

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, October 25, 2017 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Ted Stoutenberg, David Kimmel, Dan LaPlante, Bob Moore, Jim Steadman, Alternates Tom McLoughlin and Marty Post; Zoning Enforcement Officer Ruth Mulcahy.

ABSENT: Alternate Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM.

1. PUBLIC HEARINGS:

A. David Spielman, Applicant – Daniel A. and Rebecca D. Raymond, Trustees/Owner – Map 007 – Block 003 – Lot 19E-2 – 18 Ramstein Road – Special Exception – Increase the Height of a Silo.

The legal notice for this hearing was read into the record. It was noted that the legal notice was published the requisite two times in the Hartford Courant on October 13, 2017 and October 20, 2017.

David Spielman appeared before the Commission regarding this application. He explained that the proposal includes putting a new roof on the existing silo. Mr. Spielman noted that the silo had previously included a roof, at an original height of fifty-two (52') feet. He made available engineered drawings reflecting the addition of an observation tower with windows around and a floor at four feet from the top, with a spiral staircase inside leading to that room.

Mr. Spielman clarified that as the silo currently sits, the height is only forty-five (45') feet as the original roof has sunk into the building. He explained that the original height was fifty-two (52') feet and that is the height included as part of his proposal. He noted that the roof would not be the typical domed room but would instead include a room.

It was noted that what was being sought was an overall height, from the average grade around the silo to the midpoint of the roof of the silo, of fifty-two (52') feet.

It was also noted that the applicant was also seeking a change of use from a silo to a tower.

Regarding the use of the property, Mr. Spielman explained that the plans were to keep the barn and keep the property as it looked one hundred years ago. He noted that they are merely saving a barn that is historic to the town of New Hartford. Mr. Spielman explained that it is unknown for certain what the use will be, explaining that an apple orchard or a winery are among the items being considered. Mr. Stoutenberg explained that with regards to the use, the property is in a residential zone and that uses are limited but that agriculture would be a permitted use.

The hearing was open to the public for comment.

First Selectman Dan Jerram spoke in favor of the application, opining that this is a creative re-use to save the building, similar to what was done with the barn.

Mr. Steadman questioned who would address the safety issues with the building and whether the building code and/or the fire code would address these. Ms. Mulcahy explained that the structure could not be used for public use without forms of egress and Fire Marshal approval. Mr. Spielman confirmed that the town is only for private use.

It was noted that the Building Official would review the building code, in terms of whether multiple egress routes or a sprinkler system, would be required.

MOTION: Mr. Steadman, Mr. LaPlante second, to close the public hearing; unanimously approved.

2. HEARING:

A. Flanders Crossing Subdivision Public Improvements.

Ms. Mulcahy reviewed a memorandum from Town Engineer Roger Hurlbut to her dated October 23, 2017. She noted that the storm water catch basins and hydrodynamic separator have been cleaned, the bollards to protect the fire hydrant were installed, and the locations for the monuments have been staked out. Additionally, she noted that six of the nine trees were on site ready to be planted. Ms. Mulcahy also referenced an email forwarded to her from Attorney Mark Branse from Mr. Hurlbut to the developer.

Mr. Stoutenberg noted that the Commission is looking forward to more information regarding the paving schedule at their November 8, 2017 regular meeting.

3. PENDING APPLICATIONS:

A. David Spielman/Applicant – Daniel A. & Rebecca D. Raymond, Trustees/Owner – Map 007 – Block 003 - Lot 19E-2 – 18 Ramstein Road – Special Exception – Increase the Height of a Silo.

MOTION: Mr. Steadman, Mr. LaPlante second, to establish the height of a silo at fifty-two (52') feet and recognize that it is now an observation tower and not a silo; unanimously approved.

The agenda was amended in order to set a public hearing for an application for a multi-family housing application at 206 Main Street for Gregory Erisoty.

4. NEW APPLICATIONS

A. Gregory Erisoty/Owner – Gregory Erisoty/Applicant – Map 044 – Block – 137 – Lot 016 – 206 Main Street – Special Exception – Multi-family Housing.

It was noted that as this parcel abuts the River Run Condominiums, it would be appropriate to provide notice of the public hearing to the management company.

MOTION: Mr. Steadman, Mr. Krimmel second, to schedule a public hearing for this application for the November 8, 2017 regular meeting; unanimously approved.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Acceptance of Evergreen Crossing as a Town Road.

Mr. Jerram reported that the Town's engineer has reviewed the subdivision improvements at Evergreen Crossing. A correspondence from Roger Hurlbut, dated October 24, 2017, noting that road has been structured substantially in compliance with the approved subdivision plan and Appendix A of the New Hartford Zoning Regulations.

MOTION: Mr. Steadman, Mr. Moore second, to recommend to the Board of Selectmen that the road at Evergreens Crossing be accepted at a Town Meeting; unanimously approved.

Discussion of the agenda item *Correspondence* was taken up prior to the discussion on the *Act Concerning Temporary Health Care Structures*.

6. CORRESPONDENCE:

Complaints received from the neighbors to the brewery occupying space at 283 Main Street was discussed. Noise, loud music, lighting and the operation of generators relative to the food trucks were among the items included in the complaint.

Mr. Jerram reported having had a conversation with the owners who indicated that the patio had begun being used prior to completing the landscape buffer in the wooden planters. It was noted that the trees were to be delivered on Thursday and will be planted at once. Ms. Mulcahy explained that the exterior flood lights on the building should be changed to shielded lights. Mr. Stoutenberg noted that the complainants had indicated that the lights were motion-detected lights. Ms. Mulcahy indicated that she would consult with the business owner again about converting these lights.

The music emitting from the garage doors being opened. It was noted that the owners have agreed to keep these garage doors down which should stop the music from billowing out.

Regarding the food truck, the owners had indicated that one truck had a very loud generator and will no longer be coming to the site, according to Mr. Jerram.

B. Discuss Act Concerning Temporary Health Care Structures.

A regulation provided by Attorney Mark Branse regarding Temporary Health Care Structures was reviewed and discussed.

Mr. Steadman exited the meeting at 7:56PM.

Mr. Stoutenberg requested that commissioners revise the draft regulation and be prepared to discuss suggested changes.

7. MINUTES – OCTOBER 11, 2017 REGULAR MEETING:

MOTION: Mr. Moore, Mr. LaPlante second, to approve the October 11, 2017 Regular Meeting Minutes; Motion approved with Mr. Stoutenberg, Mr. LaPlante, Mr. Krimmel and Mr. Moore voting aye.

8. ZONING ENFORCEMENT OFFICER'S REPORT:

None.

MOTION: Mr. Moore, Mr. Krimmel second, to adjourn at 8:10PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Secretary