retirement years in what began as a beautiful rural wildlife sanctuary-like setting, I have adjusted to the development of a donkey farm. I am trying to accept the more recent Roadside Market/greenhouses. Kim & Karl have personally communicated with me regarding their plans for this venture including privacy barriers between our properties, which was much appreciated.

However, I want the Board to know I am not in favor going forward with Agritainment Events, which to me means more noise & activity in a once tranquil, peaceful area of town.

Please consider the concerns of the neighbors when making your decisions on Tuesday night.

Sincerely,

Susan Phillips
17 Stafford Street

March 9, 2018

TO: STAFFORD PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2018-15: Proposed zoning regulation amendment to revise Sections 4.5 pertaining to in-law apartments and 7.6 pertaining to convenience stores and to add 7.19 to provide for accessory agricultural uses and events (Ag-tivities) and non-agriculturally related uses.

COMMISSIONERS: Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. The proposed regulations pertaining to "in-law apartments" provide for affordable housing opportunities which advance the regional Plan of Conservation and Development's housing goal to "Increase the Range of Choice in Housing for People of All Incomes and All Ages, but Especially for Those Who Have the Least Choice in Achieving Their Locational Preference." The proposed accessory regulations addressing agricultural uses and events (Ag-tivities) and non-agriculturally related uses generally support the Regional Plan's policy recommendations to "Encourage zoning regulations that address urban agriculture and local food systems" and "Support continued marketing of the region's arts and tourism opportunities."

The public hearing date has been scheduled for 3/27/2018.

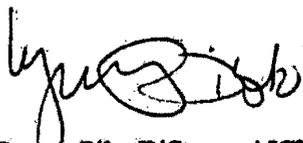
In accordance with our procedures this letter will constitute final CRCOG action on this referral. Questions concerning this referral should be directed to Lynne Pike DiSanto.

DISTRIBUTION: Planner: Ellington, Somers, Willington, Union, Northeastern COG

Respectfully submitted,

Karl Robert Profe, Chairman
Regional Planning Commission

Jennifer Bartiss-Earley, Vice Chairman
Regional Planning Commission



Lynne Pike DiSanto, AICP
Principal Planner and Policy Analyst

Agenda

1. Call to order and establish a quorum
2. Review minutes of February 13, 2018 Regular meeting and public hearing.
3. Discussion and possible action – Public hearing items from 3/27/2018 – zoning regulation changes.
4. Welcome to new commission members
5. Campground renewals. Roaring Brook; Sun Valley; Reddington Rock; Mineral Springs
6. Discuss current proposed 2018 state legislation in regards to housing and zoning.
7. Review zoning regulations – Forestry; Signs; Breweries
8. New and other business
9. Adjournment

1. Call to order and establish a quorum.

Nancy Ravetto called the Regular meeting to order at 8:48 p.m., establishing a quorum with Nancy Ravetto, Chair; Gene Julian, Kathy Bachiochi, Ron Houle, and Cynthia Rummel.

2. Review minutes of February 13, 2018 Regular meeting and public hearing.

Cynthia Rummel asked that under Agenda Item 5 (page 7) that the wording in the second to last sentence of the first paragraph be reworded to: *The Commission discussed that the Milikowskis may file for intervenor status.* Gene Julian noted that the third to the last paragraph on Page 3 discussed preserving the trees on the Middle River Drive side of the property for screening purposes, but that they were recently cut. He asked Dave Perkins to talk with Guy Hesketh about planting more trees and staying on top of that for proper screening.

Ron Houle made a motion, seconded by Kathy Bachiochi to approve the meeting minutes as amended. Ron Houle, Kathy Bachiochi, Nancy Ravetto, and Cynthia Rummel voted in favor. Gene Julian abstained. Motion carried.

3. Discussion and possible action – Public hearing items from 3/27/2018 – zoning regulation changes.

Nancy Ravetto said she appreciated all the public input provided this evening. She said the AAC worked hard on the agricultural portion in open meetings. She clarified that while AAC members were appointed, they were not done so politically, and the appointments resulted in a good mix of the farming community. Gene Julian said the PZC wanted the AAC to be formed as the PZC needs to balance the needs of everyone in the community, and it is best to establish rules so it is clearer for everyone what people can and cannot do.

Nancy Ravetto reviewed the other proposed regulations. Gene Julian said some of these proposed regulations attempt to address unenforceable parts of their current regulations.

Kathy Bachiochi noted that the zoning regulations are a living document and residents are always free to request changes.

Cynthia Rummel noted she has been on the Commission in years past, but was not on it when the AAC was formed. She said the PZC is tasked with addressing many different things, and while each member has his or her own expertise, they will need guidance and recommendations from others who have more expertise in certain areas. She said she felt the work of the AAC was phenomenal and hopes there will be more opportunities for collaborations. She added that farmers do have challenges and it is good to promote and preserve farming in town. Nancy Ravetto also noted the town allows home occupations. She also referenced the positive referral from CRCOG.

Dave Perkins noted that the Plan of Conservation and Development, Stafford's guiding document, discusses the need to preserve agriculture in Stafford.

Gene Julian said Stafford's farms are in residential areas and they have a hodgepodge of development, so dealing with farm activities in residential areas is an issue they will continue to have to work with and compromise on.

Gene Julian made a motion to approve the proposed zoning regulation changes to in-law apartments, agricultural tourism, gasoline sales, and accessory buildings as presented, effective April 12, 2018, with two revisions (1) to correct the last sentence in 3.17.A (Location of Accessory Buildings) to state *Accessory buildings to farming use are regulated in Section 7.4f* and (2) to remove the word *dwelling* under Section 7.6.C.7 The motion notes the proposed zoning regulations are consistent with the Plan of Conservation and Development.

Ron Houle asked if the motion should include putting a curfew on amplified music after 9:00 p.m. at large scale events. Nancy Ravetto said this would be regulated in the individual special permit process.

Ron Houle seconded Gene Julian's motion. A vote was taken and all were in favor.

4. Welcome to new commission members

Nancy Ravetto welcomed new alternate commission members Leonard Clark, David Palmberg, Michael Delano, and Christopher Joseph. She read the charge to members and reviewed procedures, and she reminded alternates to get sworn in by the Town Clerk if they have not already done so.

The Commission discussed whether an alternate can participate in a Commission discussion if they are not seated. It was uncertain if there has been a change in the Connecticut General Statutes. Cynthia Rummel, as an attorney, said she will check into it further.

5. Campground renewals. Roaring Brook; Sun Valley; Reddington Rock; Mineral Springs

It was noted that Sun Valley did not sign their renewal permit application. Dave Palmberg also noted that there are two campers set up in the parking lot with people living in them.

Gene Julian made a motion, seconded by Kathy Bachiochi to approve the campground renewal permits for Roaring Brook, Reddington Rock, and Mineral Springs Campgrounds for one year from March 1, 2018. All were in favor.

The Commission tabled the renewal permit for Sun Valley Campground until the renewal application can be signed and Dave Perkins has an opportunity to meet with the owners about the concerns at the campground.

6. Discuss current proposed 2018 state legislation in regards to housing and zoning.

This item was tabled to the next meeting. Nancy Ravetto passed out a newspaper article about proposed legislation for affordable housing that prompted this agenda item. She said she would like to take a proactive approach.

7. Review zoning regulations – Forestry; Signs; Breweries

Dave Perkins discussed inquiries from some Main Street storeowners about adding projecting signs that do not comply with current regulations. The Commission discussed the design incentives that were made part of the new signage regulations, as outlined on Page 66 and 69 of the zoning regulations, and whether they should allow temporary signs until this is resolved. Dave Perkins said he will come back with some suggestions at their next meeting.

Dave Perkins said he received an inquiry about opening a potential brewery in the former Peshota's storage building. The Commission discussed whether this is an allowed use in the zone and how parking and deliveries might be handled.

Nancy Ravetto recapped that they will discuss forestry, housing and zoning at their next meeting.

8. New and other business

Leonard Clark reported that the Historical Society has been working on what can be done with the Witt School. Currently there are a number of proposals, one from developer Joe Vallone who would like to make it into apartments. The School of Innovative Learning has proposed making it into a school. The Stafford Housing Authority has proposed using it to create housing for veterans and it has also been floated as a possible YMCA.

The problem is that the school sits on the Hyde Park property, and they do not have a deed for the building. Leonard Clark said First Selectman Mary Mitta recently issued an RFP for realtors that could help with selling the Witt and Pinney Schools. They need to get a survey done. The front yard facing the street requires fifty feet of frontage, which they have, but the other side facing the band shell requires fifty feet also and that encroaches on Hyde Park. They will need to approach the Hyde Park Commission on this for a resolution.

Gene Julian said it appears the land under the Witt School does not go with the building. Leonard Clark said that under state statute if the school is abandoned, then the building reverts back to the town. This needs to be resolved before it can be marketed. Cynthia Rummel suggested looking into doing a 100-year lease. Dave Palmberg said it would be difficult to get financing with a lease situation.

Nancy Ravetto said the town does not have a community center and the Witt School would be ideal for this. She suggested it could be something that could go to referendum. Ron Houle said it would involve a lot of remediation. Leonard Clark said he will bring their suggestions to the Hyde Park Commission and to the First Selectman as well. Gene Julian suggested the Historical Society put together a timeline that will help residents understand why they are where they are now with the building.

9. Adjournment

Cynthia Rummel made a motion to adjourn, seconded by Gene Julian. All were in favor. The March 27, 2018 Planning and Zoning meeting was adjourned at 9:52 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary