

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, March 14, 2018 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

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

ABSENT: Dave Krimmel.

Chairman Ted Stoutenberg called the meeting to order at 7:03PM.

Peter Ventre was seated for Dave Krimmel.

1. PUBLIC HEARINGS:

A. Jay J. Daigle/Applicant – Jay J. & Maureen L. Daigle/Owners – Special Exception – Map 027 – Block 009 – Lot 17-23 – 88 Honey Hill Road – Home Occupation.

The legal ad for the public hearing was read into the record and noted as having run the requisite two times in a local newspaper. Proof of notice of the public hearing to the abutting neighbors was provided for the record.

Jay Daigle appeared before the Commission regarding this application. He explained that he is seeking to begin a small home business, making wood signs and selling them online. Mr. Daigle explained that the work would occur in his basement and that he is not proposing a sign at his home. He noted that very rarely he might utilize UPS trucks for pick-ups but that he would more likely be dropping his packages off at a UPS store on his way to work. With respect to the sawdust waste from the signs, Mr. Daigle explained that the machine has a dust shoot that drops into a shop vac. He explained that the noise would be no greater than one might expect from a standard router.

Donna LaPlante of 77 Stedman Road spoke on behalf of the Economic Development Committee in support of new businesses, noting that many businesses have begun in basements and does not foresee a negative impact to the neighborhood as a result of this proposal.

First Selectman Dan Jerram also spoke in favor of this application.

MOTION: Mr. Steadman, Mr. Ventre second, to close the public hearing in the matter of Jay J. Daigle/Applicant – Jay J. & Maureen L. Daigle/Owners – Special Exception – Map 027 – Block 009 – Lot 17-23 – 88 Honey Hill Road – Home Occupation; unanimously approved.

MOTION: Mr. Moore, Mr. Steadman second, to amend the agenda to include under *Public Hearings - Amendment to Zoning Regulations Section 4.5.b to add Mixed Uses to the B and C Districts*; unanimously approved.

B. Amendment to Zoning Regulations - Section 4.5.b To Add Mixed Uses to B and C Districts.

It was explained that this proposal is to merely legitimize what has already been occurring in this area.

The hearing was opened to the public. No comments were received.

MOTION: Mr. Steadman, Mr. Moore second, to continue the public hearing in the Amendment to Zoning Regulations – Section 4.5.b to Add Mixed Uses to B and C Districts to the April 11, 2018 regular meeting; unanimously approved.

2. HEARING:

A. Flanders Crossing Subdivision Public Improvements.

Mr. Jerram reported that he had inspected the site this date and that the guiderails remain incomplete. He reminded the Commission that the developer had promised to complete the site work by November 15, 2017. Mr. Jerram reported emailing the developer on January 19, 2018 and that it took over a month to receive a reply. Additionally, Mr. Jerram reached out again on February 26, 2018 and then did not receive a reply to that until sixteen days after that. He recommended that this Commission move to rescind the approvals effective April 6, 2018 unless the Town receives correspondence or before that date from the Town Engineer indicating that there has been significant completion of those remaining improvements.

It was noted that the work remaining to be done at the site includes backfilling the curbs, installation of correct guiderail pursuant to the site plan approval and the Zoning Regulations, a submitted As-Built and planting of the remaining five trees.

Bill DeDominicis of 26 Flanders Crossing questioned whether the road could be accepted at the Town Meeting so that after nine years, it could finally be adequately maintained which would also serve to allow his receipt of his mail closer to his home.

Mr. Jerram explained that in order for the road to be accepted at a town meeting, the town's engineer needs to deem the road substantially complete.

MOTION: Mr. Stoutenberg, Mr. Steadman second, that in accordance with Connecticut General Statutes Section 8-26c, the Commission finds that the Flanders Crossing Subdivision automatically expired on April 6, 2018 by operation of law. The Town Planner is authorized to file a notice to that effect on the Land Records of the Town of New Hartford. The Town Planner shall request that the Town Clerk add a reference to such notice on the endorsed subdivision plan as on file with the Town Clerk. Per the aforesaid statute, no further lots may be conveyed in the Flanders Crossing Subdivision. Effective date is April 6, 2018 unless the Town Engineer states that the improvements are substantially complete; unanimously approved.

MOTION: Mr. Stoutenberg, Mr. Steadman second to approve the following Notice of Expiration of Subdivision Approval:

Pursuant to the provisions of Section 8-26c of the Connecticut General Statutes, as amended, notice is hereby given that the approval for a subdivision known as FLANDERS CROSSING and located off Ramstein Road and shown on Tax Assessor Map 001, Lot No. 6A-3 has expired effective April 6, 2018 by reason of the failure to complete all work on said subdivision as required by law.

No lots may be conveyed by the subdivider or its successor in interest as such subdivider except with the specific approval of the New Hartford Planning and Zoning Commission.

Owner of record: Sunlight Ramstein, LLC

Dated at New Hartford, Connecticut this 6th day of April, 2018;

Motion unanimously approved.

3. PENDING APPLICATIONS:

A. Jay J. Daigle/Applicant – Jay J. & Maureen L. Daigle/Owners – Special Exception – Map 027 – Block 009 – Lot 17-23 – 88 Honey Hill Road – Home Occupation.

MOTION: Mr. Steadman, Mr. Ventre second, that based on the record and oral testimony received, to approve the application of Jay J. Daigle/Applicant – Jay J. & Maureen L. Daigle/Owners – Special Exception – Map 027 – Block 009 – Lot 17-23 – 88 Honey Hill Road – Home Occupation, subject to the standard conditions as provided for in the Zoning Regulations; unanimously approved.

4. NEW APPLICATIONS:

None.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Discussion of Plan of Conservation and Development Implementation by Selectmen.

Mr. Jerram shared prepared comments regarding the POCD Implementation by Selectmen. He noted continued consistent progress with protecting open space and farmland, protecting natural resources and promoting economic development. He cited the recent Hoag donation and Butler easement and trail acquisition. Additionally, he cited the Selectmen's financial support of the Farmington River Watershed Association as well as the West Hill Lake Shore Property Owners for weed remediation. Mr. Jerram noted the Butler Farm initiative, improvements to Marsh Road and approval of the tax abatement ordinance as evidence of progress in protecting open space and farmland. He noted that a Right to Farm ordinance has been drafted. He indicated the collaboration on the new banners and signage as promoting economic development.

Mr. Moore questioned the protections in place relative to Brodie Park South. Mr. Jerram explained that the Town owns the land and it is being managed well by the commission charged with overseeing it but that the attorney has advised that the town should not tie their own hands. Mr. Moore questioned hiring an economic director. With regards to expansion of staff, Mr. Jerram reminded the Commission how difficult it was to finally get a full-time building official hired. Mr. Moore questioned the relocation of the town garage. Mr. Jerram noted that the Town has an open understanding with the Hurley family in that should a developer come to them with a plan for their adaptive reuse zone, the Selectmen would likely consider some type of plan for extension of a commercial development with the three acres along the river there.

B. Discussion of Plan of Conservation and Development Implementation by the Planning and Zoning Commission.

Mr. Moore noted the success of establishing the overlay zone in the watershed area but urged commissioners to keep in mind the goal of promoting farm friendly regulations when discussions occur regarding farm stands.

He noted that there are no design guidelines for signs for residential use in a business district. He also noted the goal of exploring an overlay zone in the Waring building.

Mr. Stoutenberg indicated that he would like to invite some of the key players from other boards and commission such as the WPCA and Conservation Commission. It was noted that Bud Butler of the WPCA would be invited to attend the April 11, 2018 regular meeting, in an effort for

this Commission to understand the various sewer projects to see how they tie in to the commercial districts.

6. APPROVAL OF MINUTES – February 28, 2018:

MOTION: Mr. Steadman, Mr. LaPlante second, to approve the February 28, 2018 Minutes; Motion passed with Mr. Stoutenberg, Mr. Steadman, Mr. LaPlante, and Mr. Moore voting aye while Mr. Ventre abstained.

7. ZONING ENFORCEMENT OFFICER'S REPORT:

No business discussed.

8. CORRESPONDENCE:

Mr. Stoutenberg explained that he had Ms. Mulcahy forward legal findings that provide guidelines when and how the public may speak at meetings. It was noted that the general public may attend and observe a meeting but the only time they should speak is in cases of a public hearing and/or when public comment is included as an agenda item. The public's comment should be limited to non-agenda items.

Mr. Stoutenberg noted that this is likely so that the Commission avoids a quasi-public hearing where parties supporting one view are lobbying the commissioners without the opportunity for folks holding different views being noticed and available to present opposing views.

MOTION: Mr. Steadman, Mr. Moore second, to adjourn at 8:21PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**