

1 Meeting Date: November 2, 2022

2 ZONING COMMISSION

3 TOWN OF SIMSBURY

4 SPECIAL MEETING – SUBJECT TO APPROVAL

5 WEDNESDAY, NOVEMBER 2, 2022 at 7:00 P.M.

6 Hybrid

7 **PRESENT:** David Ryan, Bruce Elliott, Anne Erickson, Diane Madigan, Donna Beinstein,
8 Melissa Osborne, Tucker Salls and Jackie Battos. Remotely: Kevin Gray

9
10 **ALSO PRESENT:** Assistant Town Planner Savannah-Nicole Villalba; Code Compliance
11 Officer Laura Barkowski; Commission Clerk Jackie Lachance

12
13 **I. CALL TO ORDER:** Mr. Ryan called the meeting to order at 7:00 p.m.

14
15 *Ms. Erickson arrived at 7:22 p.m. and was seated at that time.*

16
17 **II. PUBLIC HEARINGS**

- 18
19 1. **Application #22-28** of Sarah Besocke, Applicant/Agent; for a special exception
20 pursuant to Section 8.6 of the Simsbury Zoning Regulation for a beer and wine
21 liquor permit at the property located at 776 Hopmeadow Street (Assessor's Map
22 G10 Block 205 Lot 005). Zone SC.

23
24 Mr. Kent Besocke presented this application on behalf of Sarah Besocke. The
25 Commission discussed the ADA bathroom timeline; outside seating area; type of
26 business at this location; and the opening timeline. The public voiced concerns
27 with the lack of parking; concern for customer safety and questioned the purpose
28 of the permit.

29
30 **MOTION:** Mr. Elliott moved to close this public hearing.

31 Ms. Madigan seconded the motion.

32 **VOTE:** motion passed unanimously, 6-0-0

- 33
34 2. **Application #22-30** of Legends Hall LLC (lessee BMW Sports LLC), Applicant,
35 Adam Westhaver, Agent; for a special exception pursuant to Section 8.6 of the
36 Simsbury Zoning Regulations for a beer and wine liquor permit at the property
37 located at 1375 Hopmeadow Street (Assessor Map I05 Block 403 Lot 15A). Zone
38 I-1.

39
40 Mr. Adam Westhaver and Kelly Beckinsale presented this application. The
41 Commission discussed the location and operating hours of the outside pavilion.
42 The public questioned the identification check process; alcohol control process.

1
2 **MOTION:** Ms, Madigan moved to close this public hearing.
3 Ms. Beinstein seconded the motion.

4 **VOTE:** motion passed unanimously, 6-0-0
5

- 6 3. **Application #22-33** of the Simsbury Zoning Commission, Applicant; George
7 McGregor, Agent; for a text amendment to Section 2.6 of the Zoning Regulations
8 to extend the cannabis moratorium.
9

10 Mr. Ryan explained the background of the proposed moratorium and the process
11 and mentioned the November 21, 2022 public hearing. The public sought
12 clarification on the process of banning cannabis sales; the public also voiced
13 concerns over the loss of revenue to the town; and would like to have the Board of
14 Selectman’s input on this matter.
15

16 **MOTION:** Ms, Beinstein moved to close this public hearing.
17 Ms. Erickson seconded the motion.

18 **VOTE:** motion passed unanimously, 6-0-0
19

20 **III. OLD BUSINESS - None**

21
22 **IV. NEW BUSINESS**

- 23
24 1. **Application #22-28** of Sarah Besocke, Applicant/Agent; for a special exception
25 pursuant to Section 8.6 if the Simsbury Zoning Regulation for a beer and wine
26 liquor permit at the property located at 776 Hopmeadow Street (Assessor’s Map
27 G10 Block 205 Lot 005). Zone SC.
28

29 *The applicant will withdraw this application.*
30

- 31 2. **Application #22-30** of Legends Hall LLC (lessee BMW Sports LLC), Applicant,
32 Adam Westhaver, Agent; for a special exception pursuant to Section 8.6 of the
33 Simsbury Zoning Regulations for a beer and wine liquor permit at the property
34 located at 1375 Hopmeadow Street (Assessor Map I05 Block 403 Lot 15A). Zone
35 I-1.
36

37 **MOTION:** Mr. Elliott moved to approve Application #22-30 with the following
38 conditions of approval:
39

- 40 1. The applicant shall submit a site plan showing the location of the
41 outdoor service area clearly identifying the landscaping to the planning
42 department for fire marshal review and approval.
43 2. **Orderly Development** –The application is not proposing any site
44 work associated with this application; Beer/Wine service is customary
45 at commercial recreation events center such as this.

- 1 3. **Property Values** – Property values for the site may be increased with
- 2 the planned investment.
- 3 4. **Public Safety** – Minimal impact.
- 4 5. **Traffic Considerations** – Minimal additional impact.
- 5 6. **Landscaping and Buffers** – Meets regulations.
- 6 7. **Relationship to Utility Systems, Drainage Systems, and Impact on**
- 7 **Community Facilities** – Not applicable to this application.
- 8

9 Ms. Madigan seconded the motion.

10 **VOTE:** motion passed unanimously, 6-0-0

- 11
- 12 3. **Application #22-33** of the Simsbury Zoning Commission, Applicant; George
- 13 McGregor, Agent; for a text amendment to Section 2.6 of the Zoning Regulations
- 14 to extend the cannabis moratorium.
- 15

16 **MOTION:** Ms. Erickson moved to approve this application.

17 Ms. Madigan seconded the motion.

18 **VOTE:** motion passed unanimously, 6-0-0

19

20 **V. GENERAL COMMISSION BUSINESS**

21

22 **1. Appointment of Joleen Benedict as a Regular Member of the Design**

23 **Review Board**

24

25 **MOTION:** Mr. Elliott moved to approve Joleen Benedict as a Regular Member

26 of the Design Review Board.

27 Ms. Beinstein seconded the motion.

28 **VOTE:** motion passed unanimously, 6-0-0

29

30 **2. Approval of 2023 Zoning Commission Regular Meeting Schedule**

31

32 **MOTION:** Mr. Gray moved to table the approval of the 2023 Zoning

33 Commission Regular Meeting Schedule.

34 Ms. Erickson seconded the motion.

35 **VOTE:** motion passed unanimously, 6-0-0

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37 **VI. ADJOURNMENT:** Ms. Beinstein moved to adjourn this meeting at 8:25 p.m.

38 Ms. Madigan seconded the motion.

39 **VOTE:** motion passed unanimously, 6-0-0