

ZONING COMMISSION REGULAR MEETING - MINUTES - 11/21/11

I. CALL TO ORDER

James Gallagher, Chairman, called the regular meeting for the Zoning Board to order at 7:05PM on Monday, November 21, 2011 in the Main Meeting Room of the Simsbury Town Offices. The following members and alternates were present: Edward Pabich, Bruce Elliott, Amy Salls, Robert Pomeroy, Madeleine Gilkey and David Ryan. Others in attendance included Hiram Peck, Director of Planning, Leslie Faraci, Clerk and other interested parties.

II. APPOINTMENT OF ALTERNATES

Commissioner Gallagher appointed Commissioner Ryan as the alternate for Commissioner Vaughn.

III. APPROVAL OF MINUTES - October 17, 2011

Commissioner Elliott moved to approve the minutes of October 17, 2011 with a change he presented. The motion was seconded by Commissioner Pabich and passed unanimously.

IV. APPROVAL OF ZONING COMMISSION'S 2012 REGULAR MEETING SCHEDULE

The Commission discussed the proposed calendar prior to the vote and agreed that it would be best to move the meeting originally for September 17, 2012 (Rosh Hashanah) to the week before, September 10, 2012.

Commissioner Pabich moved to approve the Regular Meeting Calendar, containing one change of moving the originally scheduled September 17th meeting, to September 10th. The motion was seconded by Commissioner Pomeroy and passed unanimously.

V. SUBSTITUTIONS FOR DRAKE HILL PLAZA PEDESTRIAN LIGHTING

Mr. Peck gave a brief history of this situation to the Commission and told them what was going to be presented by the Design Review Board after Grove Capital, LLC had a chance to give his presentation.

Steve Walker of Grove Properties addressed the Commission and said the scale for the fixture they had originally chosen, for some lighting at Drake Hill Plaza, was decided to be too large and there was an issue with the color. After some review, they decided that the acorn-style lighting would be better suited for this particular property, rather than the four-sided, lantern-style lighting that is currently on Hopmeadow Street. Mr. Walker said they worked with Apex Lighting in choosing the best light for the property. Mr. Walker sighted some issues with light shining into the storefronts which, he says, would be remedied by switching from the originally planned light to the acorn-style light. Mr. Walker distributed photos of similar acorn lights located throughout Town, sighting his to be consistent with others in Simsbury. Mr. Walker said they did try to communicate, via email, with the Town in order to make them aware of their intention to switch light fixtures from the originally approved lights.

Bruce Sawyer, Construction Manager at Grove Properties, told the Commission he spoke with Dale Koffler, architect, regarding the Town of Simsbury Design Guidelines and Mr. Sawyer said the acorn lights they chose were more appropriate for the property.

Commissioner Pabich then clarified that they were speaking about a secondary layer of lighting that was strictly for pedestrian lighting, which Mr. Walker confirmed was true.

Silvia Perdikis, Apex Lighting Solutions, reviewed the levels of lighting for the Commission. She highlighted the difference between the light given off by the four-sided lantern and the acorn lantern, and she explained that the acorn lantern gives off a better light for the pedestrian walkways.

Commissioner Elliott asked Ms. Perdikis if she was familiar with the Design Guidelines, which she was not. He then asked her if the acorn light was in the same family as the light that was specified within the Design Guidelines, to which she replied, no, they are not in the same family. Commissioner Elliott then asked if the lights had been

Town of Simsbury

Zoning Regular Meeting 11.21.11 - ADOPTED

933 Hopmeadow Street, Simsbury, CT 06070

specifically noted in the originally approved plans, to which Mr. Walker replied, yes, the four-sided lights were the lights that were planned and approved. Commissioner Pomeroy said while, they acorn lights are not offensive and are consistent with other fixtures in Town, there was clearly a lack of communication and this could be looked at fresh and essentially be a retro-active site plan approval or they say they have to be replaced. Commissioner Gallagher said his idea would be to insert speed bumps in the property and leave the lights alone, as there is a dangerous situation with the cars driving through the parking lot too quickly. He continued by saying that it was wrong what Grove Properties did, but he cannot see making them take the lights down. Commissioner Gilkey told Mr. Walker that what they did was wrong, but the lights are not offensive in style, so she would also be in favor of subjecting a fine in the form of making them putting in speed bumps, as Commissioner Gallagher previously suggested. Commissioner Ryan then also said it would be tough to make them replace them, as the lights are fine and it was hopefully an honest mistake. Commissioner Salls said she would like to hear from the Design Review Board prior to making an opinion on the topic. Commissioner Elliott then asked Mr. Peck if there were a process and where it broke down in this case. Mr. Peck said there were a series of missteps in this case, but that in general, they do have a set approval process to avoid these kinds of mistakes. In this particular case, Mr. Peck said, the plans presented were originally approved and then the email, previously reference by Mr. Walker, did not contain the project name and contained a subject that was of something completely unfamiliar to them, and therefore was not given any attention or followed up on. Typically, someone would contact them to say they wanted to make a change, Mr. Peck said, and in this case, that did not happen, as the email did not cause them to take notice and address the request. Mr. Peck said that form is important and there are Design Guidelines for a reason, so they would like to make sure the Guidelines are given the proper respect. Mr. Peck then said he does not have a specific recommendation, but that clearly this type of situation needs to be avoided going forward.

Emil Dahlquist, Chairman of Design Review Board, addressed the Commission said he was surprised and disappointed by what happened in this particular case. Mr. Dahlquist explained how the Design Guidelines were formed to create uniformity and continuity, and the Town adopted these Guidelines. He said that the lantern style fixtures, which were originally in the approved plans, are much more in keeping with the Town's aesthetic, as the acorn-style lights are more urban in look and feel, more appropriate for West Hartford, for example. He said the original submission was for the lantern-style, which followed the guidelines and therefore did not cause for any further discussion. Mr. Dahlquist said he was contacted after the acorn lights had been installed. Mr. Dahlquist then described the sequence of events that followed in terms of the communication between the Town and Grove Properties. Mr. Dahlquist said that while there are some acorn-style light fixtures in Town, they are older and there is no intention to put more of them up going forward and some are actually being replaced by the current standard of lantern-style fixtures. Mr. Dahlquist said he was concerned that by letting Grove Properties keep the acorn lighting fixtures up, the Commission would be setting a bad precedence for future developers essentially saying that they can do whatever they want, regardless of Town Guidelines. Mr. Dahlquist then showed how the light could be modified by just replacing the fixture on top and keeping the pole. He said he was not sure what the cost would be, as his questions to Apex Lighting were not answered.

Commissioner Pomeroy noted that the three (3) lights lining the driveway in from Hopmeadow Street are the ones that are most contiguous to Hopmeadow Street, so a compromise might be to replace those three (3) light fixtures. Commissioner Pomeroy said that would be his suggestion.

Commissioner Salls said she still wants to hear what the cost would be to replace the fixtures, so she can make a decision.

Commissioner Pabich said his position is; while a wrong was done, he also wants to take into consideration that there are many acorn fixtures around Town. That being said, Commissioner Pabich noted that he wanted to send a message that Guidelines do need to be followed while at the same time, not discouraging future developers by acting too severely. Commissioner Pabich said he would agree with Commissioner Pomeroy's previous suggestion.

Commissioner Elliott said that if the original plan had included these lights, the plan would not have been approved, so why should the Commission now turn their heads and allow it to happen. He said that the Guidelines need to be followed and it sends a bad message to allow them to keep the acorn lights.

Town of Simsbury

Zoning Regular Meeting 11.21.11 - ADOPTED 933 Hopmeadow Street, Simsbury, CT 06070

Commissioner Ryan asked Mr. Peck's input in terms of specificity of certain details that the Commission can require. Mr. Peck said that the plan showed a specific light, the plan was approved and those lights were expected to be used as presented, so there was no ambiguity. Commissioner Ryan said he does not think it is a severe enough design change, and Commissioner Pomeroy's suggestion sounds reasonable.

Mr. Bill Selig, Owner Bill Selig Jewelers (tenant in Drake Hill Plaza), told the Commission he was here on behalf of the Landlord, Grove Properties. Mr. Selig said the changes at the Drake Hill Plaza are all positive, which in turn, is good for the Tenants and a service to the overall community. Mr. Selig said, in his opinion, he did not think the lantern-style lights were appropriate for this project. Mr. Selig said that the Plaza looks beautiful and the Owners should not be put through this process, even though they were wrong to go ahead with the change without notifying the Town.

The decision options were discussed amongst the Commission members.

Commissioner Pomeroy moved that the Commission require Grove Capital, LLC to replace the tops of the three (3) lights, (specific model of replacement being subject to approval by Hiram Peck) that are located along the main driveway and allow the other nine (9) lights to remain. The motion was seconded by Commissioner Ryan and was passed five (5) to one (1), Commissioner Elliott opposed.

VI. PUBLIC HEARING(s)

Commissioner Pabich then read into record the following legal notice:

The Zoning Commission of the Town of Simsbury will hold a Public Hearing at a Regular Meeting on Monday, November 21, 2011 at 7:00PM in the Main Meeting Room at the Simsbury Town Offices, 933 Hopmeadow Street, Simsbury, Connecticut on the following:

To hear public comment and to consider adoption, of the proposed amendments to the Town of Simsbury's Zoning Regulations under:

- Article Two, Establishment of Districts and Provision for Official Zoning Map
- Article Five, General Provisions
- Article Six, Prohibited Uses
- Article Seven, Permitted Uses
- Article Eight, Height and Area Requirements

At this hearing interested persons may appear and be heard and written communications will be received. A copy of the above is on file in the Office of the Town Clerk, 933 Hopmeadow Street, Simsbury, Connecticut for public inspection.

Commissioner Gallagher then invited the public audience to address the Commission. Commissioner Pabich then said that since the Town Attorney's comments had not yet been incorporated, they did not think the Commission would be able to vote on the changes tonight.

Mr. Peck then let the Commission and the public know that a copy of the proposed draft was sent to Capitol Region Council of Governments (CRCOG) and receipt was acknowledged. The comment from CRCOG was as follows; "Staff of the Regional Planning Commission of CRCOG has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns." Mr. Peck said that if changes are substantial, a re-notice will be made to CRCOG.

Mr. Elliott noted that the legal notice did not include Article 4, which Mr. Peck said was an oversight.

Richard Wagner, 52 Old Farms Road, addressed the Commission first regarding the definition of "Boarding House" and said he does not think the definition listed was adequate and it was overly broad. Next Mr. Wagner said, with regards to Article 5, Section B1, there needed to be more detail with regards to the storage language. Article 5 Section H, Mr. Wagner said he had an issue with the wording of this section, noting it would prevent certain

businesses from having music outside of their store. Article 7 Section C.1, Mr. Wagner questioned the replacement of "Planning" with "Zoning". Then Mr. Wagner said with regards to Article 7, Section F.1, he had an issue with the language saying it would disqualify potential productive uses that are appropriate for these zones.

Gail Ryan, 20 Westledge Road, addressed the Commission to speak about the changes on Article 7 Section B 6A. Ms. Ryan said the revision will prevent people from being able to have a riding ring who should be allowed to on their horse properties and therefore, will negatively affect the value of these larger parcels. Ms. Ryan assured the Commission that the dust is not an issue and should not be a factor when deciding this change.

Ashley Lane, 135 Old Farms Road, addressed the Commission said he had an issue with most of the changes. Mr. Lane started saying he had an issue with the definition of "Boarding House" and with the "Illegal Storage" section, saying it needed to be more specific. Mr. Lane also mentioned the speakers on the commercial businesses, as Mr. Wagner did, saying they should be allowed to play music outside of their business. There was some confusion over the language that Mr. Lane was looking at and Commissioner Gallagher suggested Mr. Lane go to Town Hall and look at the exact language and come up with a list of his concerns. Mr. Lane then asked about the "No Roosters or Peacocks allowed" language saying he likes the way roosters sound. Mr. Lane said he supports Ms. Ryan previous comments regarding the riding rings. Mr. Lane said the language in Article 7, Section F.1 was too vague. Mr. Lane then had an issue with the language within Article 8, Section B15.

VII. OTHER MATTERS AS MAY PROPERTY COME BEFORE THE COMMISSION

Mr. Peck said the consultants, on the Town Center Design Guidelines, will be in town and conducting focus groups on December 6th. On December 7th, Mr. Peck said, there will be a de-briefing for the Land Use Commissions prior to the consultants leaving town.

Mr. Peck said there was going to be a formal groundbreaking ceremony for the Dorset Crossing project on November 30th at 11:00AM

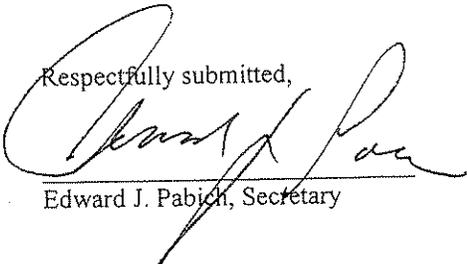
Mr. Peck then said he submitted the Town Center Code to the CT Chapter of the American Planning Association and have been given the Implementation Award for the Code.

Commissioner Gallagher thanked the Commission for working with him throughout the years and thanked Commissioner Elliott and Commissioner Gilkey for their service. Then Commissioner Pabich thanked everyone for their service and for the professionalism throughout their terms.

VIII. ADJOURNMENT

Commissioner Ryan moved to adjourn the Regular Meeting of the Zoning Commission at 9:00 PM. The motion was seconded by Commissioner Pomeroy and passed unanimously.

Respectfully submitted,



Edward J. Pabich, Secretary

Town of Simsbury

Zoning Regulations Proposed Changes
Dated September 14, 2011

<u>ARTICLE</u>	<u>SECTION</u>	<u>PAGE NO.</u>	<u>PROPOSED ADDITION/REVISION</u>
TWO	A	4	Add-R-40 OS Open Space Subdivision R-80 OS Open Space Subdivision
FOUR	4.2	I-4	Add (definition)-Boarding House: A building, other than a hotel or motel, where lodging or rooms, or both, are provided for compensation, whether directly or indirectly.
FIVE	B.1 (c)	16	Replace existing wording- <i>In any residential zone, all boats, trailers, campers, mobile homes, storage container, motor vehicles, or similar equipment shall be located behind the longest rear wall of the principle building, or in the rear half of the lot, and, must be located outside the required front, side, or rear yards of the property as defined by Article Eight, Section A of these regulation. Items stored for more than 6 months in any given years shall be buffered, or located in such a manner as to minimize their visibility/impact on neighboring properties, public or private.</i>
FIVE	H	18	Remove-"for advertising purposes ..."
	J.1 (c)	18	Add-"Field verified, existing and proposed..."
SIX	E	22	Include- "Boarding House"
SEVEN	A.5	23	Remove entirely
	A.6	23	See HP for Energy Generating wording
SEVEN	B.1	25	Rewrite- <i>Farms, provided that the storage of fertilizer, manure and all buildings housing animals shall be located at least one hundred (100) feet from any lot line.</i>
	B.6 (a)	25	Remove-"or accessory buildings" & Replace with- <i>or housing of farm animals and placement of riding rings be located closer than...</i>
	B.6 (c)	25	Add- <i>No roosters or exotic birds are allowed.</i>
	C.1	26	Remove-" <i>except such uses shall not be permitted in the R-160 zone.</i> "
	C.8	27	Replace "Planning" with "Zoning"
	C.8 (g)	28	Remove 'buildable square' language. Add new 'Section 8'?
	C.9 (b) (2)	29	Remove- 'one-third' from first sentence

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

ZONING COMMISSION REGULAR MEETING - MINUTES - 12/19/11

I. CALL TO ORDER

Rob Pomeroy, Chairman, called the regular meeting for the Zoning Board to order at 7:02PM on Monday, December 19, 2011 in the Main Meeting Room of the Simsbury Town Offices. The following members and alternates were present: Amy Salls, David Ryan, Gerald Post, Ed Pabich, Ed Cosgrove, and Derek Peterson. Others in attendance included Hiram Peck, Director of Planning, Leslie Faraci, Clerk and other interested parties.

II. APPOINTMENT OF ALTERNATES

*Commissioner Pomeroy appointed Commissioner Cosgrove as the alternate for Commissioner Fiske.
Commissioner Pomeroy appointed Commissioner Peterson as the alternate for Commissioner Salls.*

III. APPROVAL OF MINUTES - December 5, 2011 Regular Meeting

Commissioner Pomeroy asked if there were any changes, there were none. Commissioner Pomeroy then accepted the December 5, 2011 minutes.

Commissioner Salls arrived at 7:06PM.

IV. INFORMAL DISCUSSION (with Tom Evans regarding possible redevelopment of 155 Hopmeadow Street)

Mr. Peck explained that this was an information presentation, prior to application to give an idea of what the property owner has in mind for the property in order to get some feedback from the Commission.

Mr. Evans, the owner of 155 Hopmeadow Street, addressed the Commission with a presentation board outlining a preliminary site plan for the redevelopment of this property. This property, known as the "pool barn site", Mr. Evans explained, will be rebuilt for the use of retail, while maintaining its historical integrity. He also explained that they planned to put a gas station on the property. When asked if the retail would be multi-tenanted, Mr. Evans showed how they intended to divide up the interior square footage, in keeping with current demand for small retail suites. He explained that he would combine suites as needed for any potential bigger tenants. Mr. Evans explained that there would be a drive through ATM on the site, but not a full service bank on the premises. He also said there would be a convenience-type store related to the gas station. When asked about the character of the convenience store, Dale Cutler, Cutler & Kenyon Architects, stated that they would be mindful to keep the historical character when developing the gas station and convenience store, then he handed out a rendering to the Commission members, showing what they had in mind.

The ingress/egress, as well as traffic flow on Route 10 were discussed between Mr. Evans, Mr. Cutler and the Commission members. It was agreed upon by all that ingress/egress, as well as traffic flow, at that location, was an issue that needed to be seriously investigated as they moved along with the project. The parking at the property was discussed as well as the application of use. Mr. Peck suggested the thought about a PAD application for this property, considering its multiple intended uses. Other Zoning Application options were discussed. The accessibility to the bike trail was discussed and the positives and potential issues that come along with that. Commissioner Peterson asked about the potential safety issues that come along with a wood frame structure directly over the gas pumps and Mr. Cutler responded that the timber frame can be more fire resistant than coated steel. Mr. Peck then discussed the potential for bicycle racks on the property for the users of the bike trail and how the addition of bike racks would effect their parking ratio.

50
51 Commissioner Pomeroy said that overall, he thought the feedback is positive, and that they should
52 continue their studying of the issues discussed.

53
54 **V. PRESENTATION(S)**

55 (a) Application of Richard L. Sawitzke, P.E. Town Engineer/Director of Capital Projects, Applicant, for a
56 Site Plan Amendment for additional parking at Boy Scout Hall and also to construct a pedestrian
57 walk/stream crossing between Boy Scout Hall and the Simsbury Public Library on property located at
58 the Simsbury Library, 725 Hopmeadow Streets, SC-1

59
60 Mr. Sawitzke presented the Commission with boards showing the proposed Site Plan. He said they have
61 looked at a number of alternatives over the years to provide the library with additional parking. He said
62 they would be adding access to 18 existing spaces and adding ten (10) more to that, representing
63 approximately a 30% increase for the library, which is needed. The landscaping and vegetation was
64 discussed. He said Design Review had suggested a couple changes, which were taken into consideration.
65 Mr. Sawitzke described the stream crossing they plan to erect and then discussed schedules. The parking
66 was then discussed further. Mr. Sawitzke said they are going in front of the Wetlands Commission
67 tomorrow. When asked if they already presented to the Library Board, Mr. Sawitzke said yes, they had.
68 Commissioner Ryan said that the Library Board met tonight and that they have not seen or voted on this.
69 Mr. Sawitzke said a lot of the Board members had seen this. Commissioner Ryan said he does not think
70 they should act on this prior to the Library Board having seen the most recent changes. Commission
71 Pomeroy asked what the feedback had been from First Church and Mr. Sawitzke said they are
72 comfortable with this version rather than a drive-through option. When Commissioner Peterson asked
73 who owns the lot, Mr. Sawitzke said it is owned by the Town of Simsbury. Commissioner Pomeroy said
74 before acting, they would like to hear from Wetlands Commission and the Library Board. Mr. Peck
75 suggested the possibility of a Special Meeting in January to re-visit this issue, as there is no regularly
76 scheduled January meeting. The lighting and the walkways were then discussed. Commissioner Pomeroy
77 said he thinks the general consensus is favorable on this Site Plan Amendment, but they cannot act of this
78 tonight.

79
80 **PROPOSED AMENDMENTS ON TOWN OF SIMSBURY ZONING REGULATIONS**

81 Dennis Hannon, Simsbury resident, said he was busy with the storm clean up and was unavailable for the
82 prior public hearings, and would like to give input on these proposed changes prior to their voting on
83 them. Commissioner Pomeroy said that unfortunately, the Public Meeting, which went on for two (2)
84 meetings, were closed, so there is not the official forum for his input to be considered. He welcomed Mr.
85 Hannon to stay and listen to the Commission discussion.

86
87 Mr. Peck started by going through the proposed changes with the Town Attorney Robert DeCrescenzo's
88 comments/feedback. He went through the changes from the Town Attorney's memo, November 11,
89 2011.

90
91 **1. Article Two, Section A, Page 4:**

92 Mr. Peck said there was no suggested change to this proposed revision.

93 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

94
95 **2. Article Four, Section 4.2, Page I-4:**

96 This revision is regarding the definition of "Boarding House", which was discussed between Mr. Peck
97 and the Commission. While Attorney DeCrescenzo had proposed putting a specific number of occupants
98 in the definition, Mr. Peck said he does not necessarily think the number is important, but the nature of
99 the relationship and whether or not compensation is involved is what is most needed. It was decided that

100 the Attorney's comments were acceptable. Mr. Peck said as long as it creates a tool to enforce the rule,
101 they will be satisfied.

102 *Final Decision: Adopt revision as proposed by Town Attorney*

103

104 **3. Article Five, Section B.1 (c) Page 16:**

105 This revision is regarding permanent storage at a residential zoned property. Mr. Peck said, after
106 reviewing further, staff suggests to exclude the wording "storage containers regardless of size" out of the
107 regulation at the present time and also modify "whether registered or not".

108 *Final Decision: Adopt revision as drafted and recommended by Town Staff, with the exclusion of the*
109 *above referenced wording.*

110

111 **4. Article Five, Section H, Page 18:**

112 This revision is regarding the noise reduction emanating from commercial sites and will delete the words
113 "for advertising purposes".

114 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

115

116 **5. Article Five, Section J.1 (c):**

117 This revision was regarding a request from Town Engineer, and requested to add the language, "field
118 verified, existing and proposed..."

119 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

120

121 **6. Article Six, Section E, Page 22:**

122 This revision was regarding the addition of the following wording to prohibited uses "Boarding Houses,
123 unless expressly permitted."

124 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

125

126 **7. Article Seven, Section B.1, Page 25:**

127 This revision was regarding the changing of the existing wording to read: "Farms, provided the storage of
128 fertilizer, manure and all buildings housing animals shall be located at least 100 feet from any property
129 line". Mr Peck commented that there had been quite a lot of feedback from the public on this particular
130 revision and suggested that the Commission might want to find an alternative way to deal with this. The
131 wording of this revision was discussed, saying this revision would create a lot non-conforming properties.

132 It was decided that this would be worked on further and no action would be taken at this time.

133 Commissioner Pomeroy said he would like to leave the language as is.

134 *Final Decision: No Action*

135

136 **8. Article Seven, Section B.6 (a), Page 25:**

137 This revision is regarding the addition of the language, "No Roosters of Peacocks allowed". There were
138 no issues with this revision.

139 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

140

141 **9. Article Seven, Section B.6 (c), Page 25:**

142 This revision is regarding the deletion of "...or accessory buildings" and replace with "...or housing of
143 farm animals and placement of riding rings be located closer than...". It was decided, after hearing
144 feedback from the public, that this revision would make it extremely difficult for someone to have a
145 riding ring, and thus, it was decided no action would be taken.

146 *Final Decision: No Action*

147

148 **10. Article Seven, Section C.1, Page 26:**

Town of Simsbury

Zoning Regular Meeting 12.19.11 - DRAFT
933 Hopmeadow Street, Simsbury, CT 06070

149 This revision is regarding the deletion of, "except such uses shall not be permitted in the R-160 zone."
150 The definition of Home Occupation was discussed after a question from Commissioner Cosgrove.
151 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

152
153 **11. Article Seven, Section C.8, Page 27**
154 This revision is regarding the replacement of "Planning" with "Zoning".
155 *Final Decision: Adopt revision as drafted and recommended by Town Staff, with addition of Town*
156 *Attorney's language.*

157
158 **12. Article Seven, Section C.9 (b) (2), Page 29:**
159 This revision had to do with accessory dwelling units. Mr. Peck said, after review, it would be best to
160 leave the language the way it currently reads.
161 *Final Decision: No Action*

162
163 **13. Article Seven, Section F.1(i), Page 33:**
164 This revision was to change the language to "Repair services or businesses which are not large item or
165 heavy industrial in nature.". Mr. Peck said he would recommended the revision with "large item" be
166 taken out.
167 *Final Decision: Adopt revision as drafted and recommended by Town Staff, with the deletion of "large*
168 *item"*

169
170 **14. Article Seven, Section L, Pages 39-42:**
171 This revision was to delete existing language and replace with adopted Simsbury Center Code.
172 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

173
174 **15. Article Seven, Section M.3, Page 43:**
175 This revision is regarding a new section of Floodplain regulation as required by State of CT.
176 *Final Decision: Adopt revision as drafted and recommended by Town Staff, and as required by general*
177 *statutes.*

178
179 **16. Article Eight, Section A, Note A (1), Page 46:**
180 This revision is regarding the deletion of this section, as the staff thinks this regulation has no positive
181 effect and penalizes the commercial property for a situation that may be preexisting.
182 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

183
184 **17. Article Eight, Section B.15, Page 50:**
185 This revision is regarding the addition of a new section, "Sheds of 200 SF or less may be located within
186 12 feet of a property line, but may not be located in any front or side yard". It was discussed that the
187 public had a lot of feedback in favor of this proposed revision.
188 *Final Decision: Adopt revision as drafted and recommended by Town Staff and as recommended by ZBA*
189 *Staff*

190
191 **18. Article Eight, Section C.4, Page 51:**
192 This revision is regarding the removal of this section because the definition of height measurement is
193 contained int the previously adopted definitions section.
194 *Final Decision: Adopt revision as drafted and recommended by Town Staff*

195
196 Prior to the vote, Commissioner Pomeroy appointed Commissioner Peterson for Commissioner Fiske,
197 allowing Commissioner Salls to vote on this item.
198

Town of Simsbury

Zoning Regular Meeting 12.19.11 - DRAFT

933 Hopmeadow Street, Simsbury, CT 06070

199 Commissioner Ryan moved to accept the Regulation changes as outlined by Hiram Peck (summarized
200 above). The motion was seconded by Commissioner Pabich and passed unanimously.

201 VI. OTHER MATTERS AS MAY PROPERLY COME BEFORE THE COMMISSION

202 a. Update on Town Center Design Guidelines

203 Mr. Peck said that on December 6th, the consultants were in town conducting meetings regarding the
204 Town Center Design Guidelines. They are now drafting those guidelines and should have a draft back in
205 late January/early February to discuss. Mr. Peck suggested that all of the Land Use Commission take a
206 look at that first draft in order to get all comments out on the table.

207 b. Status of present developments

208 Commissioner Pomeroy spoke of the activity occurring at Dorsett Crossing and Grist Mill. Lastly, Mr.
209 Peck showed the Commission the "Implementation Award of 2011" that was presented to Simsbury by
210 the CT Chapter of the American Planning Association.

211 Commissioner Pomeroy said the next meeting is February 6, 2012, so there may have to be a Special
212 Meeting in January.

213 VII. ADJOURNMENT

214 Commissioner Ryan moved to adjourn the Regular Meeting of the Zoning Commission at 8:50PM. The
215 motion was seconded by Commissioner Salls and passed unanimously.

216 Respectfully submitted,

217
218
219
220
221
222
223
224
225
226
227 _____
Edward J. Pabich, Secretary

228
229
230