

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, April 28, 2021 at 7:00 PM
Held Via ZOOM**

PRESENT: Chairman Ted Stoutenberg, Dan LaPlante, Mike Misiorski, Marty Post, and Jim Steadman, Alternates John Burdick, Robert Goodskey, and Jack Casey; Zoning Enforcement Officer Mike Lucas and Attorney Mark Branse.

ABSENT: None.

Chairman Ted Stoutenberg the meeting to order at 7:05PM.

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.

It was noted that this application had been continued to the May 12, 2021 regular meeting.

3. NEW BUSINESS:

None.

4. OTHER BUSINESS TO COME BEFORE THE COMMISSION:

A. Discussion of Zoning Regulations.

The Commission reviewed a draft of the proposed language that Mr. Lucas, First Selectman Dan Jerram, and Attorney Mark Branse have been reviewing and revising. Consulting Planner Martin Connor, assisting Dan Raymond of Ramstein Road, had also shared his recommendations as the draft had seen several iterations. Attorney Branse shared his screen as edits were again made with the full Commission having the opportunity to weigh in and make suggestions. A new section, *3.6.A. Rural Event and Recreation Facility*, was reviewed.

The document entitled, *Text Amendment to the Zoning Regulations of the Town of New Hartford, CT Establishing a Special Exception for a Rural Event and Recreation Facility*, had been uploaded to the Town of New Hartford’s website, under the tab labeled Government: Planning and Zoning Commission: Agenda for April 26, 2021.

Each section of the document was reviewed and discussed paragraph by paragraph.

Mr. Lucas reported having had a conversation with each individual commissioner over the past week to explain the shift in direction to permit the event facility on Ramstein Road rather than it coming through as a Farm Brewery. Attorney Branse explained that the challenge will be whether to include a recreation component to the text amendment. The consensus of the Commission was that it be included.

Mr. Post shared his concerns with the term “rural” and a threshold on size of 50 acres was too large or too restrictive. Mr. Jerram explained that the issue that the Commission would need to consider is how many properties in town this event concept would be applicable to.

The consensus of the Commission on the setback from other property lines in Section 1.b. should be 100’ rather than 200’.

The consensus of the Commission was to take out the age of the structure as drafted in Section 1.e.

Mr. Stoutenberg questioned whether the public is allowed at one of the events if the use is then similar to a restaurant use, a commercial use in a residential district. Attorney Branse clarified that it would not be the case because the event would be a ticket-only event.

The concept of whether food trucks would be allowed as part of an event was discussed. Attorney Branse explained that a caterer brings the food inside the building as opposed to serving food from a food truck.

How to regulate sound at the events was discussed. Attorney Branse explained that the Zoning Regulations cannot contain language relative to decibels. He noted that the Town can do so through an Ordinance, but it cannot be done so through the Zoning Regulations. He noted that noise in the abstract can be considered. Attorney Branse reported other towns using language such as “amplified noise shall not be audible at the property line,” but explained the question then begs audible to who. He suggested regulating through the location and the hours of the event.

With respect to parking, Mr. Stoutenberg questioned the lack of a requirement for paving. Attorney Branse indicated that his suggestion had been the utilization of pavers or peastone. Mr. Casey objected to a paving requirement. Attorney Branse noted an event center in another town where people were parking in the mud. Mr. Misiorski noted that there should be some address of parking. Mr. Casey noted that people often park somewhere else and are then shuttled to the event location. Attorney Branse explained why a parking study would be a requirement should there be no minimum parking spaces required. Mr. Casey preferred a minimum on number of spaces. Mr. Jerram suggested that a modification could be added to the Parking Table for a minimum number of spaces specific for Event Centers. Mr. Stoutenberg questioned whether this Commission should even be concerned with whether or not there is adequate parking provided for an event.

The Commission then reviewed the Site Plan and State of Use section of the proposed text amendment.

The minimum size requirement for such a use was discussed. The consensus of the Commission was to start with a minimum size of 30 acres.

Attorney Branse reviewed the approval process for the Commission to amend their Zoning Regulations. He explained that if the draft text amendment is moved forward to a public hearing, the language can only be reduced but cannot be increased. For instance, if the Commission were to set the standard for the minimum lot size to be 30 acres, it could be reduced to 20 acres, but the minimum lot size requirement could not be increased to more than 30 acres.

Mr. LaPlante shared his experiences with farming on local areas and how parking is an issue that should be closely reviewed with these matters.

The consensus of the Commission was to schedule a public hearing for text amendment to add Rural Event and Recreation Facility.

Mr. Jerram reminded the Commission of his suggestion to soften the language in the Zoning Regulations on farmstands. He noted that up to 350 square feet of farmstand can be approved for every three acres of active cultivation. Mr. Jerram suggested modifying the Zoning Regulations to allow 350 square feet of farmstand for two acres of active cultivation.

The consensus of the commission was that work would continue on these proposed modifications.

5. APPROVAL OF MINUTES: April 14, 2021

MOTION: Mr. Post, Mr. LaPlante second, to approve the April 14, 2021; unanimously approved.

6. ZONING ENFORCEMENT OFFICER'S REPORT:

No report given.

7. CORRESPONDENCE:

Mr. Jerram reported that a developer has approached the Town about new senior housing.

MOTION: Mr. Post, Mr. Misiorski second, to adjourn at 9:05PM; unanimously approved.

**Respectfully submitted,
Pamela A. Colombie
Recording Secretary**