

**New Hartford Planning and Zoning Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, March 24, 2021 at 7:00 PM  
Held Via ZOOM**

**PRESENT:** Chairman Ted Stoutenberg, Dan LaPlante, Mike Misiorski, Marty Post,  
Alternates Jack Casey and Robert Goodskey; Zoning Enforcement Officer Mike Lucas.

**ABSENT:** Jim Steadman and Alternate John Burdick.

Chairman Ted Stoutenberg the meeting to order at 7:05PM. Mr. Goodskey was seated for Mr. Steadman.

**1. PUBLIC HEARINGS:**

None.

**2. PENDING APPLICATIONS:**

**A. Garrett Homes LLC/Applicant – Satan’s Kingdom LLC/Owner – Map 044 – Block 013 – Lot 020 – 173A Main Street – Retail Development with Proposed 35 Parking Spaces. Continued to April 14, 2021.**

As the public hearing was continued to April 14, 2021, there was no discussion.

**3. NEW BUSINESS:**

**A. Allan Borghesi, Borghesi Bldg. & Eng./Applicant – MBR Holdings New Hartford LLC – Site Plan Approval – Map 044 – Block 013 – Lots 001 ) 002 – 195B Main Street.**

Allan Borghesi appeared before the Commission regarding this application. Mr. Borghesi reviewed the drawings, in an effort to clear up confusion that had arisen at the last meeting. He explained that the first two drawings had reflected Phase I of the proposal with the following drawing as being indicated as Phase II. Mr. Borghesi explained that the Phase II drawing had noted the Phase I building as already having been completed. He noted that the buildings met the maximum impervious surface, building size, and the necessary setbacks. Mr. Borghesi read aloud the letter provided to this Commission, in which he reported additional landscaping being proposed in what he described as the only area that can be seen on Building 2 from the road. Mr. Borghesi pointed out that Building 2 is one hundred feet off Route 44, with a very low profile, and is buffered by a fence and a natural tree buffer along the entire area of Main Street. He reported three more trees as being added. Mr. Borghesi indicated that these two proposed buildings are very similar to the existing five buildings.

Mr. Stoutenberg indicated that the water tank has now been added to the drawings, too.

Mr. Post reported that he had received feedback regarding his comments at the last meeting wherein they were characterized as being unobjective. He offered to recuse himself from acting on this application and also offered an apology to the applicant in this regard. Mr. Stoutenberg did not think it was necessary for Mr. Post to recuse himself.

**MOTION:** Mr. Post, Mr. Misiorski second, to accept the site plan as presented subject to the following conditions:

1. Lots 1 and 2 are merged.
2. Easement between the Town of New Hartford and MBR Holdings is established for the cistern;

*unanimously approved.*

#### **4. OTHER BUSINESS TO COME BEFORE THE COMMISSION:**

##### **A. Discussion of Possible Regulation Changes.**

Mr. Stoutenberg explained the progress made on draft language by Attorney Mark Branse. Mr. Stoutenberg explained that Randy Auclair had approached Mr. Lucas about farm breweries. Mr. Post shared his opinion that the proposed regulations were being written with too fine a point, wherein they would apply to only the two properties previously discussed and indicated that he would prefer broader language to allow more. Mr. Stoutenberg explained how he never envisioned that farm breweries would be allowed on only those two parcels as there was never discussion by this Board where these belong. He reminded the commission that the Zoning Regulations allow for a farm for any parcel over three acres.

Mr. Stoutenberg opined that if a farm brewery is being considered, a crop is necessary with a real yield. Mr. Post opined that a profit and loss statement is a better measure of whether a parcel is actually a farm.

The minimum size for a farm brewery was discussed. Additional activities such as dinners and weddings and how those are governed was also discussed.

Mr. Lucas suggested the possibility of *Adaptive Reuse* of barns as a consideration. He also suggested reviewing Farm Stand, Major/Minor. He noted that Attorney Branse had provided the recent legislation that note that farms need not grow their own products. Mr. Lucas reported that Attorney Branse had relayed that local Zoning Regulations could require that the products are grown on site. Mr. Stoutenberg also questioned whether there should be any restrictions imposed to regulate the distance between two such similar uses. Mr. Post did not think that as necessary.

Mr. Jerram reminded the Commission that his family's winery had been approved in 1998 as a farm. He urged the Commission to not modify the Zoning Regulations that would result in his winery as non-conforming.

Mr. Misiorski noted that farm breweries should not include a full bar or else it would be something else. Mr. Jerram noted that wineries typically include a tasting room.

#### **5. APPROVAL OF MINUTES: March 10, 2021**

No action was taken.

#### **6. ZONING ENFORCEMENT OFFICER'S REPORT:**

No report was given.

#### **7. CORRESPONDENCE:**

##### **A. Letter from the Democratic Town Committee regarding the recommendation for appointing alternate Planning and Zoning member.**

Mr. Stoutenberg read aloud a communication from Democratic Town Committee member Marybeth Greenwood. In her letter, a recommendation was made to appoint DTC member Jack Casey, a former Selectman and current Board of Assessment Appeals member. Mr. Casey was present for the meeting and confirmed that he has the flexibility in his schedule to serve as an Alternate for the Planning and Zoning Commission.

**MOTION:** Mr. Post, Mr. Goodskey second, to endorse Jack Casey as an Alternate to the Planning and Zoning Commission: unanimously approved.

Mr. Jerram administered the oath of office to Mr. Casey.

Mr. Stoutenberg questioned whether the Town intended to take a position on the initiative in front of the State legislature to remove local zoning control. Mr. Jerram indicated that he and other members of the COG have included opposition to this in their recommended legislative priorities.

**MOTION:** Mr. LaPlante, Mr. Post second, to adjourn at 7:47PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Secretary**