

**MINUTES**  
**ZONING COMMISSION – REGULAR MEETING**  
**Monday, October 2, 2023, at 7:00 P.M.**  
**Simsbury Town Hall – Main Meeting**

**I. CALL TO ORDER** – Chair Ryan called the meeting to order at 7:00 P.M.

**Present:** Town Planner, George McGregor; Assistant Town Planner, Brittany MacGilpin; Zoning Chair, David Ryan; Zoning Commissioner: Jackie Battos, Tony Braz, Bruce Elliott, Anne Erickson, David Moore (came in at 7:59 P.M.), and Tucker Salls.

**Absent:** Donna Beinstein and Diane Madigan.

**Appointment of Alternates**

Commissioner Battos and Commissioner Salls were appointed as regular members for the meeting.

**II. APPROVAL OF MINUTES**

**September 18, 2023 Regular Meeting**

**MOTION:** Commissioner Braz made a motion, seconded by Commissioner Elliott, to accept the Minutes of the September 18, 2023 Regular Meeting as written. The motion carried unanimously. Commissioner Battos abstained. (5-0-1).

**III. PUBLIC HEARING AND/OR ACTION ON APPLICATION**

**Application ZC #23-32** of Teri Hahn of LADA, P.C., applicant, on behalf of Todd and Andrea Burrick, for a special exception pursuant to Section 6 of the Floodplain Zone of the Simsbury Zoning Regulations to build a  $\pm$  321 sq. ft. addition and a  $\pm$  349 sq. ft. deck on the property located at 4 Victoria Lane (Assessor's Map C08, Block 212 Lot 013), Zone R-40.

- Ms. Hahn stated:
  - The property abuts the Simsbury Land Trust land to the west, that creates a wetland.
  - The property is completely within the Upland Review area, and they have gone to the Inland Wetlands Agency and been granted their approval for the installation of the addition to the back of the house.
  - A portion of property is within the floodplain zone.
  - The base flood elevation is at 298 ft. The addition would be substantially above that.
  - The proposed addition is less than 50% of the property value.
  - The Health District has granted approval.

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48 **MOTION:** Commissioner Elliott made a motion, seconded by Commissioner Braz, to  
49 close the public hearing for **Application ZC #23-32**. The motion carried unanimously  
50 (6-0-0).  
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52 **MOTION:** Commissioner Erickson made a motion, seconded by Commissioner  
53 Battos, for the Zoning Commission to approve **Application ZC #23-32** of Teri Hahn  
54 of LADA, P.C., applicant, on behalf of Todd and Andrea Burrick, for a special  
55 exception pursuant to Section 6 of the Floodplain Zone of the Simsbury Zoning  
56 Regulations to build a  $\pm$  321 sq. ft. addition and a  $\pm$  349 sq. ft. deck on the property  
57 located at 4 Victoria Lane (Assessor's Map C08, Block 212 Lot 013), Zone R-40.  
58

59 The Special Exception Criteria found Section 12 of the Town of Simsbury Zoning  
60 Regulations, have been substantially met or satisfied. Those considerations include:  
61

62 **Orderly Development** – The proposed residential improvements meet the  
63 requirements for the residential zone and therefore, constitutes orderly development. A  
64 building and administrative zoning compliance permit are required prior to the start of  
65 the project.

66 **Property Values** – The proposed improvements have no known negative impacts on  
67 property values.

68 **Public Safety** – The proposed improvements have no known impacts on public  
69 safety.

70 **Traffic Considerations** – There are no traffic concerns or considerations with this  
71 application.

72 **Landscaping and Buffers** – No landscaping and/or buffers are required for this  
73 application.

74 **Relationship to Utility Systems, Drainage Systems, and Impact on Community**  
75 **Facilities** – There is no expected impact on these systems/facilities.  
76

77 The application is subject to the following conditions:  
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- 79 1. The project shall be developed in substantial conformance with the site plan dated  
80 August 14, 2023, prepared by LADA P.C. Surveyors and Engineers.  
81

82 The motion carried unanimously. (6-0-0).  
83

84 **Application ZC #23-34** of Christopher Lippet, Owner, Welcome Home Improvement,  
85 Applicant, for a special exception pursuant to Section 6.3 of the Simsbury Zoning  
86 Regulations for a  $\pm$  132 sq. ft. expansion to the existing deck in the floodplain on the  
87 property located at 48 Old Mill Court (Assessor's Map G10, Block 148, Lot 039), Zone  
88 RD.  
89

- 90 • Mr. McGregor informed the Board that the applicant could not attend and  
91 would not complete the Inland Wetlands Agency process until October 3.  
92

**MOTION:** Commissioner Salls made a motion, seconded by Commissioner Erickson, to continue the public hearing for **Application ZC #23-34** at the next Zoning Commission meeting on October 16<sup>th</sup> at 7 p.m. in the Main Meeting Room of Town Hall. The motion carried unanimously. (6-0-0).

**Application ZC #23-35** of Dan Lee, Owner/Applicant, for a special exception pursuant to Section 4.5 of the Simsbury Zoning Regulations for the addition of a dog kennel use to the existing dog training facility use for the property located at 534 Hopmeadow Street, AKA 530 Hopmeadow Street (Assessor's Map G12, Block 132, Lot 026), Zone B-2.

- Mr. Lee stated that the facility takes up two bays, the "doggy playgroups" would be in the enclosure in the second bay, and the dogs needing a kennel would need a new space.

**MOTION:** Commissioner Braz made a motion, seconded by Commissioner Salls, to close the public hearing for **Application ZC #23-35**. The motion carried unanimously. (6-0-0).

**MOTION:** Commissioner Erickson made a motion, seconded by Commissioner Battos, for the Zoning Commission to approve **Application ZC #23-35** of Dan Lee, Owner/Applicant, for a special exception pursuant to Section 4 of the Simsbury Zoning Regulations for the addition of a commercial dog kennel use to the existing dog training facility use for the property located at 534 Hopmeadow Street, AKA 530 Hopmeadow Street, Simsbury, 06070 (Assessor's Map G12, Block 132, Lot 026), Zone B-2, based upon the following findings:

The Special Exception Criteria found Section 12 of the Town of Simsbury Zoning Regulations, have been substantially met or satisfied. Those considerations include:

**Orderly Development** - The kennel use is a permitted use in the B-2 Zone and therefore, constitutes orderly development. A building permit and/or zoning compliance permit are required as needed.

**Property Values** – The proposed use is permitted and is not expected to have a negative impact on property values.

**Public Safety** – The proposed use is not expected to have a negative impact on public safety.

**Traffic Considerations** – There is sufficient parking on site to accommodate the proposed use.

**Landscaping and Buffers** – No landscaping and/or buffers are required for this application.

**Relationship to Utility Systems, Drainage Systems, and Impact on Community Facilities** – There are no expected impacts on these systems / facilities.

The application is subject to the following conditions:

139 1. There will be no overnight services at the dog kennel.

140  
141 The motion carried unanimously (6-0-0).

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143 **IV. GENERAL COMMISSION BUSINESS**

144  
145 **Update: Town Hall Parking Lot Improvements, 933 Hopmeadow St.**

- 146  
147 • Adam Kessler, Deputy Town Engineer, stated that:
- 148 ○ Both driveways will have curb improvements, with the southern one
  - 149 being widened to 26 ft. and the main one being granite.
  - 150 ○ The alignment of the middle drive will be adjusted, with more direction
  - 151 to main parking.
  - 152 ○ There will be an extension of parking in front of the building.
  - 153 ○ There will be minor revisions to the sidewalks inside of the site.
  - 154 ○ The sidewalks in front of the site will be bordered with brick.
  - 155 ○ Both existing crosswalks will be removed, with the addition of one
  - 156 crosswalk in the middle of the block with rapid flashers.
  - 157 ○ There will be taller lighting poles with half a foot candle in the main
  - 158 parking lots. The decorative poles that are at pedestrian height will be
  - 159 retrofitted with LED fixtures.
  - 160 ○ There will be more security cameras.
  - 161 ○ There will be improvements to accessibility of the storm water
  - 162 management for infiltration.
  - 163 ○ Four parking spaces have been added with the capability for more
  - 164 electric charging spots in the future.
  - 165 ○ To reduce costs the Town will be general contracting, with Public
  - 166 Works handling the trees, drainage, and lighting.
- 167

168 **MOTION:** Commissioner Elliott made a motion, seconded by Commissioner  
169 Erickson, to approve the changes for the Town Hall Parking Lot Improvements as  
170 presented by Mr. Kessler, the Deputy Town Engineer. The motion carried  
171 unanimously. (6-0-0).

172  
173 **Application ZC #23-** of the Simsbury Zoning Commission, Applicant, George  
174 McGregor, Agent, for a text amendment to the Simsbury Zoning Regulations pursuant  
175 to Sections 4.5, 5.5, and 17.4 and the establishment of a new Section 8.7 to allow mobile  
176 food vendors as an accessory use in business, industrial, and planned area development  
177 districts.

- 178  
179 • Mr. McGregor stated that:
- 180 ○ The Town Attorney said that it is in the authority of the Board to limit
  - 181 how, why, and where they select to place the mobile food vendors. They
  - 182 could limit food truck locations to food and beverage only.
  - 183 ○ Restauranters are concerned about how this impacts their business.

- 184                               ○ If they were to approve the current text amendment, the next available  
185                               public hearing date would be on November 20, 2023.  
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187       **MOTION:** Commissioner Elliott made a motion, seconded by Commissioner  
188       Erickson, to approve the revised draft text amendment for Mobile Food Vendors, dated  
189       October 2, 2023, and directed staff to schedule a public hearing for their regular  
190       meeting on November 20, 2023. The motion carried unanimously. (6-0-0).  
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192       **V.       ADJOURNMENT**  
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194       **MOTION:** Commissioner Braz made a motion, seconded by Commissioner Erickson,  
195       to adjourn the meeting. The motion carried unanimously. (6-0-0).  
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197       Chair Ryan adjourned the meeting at 8:10 P.M.  
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199       Respectfully Submitted,  
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201       Amanda Blaze  
202       Commission Clerk  
203  
204