

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING – MINUTES  
JULY 24, 2013 – 7:00 PM  
NEW HARTFORD TOWN HALL- 530 MAIN STREET**

**PRESENT:** Chairman James Steadman, Daniel LaPlante, Gil Pratt, Ted Stoutenberg; Alternates Robert Moore, Martin Post, and Peter Ventre; Land Use staff Certified Zoning Enforcement Officer Rista Malanca and Recording Secretary Stacey Sefcik.

**ABSENT:** David Krimmel.

Chairman Jim Steadman called the meeting to order at 7:00PM. All regular members present were seated for the evening. Alternate Martin Post was seated for David Krimmel. The proceedings were recorded digitally and copies are available in the Land Use Office.

**1. APPROVAL OF MINUTES:**

**A. June 26, 2013 regular meeting.**

The Commission agreed to table this matter until after item 5A.

**2. PUBLIC HEARINGS CONTINUED:**

**A. Pleasant Valley Children's Center, applicant; North Congregational Church, owner; 17 Church Street North – Special Exception per Section 4.2.D for Daycare Center (Preschool) in the Parsonage Building.**

Ms. Malanca explained that this application had originally been scheduled for public hearing on July 10<sup>th</sup>; however, due to improper noticing, the public hearing could not be held that night. As this was the only item on the July 10<sup>th</sup> agenda, the decision was made to cancel that meeting. The public hearing was therefore deemed opened as of July 10<sup>th</sup> and continued to this meeting. All noticing had subsequently been satisfactorily completed, and proof was present in the file. Mr. Steadman then read into the record the legal notice for this public hearing as well as a letter from Molly Sexton-Read, the owner of Pleasant Valley Children's Center (PVCC), dated July 8, 2013.

In her letter, Ms. Sexton-Read explained that she was not able to be present at the July 24<sup>th</sup> meeting; however, Lindsay West would be present at the public hearing on behalf of PVCC and Ken Crooke would be present on behalf of North Congregational Church. Ms. Sexton-Read stated in her letter that PVCC currently operated a preschool in the Fellowship Hall of North Congregational Church, and they were now seeking approval to move their operation from the Fellowship Hall to the currently vacant Parsonage Building. The preschool program in the Parsonage Building would be operated exactly the same as it currently was in the Fellowship Hall. The maximum enrollment would be 16 students per class, with only one classroom. Parents dropping off children would continue to use the church parking lot, thereby causing no change in traffic for the neighborhood. No external lighting would be required. In her letter, Ms. Sexton-Read stated that they currently ran a half-day program from 9AM to noon; however, PVCC wanted to designate their official operating hours as 9AM to 3PM in the event they ever decided to run an afternoon program as well. The outdoor play area would be located in the side yard of the Parsonage Building and would be fenced in with a 4-foot high wooden picket fence. PVCC was licensed by the State of Connecticut Department of Public Health, and the facility would meet all pertinent regulations. Lastly, Ms. Sexton-Read explained that they would want to hang a 2-foot by 3-foot sign on a wooden post in front of the Parsonage Building which would contain PVCC's name and logo.

Lindsay West then addressed the Commission on behalf of PVCC. Ms. West explained that they currently operated the preschool in the Fellowship Hall of North Congregational Church for the past 6 years. While the facility was lovely, it was also shared space with the Church, which meant that PVCC had to pack up their materials every Friday and unpack them again every Monday. Ms. West explained that moving to the Parsonage Building would allow PVCC to have a more permanent location in which to operate. Ken Crooke then addressed the Commission explaining that North Congregational Church had entered into a partnership with PVCC to renovate the first floor of the Parsonage Building so that it could be used for the preschool; thereafter, they would enter into a lease agreement with PVCC, hopefully by October 1<sup>st</sup>.

Mr. Post declared for the record that he had done the surveying work on this property in 2005 and prepared the map now on file as a part of this application. Ms. Malanca explained that the use of the structure was changing from church parsonage to daycare/preschool; in the New Hartford Center Zone, a daycare/preschool facility was permitted by special exception. She noted that the only change to the site plan would be the addition of the playground area by the Parsonage Building; the location of the playground had been added by hand to the maps and plans submitted as a part of this application. Mr. Pratt questioned whether the playground area met all appropriate setbacks, and Ms. Malanca stated that it did meet the regulations. She noted that signage of up to 20 square feet was permitted in the New Hartford Center Zone; therefore, Ms. Sexton-Read's request for a 2-foot by 3-foot sign complied with the regulations.

Hearing no further comments or questions from the Commission, Mr. Steadman opened the floor to public comment. No one present expressed a desire to speak.

**MOTION** Mr. Post, second Mr. Stoutenberg, to close the public hearing in the matter of **Pleasant Valley Children's Center, applicant; North Congregational Church, owner; 17 Church Street North – Special Exception per Section 4.2.D for Daycare Center (Preschool) in the Parsonage Building;** unanimously approved.

**3. PUBLIC HEARINGS:**

**A. WFL Properties, Inc., owner/applicant, 81 Winchester Road – Special Exception per Section 3.5F of the Town of New Hartford Zoning Regulations for a Shared Driveway. (*Applicant has requested opening and continuance to September 11, 2013 regular meeting.*)**

The Recording Secretary read into the record the legal notice for this public hearing. Ms. Malanca then read into the record a letter dated July 18, 2013 from David Whitney, PE, engineer for the applicant, requesting the public hearing be opened and continued to the September 11, 2013 regular meeting. Ms. Malanca explained that applicant was making some changes to his plans; however, they were not ready in time for this meeting.

Joseph Douaihy, owner of the abutting property at 65 Winchester Road, was present in the audience for this matter, and he asked about reviewing the updated plans for this application. Ms. Malanca suggested that Mr. Douaihy contact the Land Use Office in approximately 1-2 weeks to verify the new plans had been received so that he could review them prior to the public hearing in September.

**MOTION** Mr. Stoutenberg, second Mr. Post, to continue the public hearing in the matter of **WFL Properties, Inc., owner/applicant, 81 Winchester Road – Special Exception per Section 3.5F of the Town of New Hartford Zoning Regulations for a Shared Driveway** to the September 11, 2013 regular meeting; unanimously approved.

**4. OLD BUSINESS:**

**A. Pleasant Valley Children's Center, applicant; North Congregational Church, owner; 17 Church Street North – Special Exception per Section 4.2.D for Daycare Center (Preschool) in the Parsonage Building.**

Members of the Commission noted that this proposal was very similar to the current operation, with the only changes being relocation to the Parsonage and the addition of the playground area. Members also discussed that the parking would remain the same, and there would be no increase in traffic flow in the neighborhood. Ms. Malanca questioned whether the Commission wanted to include any conditions regarding hours of operation; after a brief discussion, the Commission decided this was not necessary noting that Ms. Sexton-Read had stated in her letter that under no circumstances would she be interested in expanding her operation beyond the typical school day hours of 9AM to 3PM.

**MOTION** Mr. Stoutenberg, second Mr. Pratt, to approve the application in the matter of **Pleasant Valley Children's Center, applicant; North Congregational Church, owner; 17 Church Street North – Special Exception per Section 4.2.D for Daycare Center (Preschool) in the Parsonage Building** as per all oral and written testimony; unanimously approved.

- B. **WFL Properties, Inc., owner/applicant, 81 Winchester Road – Special Exception per Section 3.5F of the Zoning Regulations for a Shared Driveway.**

The Commission agreed to table this matter to the September 11, 2013 regular meeting.

5. **NEW BUSINESS:**

- A. **Andrea Dobrozensky, 48 Gibson Lane – Special Exception per Section 3.6C of the Town of New Hartford Zoning Regulations for an Accessory Apartment.**

Ms. Malanca and the Commission discussed that there were still items missing from the application, such as information regarding the square footage of the existing house, pictures of the proposed accessory structure, a full survey of the property, and Farmington Valley Health District approval

**MOTION** Mr. Stoutenberg, second Mr. Pratt, to accept the application in the matter of **Andrea Dobrozensky, 48 Gibson Lane – Special Exception per Section 3.6C of the Town of New Hartford Zoning Regulations for an Accessory Apartment** and to schedule a public hearing for September 11, 2013; unanimously approved.

1. **APPROVAL OF MINUTES:**

- A. **June 26, 2013 regular meeting.**

**MOTION** Mr. Steadman, second Mr. Stoutenberg, to accept the minutes of the June 26, 2013 regular meeting as written; unanimously approved.

6. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

- A. **Discussion of Section 5.6G - Public Service/Utility District Amendments.**

The Commission briefly reviewed the proposed changes to Section 5.6G as developed by the Town's Planning Consultant.

**MOTION** Mr. Stoutenberg, second Mr. Pratt, to schedule a public hearing regarding **Text Amendment to Section 5.6 "Public Service/Utility District" of the Town of New Hartford Zoning Regulations** for the September 11, 2013 regular meeting; unanimously approved.

- B. **Update on Incentive Housing Zone Grant Application.**

Ms. Malanca informed the Commission that the State was soon going to be scheduling a deadline for a new round of grant applications. Because of this, the Town's Planning Consultant, Martin Connor, wanted to attend the September 25, 2013 regular meeting to discuss his work on the Town's grant application. Ms. Malanca also informed the Commission that it would not be possible to modify the Sewer Service Area as depicted on the map submitted to the Department of Energy and Environmental Protection (DEEP) without their approval, and the modification process would have to be undertaken by the Water Pollution Control Authority.

- C. **Continued Discussion of the 2005 Town of New Hartford Plan of Conservation and Development, with emphasis on review of Chapter 4.**

The Commission agreed to table discussion of this matter to the September 25, 2013 regular meeting.

**MOTION** Mr. Stoutenberg, second Mr. Post, to adjourn at 7:43PM; unanimously approved.

Respectfully submitted,  
Stacey M. Sefcik  
Recording Secretary