

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, December 13, 2017 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Ted Stoutenberg, Bob Moore, Jim Steadman,
Alternates Marty Post and Peter Ventre; Zoning Enforcement Officer Ruth Mulcahy.

ABSENT: David Krimmel, Dan LaPlante, and Alternate Tom McLoughlin.

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

Mr. Post was seated for Mr. LaPlante and Mr. Ventre was seated for Mr. Krimmel.

1. PUBLIC HEARINGS:

A. Tracy Armstrong/Applicant – Ralph C. Reed/Owner – Special Exception – Map 031 – Block 600 – Lot 014 – 225 Town Hill Road – Home Occupation – Massage Therapy.

The legal notice for the public hearing was read into the record. It was noted that it was published the requisite two times, on December 1, 2017 and again on December 8, 2017, in The Hartford Courant. Ms. Mulcahy confirmed that receipts confirming notice to the abutting property owners have been submitted.

Tracy Armstrong appeared before the Commission regarding this application. She explained that she was seeking to change the storage room in her barn to a home occupation use for purposes of a massage therapy business. Ms. Armstrong explained that she may want to install a small sign off her mailbox indicating the presence of the business. Additionally, she noted that three parking spaces are available.

Ms. Armstrong explained that her preference is to occupy the barn for this home occupation but would be satisfied with utilizing a room in the home if that was all that was allowed.

John Burdick of 225 Town Hill Road, noting that his home lays directly across the street from the proposed site, spoke in support of the application.

Shelly Lloyd of 29 Pioneer Drive, also spoke in support of the application.

MOTION: Mr. Steadman, Mr. Post second, to close the public hearing in this matter; unanimously approved.

B. Chris Sayer – Brewery Legitimus/Applicant – PNL Nutmeg LLC/Owner – Map 044 – Block 013 – Lot 17A – 283 Main Street – Special Exception – 4700' (foot) Expansion into Current Storage to Extend Taproom.

The legal notice for the public hearing was read into the record. It was noted that it was published the requisite two times, on December 1, 2017 and again on December 8, 2017, in The Hartford Courant. Ms. Mulcahy confirmed that receipts confirming notice to the abutting property owners have been submitted.

Chris Sayer appeared before the Commission regarding this application, explaining that he is seeking to expand his tap room. Building plan drawings were reviewed by the Commission. Mr.

Stoutenberg noted that there will likely be additional exits and toilet fixtures needed as part of this expansion and explained that consultation in this regard should occur with the Town's building official and fire marshal.

The parking plan was questioned as was the use of food trucks. Mr. Stoutenberg noted that a place should be found for standing vehicles so that noise from them does not travel to the abutting property. The installation of a stockade fence along the property line between this location and the residential homes was also discussed as something that Mr. Sayer ought to consider.

Mr. Sayer indicated that the hours of operation are Thursday, 4:00PM to 9:00PM, Friday, 5:00PM to 10:00PM, Saturday, 12:00PM to 10:00PM, and Sunday, 12:00PM to 6:00PM and occasional Wednesday before a Thursday holiday or more frequently during the week of Christmas. Kristina Sayer, identifying as a co-owner of the brewery, indicated that they would like the flexibility to also be open Mondays, Tuesdays, and Wednesdays.

Mr. Stoutenberg noted that a letter has been received from Economic Development Commission Chairman Mark Russo in support of the application. He noted that a letter has also been submitted from resident Tom Buzzi supporting the application. Mr. Burdick read aloud a letter from New Hartford Business Council President Paul Amenta.

Shelly Lloyd of 29 Pioneer Drive spoke in favor of the application, noting that the establishment is bringing other people to the community.

Donna LaPlante of 77 Stedman Road spoke in support of the application, noting that the business brings young people to town. She also submitted a survey for Pine Meadow Farms, noting that approval of that residential development has originally included a thirty (30') foot buffer which included plantings on a berm. She opined that should the residents of Pine Meadow Farms feel the need for a buffer, then that work should be completed by their association. Mr. Stoutenberg explained that as Pine Meadow Farms was an Affordable Housing development, it was exempt from the Zoning Regulations and this Commission had no oversight.

First Selectman Dan Jerram reported that the full Board of Selectmen were in support of the proposed expansion of the brewery's taproom.

MOTION: Mr. Steadman, Mr. Post second, to close the public hearing in the matter of Chris Sayer – Brewery Legitimus/Applicant – PNL Nutmeg LLC/Owner – Map 044 – Block 013 – Lot 17A – 283 Main Street – Special Exception – 4700' (foot) Expansion into Current Storage to Extend Taproom; unanimously approved.

C. Joshua D. & Laren E. Galusha/Owner – Map 006 – Block 003 – Lot 2-1, Lot 2-1 Harmony Hill Road – Special Exception – Accessory Dwelling.

The legal notice for the public hearing was read into the record. It was noted that it was published the requisite two times, on December 1, 2017 and again on December 8, 2017, in The Hartford Courant. Ms. Mulcahy confirmed that receipts confirming notice to the abutting property owners have been submitted.

Joshua Galusha of 104 Ratlum Road, Barkhamsted appeared before the Commission regarding this application along with his father-in-law, Steve Rosa of Terryville. It was noted that the size

of the accessory dwelling met the requirements of the Zoning Regulations in terms of being less than 48%.

Donna LaPlante of 77 Steadman Road spoke in support of this application, opining that accessory apartments add great value to families by allowing parents to reside with families.

Robin Gallagher of 275 Harmony Hill Road in Harwinton, noting that her property is in both communities, spoke in opposition to the proposal, opining that it will be disruptive to the peace that they enjoy.

MOTION: Mr. Steadman, Mr. Moore second, to close the public hearing in the matter of Joshua D. & Laren E. Galusha/Owner – Map 006 – Block 003 – Lot 2-1, Lot 2-1 Harmony Hill Road – Special Exception – Accessory Dwelling; unanimously approved.

2. HEARING:

A. Flanders Crossing Subdivision Public Improvements.

Mr. Jerram reported that there are some unfinished items including obtaining the mylar, the planting of trees, and the guardrail work. Discussion about the number of the trees ensued. The consensus of the Commission was that there will be additional conversations continued between Ms. Mulcahy, Mr. Jerram, and the developer of Flanders Crossing regarding the number of trees as depicted on the site plan and the guard rails in this area.

3. PENDING APPLICATIONS:

A. Tracy Armstrong/Applicant – Ralph C. Reed/Owner – Special Exception – Map 031 – Block 600 – Lot 014 – 225 Town Hill Road – Home Occupation – Massage Therapy.

MOTION: Mr. Post, Mr. Steadman second, to approve the application in the matter of Tracy Armstrong/Applicant – Ralph C. Reed/Owner – Special Exception – Map 031 – Block 600 – Lot 014 – 225 Town Hill Road – Home Occupation – Massage Therapy, in accordance with what has been presented by the applicant; unanimously approved.

B. Chris Sayer – Brewery Legitimus/Applicant – PNL Nutmeg LLC/Owner – Map 044 – Block 013 – Lot 17A – 283 Main Street – Special Exception – 4700' (foot) Expansion into Current Storage to Extend Taproom.

MOTION: Mr. Stoutenberg, Mr. Post second, to approve the application with the following findings:

WHEREAS, the Town of New Hartford Planning and Zoning Commission received a Special Permit/Site Plan application for a 4700' expansion of an existing brewery located at 283 Main Street in a C Commercial Zoning District; and

WHEREAS, the Planning and Zoning Commission held a public hearing on December 13, 2017:
IT IS THEREFORE RESOLVED that the New Hartford Planning and Zoning Commission approves the Special Exception/Site Plan application for the 4700' expansion with the following conditions:

1. Expansion plans for the interior space shall be reviewed and approved by the Building Inspector and the Fire Marshal for number of exits and bathroom facilities.
2. All exterior lights shall be full cut lighting in compliance with Article 6, Section 6.4.
3. Lighting on standing vehicles shall be full cut off lights.
4. No outdoor music is permitted with this approval.
5. The required parking spaces for the brewery shall be designated on the final site plan.

6. Cars shall be parked in approved parking spaces.
7. The hours and days of operation for the brewery are as follows: Thursday, 4:00PM to 9:00PM, Friday, 5:00PM to 10:00PM, Saturday, 12:00PM to 10:00PM, and Sunday, 12:00PM to 6:00PM; unanimously approved.

C. Joshua D. & Laren E. Galusha/Owner – Map 006 – Block 003 – Lot 2-1, Lot 2-1 Harmony Hill Road – Special Exception – Accessory Dwelling.

MOTION: Mr. Moore, Mr. Ventre second, to approve the application in the matter of Joshua D. & Laren E. Galusha/Owner – Map 006 – Block 003 – Lot 2-1, Lot 2-1 Harmony Hill Road – Special Exception – Accessory Dwelling; unanimously approved.

4. NEW APPLICATIONS:

None.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Approve 2018 Meeting Schedule.

MOTION: Mr. Steadman, Mr. Post second, to approve the 2018 meeting schedule as presented; unanimously approved.

6. APPROVAL OF MINUTES – November 8, 2017.

MOTION: Mr. Steadman, Mr. Moore second, to approve the November 8, 2017 Minutes; unanimously approved.

7. ZONING ENFORCEMENT OFFICER'S REPORT:

A. Discussion of Incentive Housing.

Ms. Mulcahy reported that of the original four properties identified, they have been narrowed down to one, the parcel known as the Karen and Karen property. Referencing a map of properties identified for future sewer service expansion, Ms. Mulcahy noted the location of this remaining property. She noted that recently the owners of a second property, not included among the originally identified parcels for incentive housing/mixed-use development, have also expressed interest. That property is in the industrial area.

Prior to developing regulations, Ms. Mulcahy explained that a concept plan is the next stage though some work has already been completed in that regard. Ms. Mulcahy reported that Marty Connors will provide draft regulations in the next couple months.

Mr. Moore indicated that he is interested in receiving more frequent updates on this initiative.

8. CORRESPONDENCE:

Mr. Stoutenberg reported that he had received advice from counsel indicating that it is not necessary to read written communications into the record. Mr. Stoutenberg reviewed the various correspondence received including those from John Burdick regarding high density housing as well as correspondence from Dan and Donna LaPlante regarding an airstream trailer previously parked on Route 219. Mr. Stoutenberg indicated that discussion of the Right to Farming Act will likely be an agenda item in January in response to what may or may not have transpired with a farm stand operated by Marwin Farm on the Steadman property.

Regarding the Marwin Farm farm-stand, Mr. Moore requested that this Commission be kept informed about ongoing enforcement issues. Ms. Mulcahy clarified that there had never been an enforcement action and that the trailer did not need to be moved. She noted that there is a

standing permit for this trailer at that location and that it could be returned to this location at any time.

MOTION: Mr. Post, Mr. Moore second, to adjourn at 8:15PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**