

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
October 19, 2015**

Present: Charles Sheehan, Vice Chairman
Mark Winne
Mark O’Hara
Jacek Bucior
Patrick Keane
Ginny Bromage, Alternate
Brendan Malone, Alternate
Gina Pastula, Alternate

Absent: Chester Kuras, Secretary

Also Present: Bill Hawkins, AICP, Town Planner
Gerry Turbet, Town Engineer

The proceedings of this meeting were voice recorded.

I. ROLL CALL

Acting Chairman Sheehan called the meeting to order at 7:00 pm. He then asked Mr. Hawkins to take a silent roll call. In the absence of Mr. Kuras, Mr. Sheehan appointed Mrs. Bromage to act as a full member and appointed Mr. O’Hara as Secretary Pro Tem for the meeting. Mr. O’Hara then read the legal notice into the record.

II. PUBLIC HEARING

File # 2015-04: Request for a text amendment to add Section V.W Keeping of Chickens to the Zoning Regulations. Applicant- Zoning and Planning Commission

Mr. Sheehan asked Mr. Hawkins to explain the changes that have been made to the draft regulation with regard to this file. The revised regulation states that the minimum lot size required to keep chickens is one quarter acre (10,890 SF) in single ownership and that up to five hens can be kept on one quarter acre with five additional hens every quarter acre after the first up to five acres. Another change to the draft prohibits audible predator alarms on properties less than five acres. With nothing further, Mr. Sheehan opened the hearing to the public for those who wished to speak in favor of the proposed regulation. They were as follows;

- Kathleen Mormino, 519 South Stone Street – Mrs. Mormino addressed the proposed changes and stated having a minimum acreage is unnecessary and that you can’t buy less than six birds in CT due to state statutes, so having five birds on the first quarter acre does not make sense. She further spoke about enforcement of the regulation, noise and nuisance complaints and the resources already available to handle these complaints. She suggested the Commission revisit this regulation in one year.

- Kathy Dunai, 1510 North Stone Street – Mrs. Dunai thanked the Commission for their efforts in developing a backyard chicken keeping regulation. She mentioned the state laws pertaining to the number of birds that can be purchased, the resources available to the Commission for help with the regulation and that Manchester recently passed an ordinance for chickens.

With no further comments in favor, Mr. Sheehan asked for those who wished to speak opposed to the regulation. They were as follows;

- Joe Plourde, 25 Barry Place – Suggested a minimum of 2 acres for keeping chickens unless they are pre-existing and then should only be able to remain if the neighbors sign-off on keeping the birds. Mentioned a recent article in the paper regarding avian influenza.
- Janet Davis, 8 Wisteria Lane – Described her poor experience with a neighbor keeping chickens and that the state agencies she called were not helpful. She suggested the regulation address odors, noise, keeping birds contained to the owner's lot and a 2 acre minimum lot size.
- Earl Inswiler, 482 Remington Street – Mentioned his issues with a neighbor keeping chickens and suggested a 2 acre minimum lot size. Asked the commission how enforceable this regulation will be.

With no further comments opposed to the regulation, Mr. Sheehan asked if anyone else wished to speak. They were as follows;

- Kathleen Mormino, 519 South Stone Street – Addressed comments about avian influenza and local veterinarians that can help chickens.
- Robert Anderson, 939 Bridge Street – Stated Suffield is a farm town and people that don't want to live next to a farm shouldn't live in town. He mentioned he wants to get chickens and would be a responsible owner.
- Leslie Aryee, 190 East Street South – Stated she has 3.95 acres and can have two horses but no chickens and that does not make sense. Odors should not be an issue.
- Janet Davis, 8 Wisteria Lane – Stated that responsible ownership is the key and not everyone is a responsible owner. Regulations offer protection to neighbors for those that are not responsible chicken owners.

Mr. Sheehan thanked everyone for their comments and for attending all of the meetings. He stated that the commission wants a regulation that is enforceable and agreed that revisiting this regulation in a year is not a bad suggestion. With no further comments, Mrs. Bromage made a motion to close the public hearing. Mr. O'Hara seconded the motion which passed unanimously 6-0-0.

File 63-2009C: Request for Special Permit Renewal for a sand and gravel pit on Phelps Road, Map5, Block 9, Lots 46A & 48. Applicant – Murray A. Phelps III.

Mr. Phelps was in attendance and told the commission he is seeking a renewal of his special permit to operate his sand and gravel pit operation. Mr. Hawkins explained that the applicant has submitted two site plans of the area of interest; one with existing grades and one with proposed final grades when the operation is finished. Mr. Sheehan then asked staff to read through their reports after which he suggested that Mr. Phelps develop a phasing plan which includes restoration for when the operation is closed. Commissioner Keane asked about the number of truck trips the site would generate. Mr. Hawkins stated this special permit has been limited to 50 truck trips per week but the operation has not been actively excavating material for a number of years. With nothing further, Mr. Sheehan opened the hearing to the public for those who wished to speak in favor of the application. They were as follows;

Kathleen Mormino, 519 South Stone Street – Stated that if the use hasn't been a problem then she sees no reason it shouldn't be approved.

Kathy Dunai, 1510 South Stone Street – Stated that the Phelps family are good stewards of the land and have done a good job running the operation over the years.

With no one else in favor, Mr. Sheehan asked for those who wished to speak opposed to the application. With none, he asked for anyone who had a general comment or question.

Andrew Hamilton, 40 Stratton Farms Road – Asked if the trucks from this operation are required to travel a certain route out of the property.

Gerry Turbet responded about the truck traffic and stated that there is no requirement for them to take a certain route. With nothing further, Mr. Sheehan asked for a motion to close the public hearing. Mr. Winne made a motion to close the hearing. Seconded by Mr. O'Hara and the motion passed unanimously 6-0-0.

File # 2015-11: Request for a 3 lot subdivision called "North Stone Estates" located on the east side of North Stone Street with the nearest intersection being Colson Street.
Map 13, Block 15, Lot 1B - Applicant – Sasa Skerla

Mr. Sheehan asked the applicant to present the subdivision. Marek Kement, P.E., L.S. from Anchor Engineering was present and explained the application and plans to the commission. Mr. Kement described the lot configuration, wetlands, septic systems, water supply wells, and previous approvals for the proposal. He also handed the commission an aerial photo of the property with an overlay of the subdivision to give the members an idea of what the property looks like. Mr. Sheehan asked if there was any floodplain on the property and if the fire department had reviewed the driveways. Mr. Kement responded there was not any floodplain. Gerry Turbet responded that the driveways are less than 250 feet in length and therefore not required to be built to a higher standard that would support a fire truck or have a turnaround large enough for large vehicles.

With no further questions, Mr. Sheehan asked staff to read through their reports. After which, there was a discussion about requiring a right to drain for road drainage on proposed lot 3. Mr. Sheehan then opened the hearing to the public for comment. With none, Mrs. Bromage made a motion to close the public hearing. Mr. O'Hara seconded and the motion carried unanimously 6-0-0.

File # 2015-12: Request for a 3 lot subdivision located at 866 Boston Neck Road. Map 68H, Block 47, Lot 145 - Applicant – Dave Moriarty

Mr. Sheehan asked the applicant to present the subdivision. Brian Denno, L.S. of Denno Land Surveying was in attendance on behalf of the applicant and explained the request. He described the lot configuration and they are seeking approval for two new building lots with the third lot being the reconfigured house lot. Mr. Sheehan asked if the floodplain would be put on the plans and Mr. Denno stated that he would put them on the subdivision plan. With no further questions from the commission, staff read through their reports describing the application, waivers, driveways, and drainage.

Mr. Sheehan asked about the coordinate system the plans were based on. Mr. Keane asked about the common driveway for 866 and 872 Boston Neck Road. With nothing further, Mr. Sheehan opened the hearing to the public. There was no public comment however; Mr. Hawkins had received an email earlier in the day from Melanie Glaister of 821 Boston Neck Road which he read in its entirety into the record. Mrs. Glaister had concerns about adding more traffic to the road, drainage, dust, and issues she has had with the Redstone Farm subdivision construction.

With nothing further, Mrs. Bromage made a motion to close the hearing. Mr. Winne seconded and the motion was carried unanimously 6-0-0.

III. NEW BUSINESS

Request under Section IX.E.4. of the Zoning Regulations for an internally lit sign to be located on the Windsor Marketing Group building addition located at 77 Austin Street. Map 27H, Block 37, Lot 1-2. Applicant- ArtFX, Chris Davis

Chris Davis of the sign company ArtFX was present to explain the reason for the request and passed out an aerial photo of the property showing the building and where the proposed sign would be located over 500 feet from South Street. Mr. Davis explained that each of the four parts of the sign would be lit with LED lights which would be equivalent to 3.78 - 100 watt light bulbs. This sign is not meant to attract attention or be extremely bright. There was a rendering of what the sign would look like at night as well. Mr. Hawkins explained the zoning regulations and that to his knowledge, this is the first time someone has asked the commission to approve an internally lit sign.

A motion to approve the sign as presented was made by Mrs. Bromage and seconded by Mr. Bucior. Mr. Sheehan asked if there was any discussion on the motion.

Mr. O'Hara stated that if we approve this sign we may have to deal with other businesses asking for internally lit signs. Discussion took place regarding light pollution and whether they would

be setting a precedent by approving the sign. Mr. Sheehan stated the building is very large; the sign is much smaller than would be permitted under the regulations. He felt the sign would not be too bright and very far from South Street so it would not be a distraction to drivers. He also didn't see the sign as being a distraction to landing planes because its orientation. Therefore, he did not have an objection to the sign. Mr. Winne stated the sign looks discreet now but worried about what it might look like on the building. He thought of the sign more as art than a sign because there was no wording on it. With nothing further, the motion passed unanimously 6-0-0.

IV. OLD BUSINESS

File # 2015-04: Request for a text amendment to add Section V.W Keeping of Chickens to the Zoning Regulations.

Mr. Sheehan appointed Brendan Malone in the place of Patrick Keane as Mr. Keane was not a member of the commission when the application was accepted and Mr. Malone has been at all of the meetings for this application.

Mr. Sheehan asked the commission if they thought it would be a good idea to visit this text amendment in one year should it get approved. The consensus among the members was that they would like to review this text in a year. Mr. O'Hara made a motion to approve the text amendment as written with one change; permitting 6 chickens instead of 5 on the first quarter acre. Mrs. Bromage seconded the motion. Mr. Sheehan asked for discussion on the motion.

Mr. O'Hara stated that he has heard both sides of the argument felt that the current proposal was a middle ground. He mentioned the previous draft allowed an unspecified amount of chickens on a lot and he had concerns about misuse of that regulation and was in favor of the current draft.

Mr. Winne felt that what we currently have for regulations works and there has never been a problem with hens. He stated that he doesn't want anyone from the State regulating chickens in Town. Mr. Bucior stated if people want chickens they should have them. Mrs. Bromage liked keeping roosters off properties smaller than five acres and likes the proposed regulation as it is. Mr. Malone stated he has done a lot of research on chickens and was concerned the regulation would allow too many chickens on small properties. Mr. Sheehan stated that moderation is important in a regulation and the draft moderates the number of birds well.

With nothing further Mr. Sheehan asked for a vote on the motion which passed 4-2-0 with commissioners Winne and Malone opposed.

File 63-2009C: Request for Special Permit Renewal for a sand and gravel pit on Phelps Road, Map 5, Block 9, Lots 46A & 48.

There was a brief discussion regarding the ongoing litigation involving the approval of a gravel pit located off of Lake Road and whether the outcome of that case would impact this property. With nothing further, a motion was made by Mr. Winne to approve the file with the conditions enumerated in the staff reports submitted as part of this application. Mr. Keane seconded the motion which passed unanimously 6-0-0.

File # 2015-11: Request for a 3 lot subdivision called “North Stone Estates” located on the east side of North Stone Street with the nearest intersection being Colson Street.

Mr. Sheehan asked for a motion on the waivers for the application. Mrs. Bromage made a motion to approve the waiver requests for sidewalks, curbs, street lights, and street trees. Mr. Winne seconded the motion which passed unanimously 6-0-0.

Mrs. Bromage made a motion to approve the application with the conditions enumerated in the staff reports with the condition that a deeded right to drain gets filed on the land records for lot 3. Mr. O’Hara seconded the motion which passed unanimously 6-0-0.

File # 2015-12: Request for a 3 lot subdivision located at 866 Boston Neck Road. Map 68H, Block 47, Lot 145

Mr. Sheehan asked for a motion on the waivers for the application. Mr. Winne made a motion to approve the waiver requests for sidewalks, curbs, and street lights. The motion was seconded by Mrs. Bromage and passed unanimously 6-0-0.

Mr. Winne made a motion to approve the application with the conditions enumerated in the staff reports, that the flood zone indicated on the property is shown on the subdivision plan, and a condition that the coordinate references are added to the subdivision plan. Mr. O’Hara seconded the motion which passed unanimously 6-0-0.

File # 11-04B: Request from Krystal Woods Developers, LLC to release the remaining bond for work completed at the Bramble Ridge Active Adult Development located off Bridge Street; Map 44H, Block 47, Lot 14.

Mr. Turbet stated that the fence along the sidewalk on Bridge Street has yet to be installed. Therefore, he recommends the decision on this file be tabled to the November meeting. Mr. O’Hara made a motion to table the decision on this request to the November regular meeting. Mr. Winne seconded the motion which passed unanimously 6-0-0.

VI. REPORTS

Chairman - None

Town Planner – Mr. Hawkins stated that the town will be applying for the Department of Energy and Environmental Protection’s Open Space and Watershed Land Grant program for the 32 acre Lefcheck Farm located off of Wisteria Lane. He asked the commission if they would support the application with a letter recommending the property for this grant application. There was a brief discussion about funding after which it was the consensus of the commission to draft a letter of support for this grant application.

VII. MINUTES

Mrs. Bromage made a motion to approve the September 21, 2015 regular meeting minutes as submitted. The motion seconded by Mr. Bucior and approved unanimously, 6-0-0.

VIII. CORRESPONDENCE

Mr. O'Hara mentioned the recent Freedom of Information (FOI) requests some commission members were sent. Mr. Hawkins explained that some department staff and three commission members received a FOI request for documents related to an upcoming text amendment application. The commission members were also sent a FOI request for documents related to legal expenses. A response to this request will come from the town.

IX. ADJOURNMENT

With nothing further to come before the commission, Mr. Winne made a motion to adjourn at 9:30 pm; seconded by Mr. O'Hara. Motion carried unanimously 6-0-0.

Submitted,

Chester Kuras, Secretary

cc: Assessor, Building Official, Conservation Commission, Economic Development Director, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel