

From: Carrie Vibert April 23, 2012 10:06:35 AM
Subject: Zoning Commission Minutes 04/02/2012 ADOPTED
To: SimsburyCT_ZoningMin
Cc:

ZONING COMMISSION REGULAR MEETING
ADOPTED MINUTES - 4/2/12

I. CALL TO ORDER

Robert Pomeroy, Chairman, called the regular meeting for the Zoning Commission to order at 7:00PM on Monday, April 2, 2012 in the Main Meeting Room of the Simsbury Town Offices. The following members and alternates were present: Gerald Post, Will Fiske, Edward Cosgrove and Edward Pabich. Others in attendance included Hiram Peck, Director of Planning and other interested parties.

II. ALTERNATES

Commissioner Pomeroy appointed Commissioner Cosgrove for Commissioner Ryan.

III. APPROVAL OF MINUTES - March 19, 2012 Regular Meeting

The minutes from the March 19, 2012 Regular Meeting were accepted as presented.

Commissioner Pabich read the legal notice for the scheduled public hearings:

1. Application #12-08 of Jannette Lopez, Owner, for a Special Exception pursuant to Article Seven, Section C.9, of the Simsbury Zoning Regulations for an accessory apartment on the property located at 52 Hoskins Road (Map H05, Block 403, Lot 001). Zone R-15.

2. Application #12-09 of Ferg Jansen, Board Member, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a one-day event on the property located at the Old Drake Hill Flower Bridge. Zone R-15.

Commissioner Cosgrove made a motion to amend the Agenda in order to allow a change in the order of presentation of the two (2) Public Hearings and also to allow the Commission to vote on each item immediate following each presentation. The motion, which was seconded by Commissioner Fiske, was unanimously passed.

IV. PUBLIC HEARING(s):

Application #12-09 of Ferg Jansen, Board Member, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a one-day event on the property located at the Old Drake Hill Flower Bridge. Zone R-15.

Ferg Jansen - 310 Fox Den Road, West Simsbury, addressed the Commission requesting permission to serve beer and wine on the Old Drake Hill Flower Bridge for their June 6th fundraiser. Mr. Jansen noted the rain date is scheduled for the following day (June 7th), so it will be one of those two (2) dates. Mr. Jansen said this event is held in order to raise money for flowers that will adorn the bridge. Commissioner Pomeroy asked if they will be charging for the liquor. Mr. Jansen responded that he believes it will be all-inclusive, where the patrons donate one amount instead of paying for individual items. Commissioner Pomeroy asked about servers. Mr. Jansen said that he will personally be dispensing the alcohol and will be checking those to be under the age of 29, although Mr. Jansen noted that it is usually a "mature crowd".

Commissioner Pomeroy asked if there were any further comments from public audience. There was none. At this point, Commissioner Pomeroy closed the Public Audience.

Commissioner Pabich moved to approve Application #12-09 of Ferg Jansen, Board Member, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a one-day event on the property located at the Old Drake Hill Flower Bridge. Zone R-15. The motion, which was seconded by Commissioner Fiske, was unanimously passed.

Commissioner Pomeroy reopened the Public Hearing.

Application #12-08 of Jannette Lopez, Owner, for a Special Exception pursuant to Article Seven, Section C.9, of the Simsbury Zoning Regulations for an accessory apartment on the property located at 52 Hoskins Road (Map H05, Block 403, Lot 001). Zone R-15.

Ms. Lopez explained that she bought her house about a year and a half ago, which has an attached apartment, and apparently, it did not have the proper permitting. She said now that she has an interest in renting the apartment, she wants to make sure the apartment has the proper permits. Ms. Lopez explained that it is fully outfitted with a kitchen, bathroom, washer & dryer, etc. Mr. Pomeroy asked Mr. Peck why would this property not have been caught, with regards to the permitting, at its time of sale to Ms. Lopez. Mr. Peck explained that there was never an application submitted, so there was no transfer/renewal when the property was purchased by Ms. Lopez.

Ms. Lopez said it was presented as an in-law apartment when she was looking to buy the property. Mr. Pomeroy asked about some of the specifications of the property (year built, square footage, etc), as there was some confusion with the paperwork the Commissioners had in front of them. Mr. Pomeroy said the relative size of the apartment to the total square footage of the house will be a key factor for the Commission when coming up with their decision. Ms. Lopez did not have a definitive answer with regards to the total square footage of the house. When asked if she would continue to occupy the main part of the house, Ms. Lopez answered, yes. Ms. Lopez confirmed there is a separate entrance for the house and apartment as well as the fact that there was enough parking for a potential tenant. Mr. Pomeroy said he was not comfortable voting on this tonight, as he would like to get a cleaned up memo, for which he can be sure the answers are reliable. It was decided this could be put on the agenda for the next meeting.

V. PRESENTATION(s)

Application #12-07 of Ethel Walker School, Owner, and Thomas Daly of Milone & MacBroom, Agent, for a Site Plan Amendment for renovating and expanding athletic fields on the property located at 230 Bushy Hill Road (Map D15, Block 115, Lot 006), 101 and 103 Sand Hill Road (Map E14, Block 115, Lot 006), and Bushy Hill Road (Map E15, Block 115, Lot 006). Zone R-40.

Daniel Kroeber, Civil Engineer, Milone & MacBroom, addressed the Commission on behalf of the Ethel Walker School regarding renovation and expansion of athletic fields. Mr. Kroeber directed the Commissioners to a site plan illustrating the existing site and the composition of the proposed renovated/new fields. The two (2) grass fields they plan to renovate, Mr. Kroeber explained, are smaller than they would like as well as having some undesirable terrain immediately surrounding the fields. Mr. Kroeber described the current catch basin, that drains water out toward the wetlands area to the south of the athletic fields. Ultimately, in that area, there will still be two (2) grass fields, just improved. Then Mr. Kroeber moved onto the proposed synthetic field, explaining they will move the softball field to the south to make room for the new configuration. Mr. Kroeber spoke about the two (2) new synthetic fields and their configuration (two side-by-side fields that can also be played on as one larger soccer field in the alternate direction). He spoke about the walkway that will surround the synthetic fields. Mr. Kroeber addressed the issue of the Community Gardens, saying ultimately it will not impact the gardens. The parking was discussed and Mr. Kroeber explained how it will be shifted. When discussing the proposed new restroom/storage building, Mr. Kroeber said it is proposed to be a 47' (L) x 20' (W) building that will house both men's and women's restroom as well as some storage area for athletic equipment. He spoke about the materials they plan to use, still to be determined by final funds, and showed the Commission a rendering of the proposed structure. The parking was discussed further. Commissioner Fiske

asked about the lighting. Mr. Kroeber said the fields will not be lit and then described the lighting proposed for the area, which will be consistent with standard campus lighting. Commissioner Fiske then asked about the stream next to the grass fields and Mr. Kroeber said there is a catch basin and showed where it pipes down to the wetlands. Commissioner Post asked if the fields will be irrigated, and Mr. Kroeber said they would. It was discussed that this was not yet approved by the Wetlands Commission, but Mr. Kroeber said he would be meeting with them on Tuesday, April 3. Commissioner Pomeroy said if it goes well with the Wetlands Commission, he thinks it should be put on the consent agenda for the next Zoning Commission meeting. Mr. Kroeber said they have an aggressive timeline and hope they can start construction in May and be ready for play in September.

VII. UPDATES

Mr. Peck said the main topic he wanted to address was the Incentive Housing Zone (IHZ). He gave the Commissioners a site analysis for IHZ, completed in October 2009, showing seven (7) different sites throughout Town and the spoke of the several selected for the possible option for an IHZ. He explained the IHZ, what it would allow and some of its advantages. Mr. Peck outlined a few sites in Town that could be recommended (a) Tariffville Mill Site (b) small parcel at top of Plank Hill and Firetown Road - Mr. Peck explained this site could potentially have up to six (6) small single family houses on small lots. (c) South End, North East Utilities Site. Mr. Peck asked the Commissioners to take a look at the document (in addition to the rough draft for the regulation which he distributed) and provide any feedback they might have. Mr. Peck and the Commission members discussed that the next steps in the process. Mr. Peck said this needs to be finished up prior to the end of June. When the Sand Hill site was brought up as a potential site, Mr. Peck said there are additional sites that could be contemplated, but on that site ultimately, the Owners have decided on going down a different path. Commissioner Fiske asked how and when in the process the neighbors are allowed provide their feedback. Mr. Peck said each potential site will have to be looked at carefully and then described the process (notification, Public Hearing, etc.). Commissioner Pabich asked, if the three (3) sites were approved, what is the probability that one would get started on development this year. Mr. Peck said he thinks there is a very good chance it would get started.

Commissioner Pomeroy told Mr. Peck it would be helpful if they could be reissued a new copy of the Zoning Regulations with all of the updated changes. Mr. Peck said he will make them copies, but also noted that they are posted online.

As for the budget update, Mr. Peck said he didn't have anything new to report.

VIII. ADJOURNMENT

Commissioner Cosgrove moved to adjourn the Regular Meeting of the Zoning Commission at 8:00PM. The motion was seconded by Commissioner Post and passed unanimously.

Respectfully submitted,

Robert Pomeroy, Chairman