

From: Carrie Vibert May 9, 2012 10:09:55 AM
Subject: Zoning Commission Minutes 04/16/2012 ADOPTED
To: SimsburyCT_ZoningMin
Cc:

ZONING COMMISSION REGULAR MEETING
ADOPTED MINUTES
APRIL 16, 2012

I. CALL TO ORDER

Edward Pabich, Secretary, called the regular meeting for the Zoning Commission to order at 7:00PM on Monday, April 16, 2012 in the Main Meeting Room of the Simsbury Town Offices. The following members and alternates were present: Will Fiske, Edward Cosgrove, Amy Salls and Derek Peterson. Others in attendance included Hiram Peck, Director of Planning and other interested parties.

II. ALTERNATES

Commissioner Pabich appointed Commissioner Cosgrove for Commissioner Pomeroy and Commissioner Peterson for Commissioner Post.

III. APPROVAL OF MINUTES - APRIL 2, 2012 REGULAR MEETING

After receiving no comments/changes from any Commission members, Commissioner Pabich approved the minutes as presented.

IV. CONSENT ITEM(S):

1. 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.

Mr. Pabich asked Mr. Peck to confirm that the above listed applicant had received a favorable outcome with their Wetlands Commission meeting, and Mr. Peck said yes, they did.

Commissioner Fiske moved the approval of 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). The motion, which was seconded by Commissioner Salls, was unanimously approved.

V. PUBLIC HEARING(s):

Commissioner Pabich said item #2, originally listed as a consent item, needs some further discussion, pursuant to Commissioner Ryan's request, so the upcoming discussion will be a continuation of the Public Hearing from the last meeting. Mr. Peck explained the revised staff report addresses the questions posed at the last meeting. He continued by saying the revised report, dated April 13th, has all of the correct information. Mr. Peck said the application meets all of the current requirements of the updated Zoning Regulations. Commissioner Pabich said he thought they should follow up on the topic of coming up with a method to ensure this type of oversight (the accessory apartment was never reported and therefore the property was not properly permitted) is caught at time of sale for future cases. Mr. Peck noted that, with the revaluation process currently happening, many of these cases will come to their attention. It was discussed how many of these types of infractions might currently exist within Town. The topic of the Boarding House regulation was discussed by Mr. Peck and the Commissioner members.

Commissioner Pabich asked if there were any comments from Public Audience. There were none.

Commissioner Ryan moved the approval of 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). The motion, which was seconded by Commissioner Peterson, was unanimously approved.

At this point in the meeting Commissioner Fiske read into record the legal notice for the following applications.

1. Application #12-11 of Timothy Goodwin, Agent for Community Farm of Simsbury, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a series of one-day events on the property located at 73 Wolcott Road (Map I02, Block 439, Lot 002). Zone I-1.

2. Application #12-12 of Marshall Epstein, Owner, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a series of one-day events on the property located at 25 East Weatogue Street (Map H14, Block 108, Lot

003). Zone R-40.

Timothy Goodwin, Community Farm of Simsbury, addressed the Commission and described the nature of each of their planned events. He noted that both the Police and Fire Departments have signed off on the plans for their scheduled events and said they will hire a certified bar tender to serve all of the alcohol. Ms. Salls asked about the attendance numbers last year and Mr. Goodwin said, including the Fall Festival, they had over 1,000 attendees for all of the events combined. He noted there were no issues, besides some rain. Mr. Goodwin mentioned that all of the events are held in support of the Farm's charitable mission, adding that last year they donated 12,500 pounds of food for families in need.

Commissioner Pabich asked if there were any comments from Public Audience. There were none.

Commissioner Cosgrove asked for some clarification on the attendance numbers listed. Mr. Goodwin said they would cut off at about 85 people for the dinners. Commissioner Salls asked for clarification on the admission costs for the different events. In response to a question from Commissioner Peterson, Mr. Goodwin said they do not serve alcohol at the Fall Festival.

Commissioner Pabich asked that they move on to the next Public Hearing item.

Mr. Epstein, Rosedale Farms, addressed the Commission explaining which events would be just wine and which would have beer, handled through Max Restaurant. He then went through each event and said the schedule may change depending on weather conditions. Commissioner Fiske asked about who is serving the alcohol and Mr. Epstein said they pour the wine and Max's is responsible for the other alcohol.

Commissioner Pabich asked if there were any comments from Public Audience. There were none. He then closed the Public Hearing.

VI. DISCUSSION AND POSSIBLE ACTION ON ANY AGENDA ITEM

Commissioner Ryan moved the approval of application #12-11 of Timothy Goodwin, Agent for Community Farm of Simsbury, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a series of one-day events on the property located at 73 Wolcott Road, with the provision that should weather conditions necessitate a date change, that will be cleared through the Town. The motion, which was seconded by Commissioner Fiske, was unanimously approved.

Commissioner Fiske moved the approval of application #12-12 of Marshall Epstein, Owner, for a Special Exception pursuant to Article Ten, Section H, of the Simsbury Zoning Regulations for a temporary liquor permit for a series of one-day events on the property located at 25 East Weatogue Street, with the provision that should weather conditions necessitate a date change, that will be cleared through the Town. The motion, which was seconded by Commissioner Peterson, was unanimously approved.

VII. OTHER MATTERS AS MAY PROPERLY BE BROUGHT BEFORE THE COMMISSION

a. Set possible hearing date for IHZ regulation

Mr. Peck asked the Commission to set the Public Hearing date for IHZ Regulation, saying it needs to be heard in order to close out the grant. He noted there is no obligation by the Commission to take action on this item immediately after the Public Hearing. The topic of the reliability of potential State funding was brought up, and Mr. Peck said he has never counted on the State funding this from day one. The vetting process for potential developers and projects for this future zone was discussed further. Mr. Peck said he would ask the Town Attorney to attend the Public Hearing in order to address some of the concerns/questions posed by the Commission members.

Commissioner Salls made a motion to set a Public Hearing for the topic of IHZ Regulation for the date of May 21, 2012. The motion, which was seconded by Commissioner Ryan, was unanimously approved.

VIII. ADJOURNMENT

Commissioner Ryan moved to adjourn the Regular Meeting of the Zoning Commission at 7:39PM. The motion was seconded by Commissioner Salls and passed unanimously.

Respectfully submitted,

Edward Pabich, Secretary