

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JANUARY 3, 2018**

**ROLL CALL:**

Members Present:     Andy Kidd, Acting Chair  
                              Timothy Bergin, Acting Secretary  
                              Jessica Scorso

Alternate Member Sitting:   Patrick Kennedy  
  Julian Stoppelman

Alternates:           Teresa Ike

Also Present:         Gary Anderson, Director of Planning  
                              Matthew Bordeaux, Environmental Planner/Wetlands  
  Agent  
                              Nancy Martel, Recording Secretary

The Acting Chairman opened the Business Meeting at 8:12 P.M. The Acting Secretary read the legal notice when the call was made.

**NEW BUSINESS:**

CARPIONATO GROUP, LLC – Pre-application review to discuss a possible zone change from Residence A to Special Design Commercial Business Zone at 103 Avery Street, 105 Macintosh Street, and 111 Macintosh Street.

Mr. Kidd explained that a pre-application review is a non-binding conversation with the applicant to gain input from the Commission regarding the proposal. He reiterated that this was only a pre-application review, and further reported to the public that any zone change must have a formal public hearing, at which the public would have the ability to speak.

Mr. John Mancini, Senior Principle with BL Companies, an architectural and engineering firm located at 355 Research Parkway, Meriden, CT, introduced himself. Mr. Mancini noted that the prospective developer was also in attendance.

Mr. Joe Pierick, Senior Vice President of Development and Acquisitions with the Carpionato Group, located at 1414 Atwood Avenue, Johnston, RI, introduced himself. Mr. Pierick explained that the Carpionato Group is a third generation private, family-owned development company with development properties throughout New England, including retail properties, hotels, office buildings and residential properties. He stated that the proposal will change residential properties to small, service-oriented commercial properties that, in the developer's opinion, are consistent with the zoning on Deming Street. It is important for the public and members of the Commission to understand, Mr. Pierick explained, that the developer intends to

communicate their intent to work cooperatively and collaboratively with the Commission and members of the public to address all concerns. He explained that the Carpiolato Group is currently developing a project in Glastonbury that is larger in scope than the current proposal. Mr. Pierick reported that the Glastonbury property was properly zoned and vacant, and the developer worked closely with the Planning Department and the community to address a multitude of issues. He stated that he has worked with the Town of Avon and members of the community over the last five years on a project 100 times the size of the current proposal to create a town center area. Mr. Pierick reported that at the conclusion of the meeting, he will distribute his contact information for individuals to express their concerns, recommendations and suggestions.

Mr. Mancini displayed a map detailing the property in the proposal. He pointed out the area that is a remnant of the area prior to I-84. Mr. Mancini explained that Deming Street goes over the highway and the grade at the intersection drops off; therefore, the proposal would be the limit of any zone change as this is the last remaining land that has frontage on Deming Street. Assembling all the land into the zone, the development company believes, would be more cohesive and logical. Mr. Mancini then projected the plan for development, which meets all bulk zoning requirements that would be needed if the zone were to be changed. A special exception would be required, he stated, because the retail uses would be greater than 2,000 sq. ft., as well as a special exception for the buffer with the use of screening and a wall as allowed by the regulations. All other requirements of the development would be met, Mr. Mancini asserted, once the zone is changed. The developer is working with national retailers with whom they have ties as landlords, he explained, and reiterated that this is the last possible parcel that can be used as commercial in that area.

Mr. Kennedy inquired if the existing veterinary clinic is non-conforming or if it received a use variance.

Mr. Anderson stated he is not certain about the nature of that application.

Mr. Kennedy questioned whether the lot is zoned residential now.

Mr. Anderson reported that piece of land is zoned Special Design Commercial.

Mr. Kidd interjected that the veterinary clinic applied for a zone change from Residence A to SDC to use an existing building with very little traffic and very limited impact to the community, which the Commission allowed.

Mr. Kennedy stated he assumed from the agenda that the property was zoned Residential and now understands that it is comparable to extending the SDC. Noting that the area is obviously commercial, he reported his concern is regarding driveways, as with a major commercial plaza, a left turn out would be very difficult.

Mr. Bergin agreed with Mr. Kennedy's concerns. He explained he was concerned about the placement of the sidewalks at the site and questioned whether the developer considered any conveyance process that might alter how the lot would be configured.

Mr. Mancini noted that the typical right-of-way is at the back of the sidewalk along Deming Street/Rt. 30. Due to the layout of the former road, there is a wasted area in front of the site, he

said, and agreed that the developer would consider the acquisition of that area from both the DOT and Town, depending upon where one right-of-way ends vs. the other. Mr. Mancini stated that the intersection is fully built-out with multiple turning lanes, which would preclude future widening. Such acquisition could certainly enhance the layout and the buffer could increase towards the back, he noted. Mr. Mancini referred to the map and noted that the access point would be near the access point of the pharmacy and the developer, being as responsible as possible, would bring the access as far north as the limits of the property, and bring it conveniently close and away from the residential street. He explained that corner properties are not conveniently accessed except via the main roads.

Mr. Kennedy noted there would be cueing room for the drive-through at Chick-Fil-A.

Mr. Bergin inquired of staff about the area of open space required in an SDC zone, noting that the proposed plan involves a great deal of green space and replaces it with impervious materials.

Mr. Bordeaux reported that he does not know the requirements off-hand.

Mr. Kidd noted the positives with the proposal, which include the substantial cueing in the drive-through area as well as the parking area behind the structures rather than in the front, although that may be more problematic with the abutters. He maintained that, although the corner property was changed to SDC, that does not necessitate the growth to the next parcel. Agreeing with Mr. Kennedy, Mr. Kidd noted the area is largely commercial, though to the northeast, the area is zoned Residence A. He noted that there are many parties interested in a substantial change in the neighborhood, and said he was concerned about the effect on the residential area as well as the traffic at the intersections. Mr. Kidd reported there are considerable traffic concerns in the area of the pharmacy and traffic would certainly impact the residents in the neighborhood of Macintosh Street and Concord Road.

Mr. Mancini explained that the physical nature of the property is such that the development would be a natural ending to the commercial zone. He reported that the intersection carries approximately 27,000 cars per day, and the developer's proposed trip use projects an increase of less than 1%.

Mr. Stoppelman stated that it is important for the Commission take a physical look at the property if there is a zone change proposal, as well as entertaining input from the public.

Ms. Scorso agreed with the idea of a walk-through of the area and future input from the public. She said she felt she did not have enough information with this presentation.

Mr. Mancini said he understood that the intent of the presentation was not to receive an approval, but to collect the Commission's thoughts. He stated it is notable that the retail tenants of the developers in other locations want to be in Manchester, as they are Class A retailers.

Members of the public expressed their displeasure that they were not allowed to speak to this matter.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – For revisions to Art. I, Sec. 2 (Definitions), Art. II, Sec. 1 (General Requirements for Residential Zones), Art. II, Sec. 9 (General Requirements for Business Zones), Art. II, Sec. 16 (Industrial Zone), and Art. II,

Sec. 18 (Historic Zone), relating to Solar Energy Systems; and to add a new section, Art. IV, Sec. 6: Solar Energy Systems – Zoning Regulation Amendment (2017-107)

The public hearing on this item was continued.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. II, Sec. 15.04.02 (Central Business District) to add provisions regarding referral of design plan reviews to the Planning and Zoning Commission. – Zoning Regulation Amendment (2017-108)

Mr. Bergin referred to the public comment on this application and said his understanding of the regulations was that applications will be reviewed pursuant to guidelines by the Chair and the Planning Director, and then they could come to the Commission for review. Mr. Bergin said he thought perhaps the point was that the Commission's review should also explicitly take into account those same guidelines, which he did not know if the regulation stated currently.

Mr. Kennedy referred to Art. II Sec. 15.04.02, which states that exterior architecture visible from the public street, etc. shall conform to the Main Street Architectural Guidelines in the Downtown Revitalization Plan. In the next paragraph, he reported, in the new language, if the architecture is found not to conform with the guidelines by either the Planning Director or the Planning and Zoning Commission Chair, then the application will be referred to the full Commission. Mr. Kennedy stated the procedural language is being added, but it specifically states in the current regulations that this must conform to the architectural guidelines.

Mr. Bergin questioned whether the Planning and Zoning Commission's review is a further examination of conformity with those guidelines.

Mr. Kennedy stated that if the Director and Chair deem an issue to be in compliance, there is no point to the Commission's review because the agenda could be laden with administrative topics. The proposal would deal with an outlier situation when the Director or Chair is unsure of the determination and refers it to the Commission, he noted. The standards for review are the guidelines, according to Mr. Kennedy.

Mr. Bergin said he appreciated the intent of the procedure, though it is unclear what the Commission would be reviewing as part of the process. He surmised that if Art. II Sec. 15.04.02 captures the guideline conformity requirements, the Commission's review would be a double-check and, therefore, perhaps the wording need not be explicit.

Mr. Anderson reported that is the intent.

Mr. Kidd stated that obviously the applicant would not agree with the initial determination and would request a further review.

Mr. Anderson reported that the proposal does not allow for that situation and questioned whether there is a statement that an applicant can request a review by the Commission.

Mr. Kennedy responded that the proposal does allow that option.

Mr. Kidd noted the recent situation would have been alleviated with the option of requesting a review by the Commission. He explained there has always been that ability, though the applicant did not have the opportunity to request the review.

Mr. Anderson confirmed Mr. Kidd's statement and noted that the process occurs in the overlay district frequently. If there is a question about how the Commission might feel about a proposal, he explained, the application is referred to the Commission.

Mr. Kennedy reported the process occurs with every Planning and Zoning Commission regarding issues that are administrative in nature. The Chair and the Planning Director confer and even though they may approve, if there is a suspicion members of the Commission may have an issue, it will be referred back to the Commission.

Ms. Scorsio stated that this would absolutely allow for a transparent forum to discuss issues that may need to be further reviewed.

**MOTION:** Mr. Kennedy moved to approve the zoning regulation amendment (2017-108) to revise Art. II, Sec. 15.04.02 (Central Business District) to add provisions regarding referral of design plan reviews to the Planning and Zoning Commission. Mr. Stoppelman seconded the motion and all members voted in favor.

The reason for the approval is that the proposed amendment is consistent with the Plan of Conservation and Development.

The zoning regulation amendment will be effective on January 19, 2018.

TRUSTEES OF NORTH METHODIST CHURCH – For a re-subdivision of two parcels into five lots with reconstruction of existing roadway at 40 and 41 Farmington Street. – Inland Wetlands Permit – Determination of Significance (2017-098) – Request for 65-day Extension; Re-subdivision (2017-099) – Request for 65-day Extension; Erosion and Sedimentation Control Plan (2017-100) – Request for 65-day Extension

**MOTION:** Mr. Stoppelman moved to approve the 65-day extension of time. Mr. Kennedy seconded the motion and all members voted in favor.

CHURCH OF PENTECOST, INC. – To establish church activities in the existing basement for use by the congregation after church hours at 748 Tolland Turnpike. – Special Exception Modification (2017-102) – Request for Extension Until January 17, 2018

**MOTION:** Mr. Kennedy moved to approve the request for extension until January 17, 2018. Mr. Stoppelman seconded the motion and all members voted in favor.

## **ELECTION OF OFFICERS**

Mr. Stoppelman indicated that he has been assured that the Chairman, Vice Chairman and Secretary are willing to serve, with which Ms. Scorso concurred.

Mr. Kennedy asked if the bylaws make a requirement regarding attendance.

Mr. Anderson stated he is not aware of any such requirement.

**MOTION:** Mr. Kennedy nominated Mr. Prause as Chairman, Mr. Kidd as Vice Chairman, and Mr. Stebe as Secretary. Mr. Bergin seconded the motion and all members voted in favor.

## **ADMINISTRATIVE REPORTS**

Mr. Bordeaux distributed a letter from Eversource, which details upcoming work on their right-of-way.

Mr. Anderson circulated a matrix reporting the progress with the Manchester 2020 Plan. He explained that one of his objectives this past year has been to review that plan to analyze what the Planning Department has done, what the Planning and Zoning Commission has done, and what other boards and commissions and other groups in town have done. The intent of this matrix is to demonstrate what has been accomplished, though many items are continually being worked on. Mr. Anderson noted that this is the staff's first attempt to highlight work on the goals and plan. He explained that the Commission might consider adding this item to an agenda to discuss priorities while halfway through the ten-year plan, which may also enlighten the public to the activities.

Mr. Anderson provided an informal list of regulation changes that either have been discussed or need to be brought to the Commission's attention.

- Revised PRD clarifications

During the last Planned Residential Development zone (PRD) process, there was a question about how the Commission should proceed with a Planned Residential Development zone application which changes one that is already in existence, and whether it is a zone change or a detailed plan. Mr. Anderson explained that this is the Planning Department's attempt to address the matter after working with the Town Attorney's office. He noted that this item would be an easy change if it is determined that this addresses the issue.

Mr. Kidd stated that this appears to be a good plan as, if there is a substantial change, the Commission should have the ability to revisit the matter.

Mr. Kennedy observed that the clarification does not reset the zone and the property would still carry its permitted uses, and he is not sure that would have solved the prior issue.

Mr. Kidd questioned whether there would be a concern about that language discussed with Attorney O’Neil; i.e., from a legal standpoint, the ability to change a property back to a previous zone.

Mr. Anderson replied that it had not been discussed.

Mr. Stoppelman questioned if a PRD zone is not established within five years, the developer would be required to go to the Commission.

Mr. Anderson responded that there are different permits that expire, though he was uncertain of the timeframe in the PRD. He reminded the Commission that CHR had to go before the Commission to extend their permit to prevent expiration.

Mr. Kennedy noted that a plan could be submitted based on the permitted use in the zone, which could not be denied if the requirements are met.

Mr. Anderson stated that, based on the discussion with the Town Attorney, for a new application or a change to an existing PRD application, the zone change goes with the plan; i.e., those two things go hand-in-hand. He explained that, in the Planning Department’s opinion, the Commission has broad purview over that.

Mr. Kennedy noted he is speaking to basic zoning tenets.

Mr. Anderson explained that, from his perspective as well as the Town Attorney’s perspective, a PRD zone without a plan is nothing.

- Downtown Window Transparency

Mr. Anderson reported that the Board of Directors took up this subject, specifically massage parlors. He noted that there are a few businesses Downtown that cover the entire window. There is a regulation in the Form-Based zone that prohibits covering windows, he explained, which would be a means to regulation. Mr. Anderson also suggested stating that no more than 25% of the window can be covered with signage or merchandise. He noted the language was taken directly from the Form-Based code. Mr. Anderson requested comments from the Commission, and explained this topic has been brought before the Board of Directors and is specifically regarding Downtown.

Mr. Bergin questioned the six feet in depth and noted there may be uses that necessitate covering; i.e., an office.

Mr. Anderson also commented that there was discussion in the past about whether anything other than retail or restaurants should be allowed on the first floor.

Mr. Bergin expressed his appreciation for viewing art through the windows of MCC on Main, which would not change and is serving a great function on Main Street.

Mr. Anderson reported that the Downtown Design Guidelines state that any window sign cannot cover more than 25% of the window.

Mr. Stoppelman questioned whether painted windows are prohibited in the current regulations.

Mr. Anderson replied they are not currently prohibited. In his opinion, the matter should be a topic the Commission addresses.

Mr. Kidd suggested the regulation state that windows must be clear, non-reflective, and not painted or tinted. By default, he stated, such wording would allow visibility into the building unless a screen was erected, and that eventuality should be avoided.

Mr. Anderson said he assumed the Zoning Enforcement Officer will question how that would be defined.

Mr. Kidd said he presumed if a building could not comply with the regulation, they could potentially go to the Zoning Board of Appeals.

Mr. Kennedy said he suspected the six feet was an arbitrary figure, as if a depth was not specified, it could not be enforced.

Mr. Kidd questioned whether the regulation would be appealable if someone had a hardship with it.

Mr. Anderson replied that if it is put in the regulation, it would be appealable, though he could not conceive of a hardship.

Mr. Bergin noted that restaurants may want to shade their customers, and said he was concerned about the regulation interpreting that as prohibited.

Mr. Kennedy inquired whether there are Downtown buildings of concern.

Mr. Anderson noted there have been some brought up specifically because the inside is not visible from the road.

- Downtown Vestibules

Mr. Anderson explained the idea came from a specific downtown restaurant and there is no way forward currently. The ZEO reviewed the regulations and noted that a vestibule would be in the public right-of-way. The only similar ordinance is the outdoor café ordinance, Mr. Anderson explained, and the regulations state that an outdoor café is permitted.

Mr. Kidd questioned whether the vestibules would be temporary or permanent.

Mr. Anderson stated the proposed vestibule would be temporary.

Mr. Kidd stated his opinion that the structures are aesthetically pleasing.

- Place of Assembly

Mr. Anderson reported that the Planning Department has received several applications recently for places of worship. He noted that essentially any place where a congregation of

any religious orientation meets is considered a place of worship. Therefore, he explained, if a congregation holds a meeting, it is only allowed by special exception and in certain areas. Mr. Anderson stated that he is working on wording stating that meetings are allowed, no matter what kind of meeting, regardless of the group. He said he understood that there has been a push to disallow any further places of worship Downtown because such events generate a lot of activity at certain times.

Mr. Stoppelman added that places of worship do not pay any taxes.

Mr. Anderson noted that places like the Army-Navy Club or the Elks Club could be deemed as places of worship if they have a religious meeting there.

Mr. Stoppelman reported that Main Street is a public street and, therefore, assembly is allowed on the street.

Mr. Anderson clarified that he is referring to the use in a building.

Mr. Stoppelman noted that assembly is allowed by the Constitution and he did not feel that is a zoning element.

Mr. Anderson reported that is not his intent, because people are allowed to assemble.

Ms. Ike stated that, in her opinion, that is how it comes across. She suggested a review of how other towns handle the matter.

Mr. Kidd questioned what cannot be done legally.

Mr. Anderson replied that he is aware of at least two cases of organizations that happen to be religious organizations that sought to use space which would be prudent for them to use, would make sense for them to use, and would help the owner generate revenue. However, he explained, as it is seen as a religious use, it is either not allowed Downtown or would require a special exception in any other place because it is considered a place of worship. Mr. Anderson viewed the issue as perhaps a Bill of Rights matter, because the use is limited because of the religious factor.

Mr. Kidd questioned whether the subject meetings would be ongoing, i.e., every Sunday at 3 P.M., or a one-time event.

Mr. Anderson presumed it would be accessory to other uses though he has not determined the verbiage.

Mr. Bergin stated that his inclination would be to determine what does not constitute a place of worship and to contemplate an occasional meeting as an accessory use. Therefore, in his opinion, stating what it is that Planning does not want to regulate may be a better approach.

Mr. Kennedy commented that making people get special exceptions for places of worship anywhere in town seems pretty demanding. In his opinion, other towns deem them to be as of right in certain zones, he said.

Mr. Anderson replied that it was handled that way in the past, but was changed within the last 10 years.

Mr. Kennedy asked what prompted the change.

Mr. Anderson referred to the tiny place of worship that was on Woodbridge Street.

Mr. Kennedy commented that that place of worship moved.

Mr. Anderson explained that was part of the reason behind it. Planning looked at where churches were located.

Mr. Stoppleman reported that the only one that was turned down was a mosque in a residential zone and noted that, at that time, he felt the decision was unfortunate.

Mr. Kennedy pointed out that the Commission should not worry about valuable real estate being converted to store-front churches due to the economics. In his opinion, requiring a special exception for a place of worship in the basement of Cosmic Omelet seems onerous, he said.

Mr. Bergin said he disagreed with Mr. Kennedy, because their services could coincide with all of the restaurants and there is a small parking lot. Therefore, in his opinion, that is not the best location for a place of worship.

Mr. Kennedy remarked that if there are locations downtown where it would make sense, and because there is a flat prohibition Downtown, the Commission could consider opening that up to special exception use.

- Flashing Signs

Mr. Anderson referred to prior discussions regarding flashing signs. He explained that the Zoning Enforcement Officer has visited the locations on the list Ms. Fish provided and has been sending letters in conjunction with the Town Attorney's office. The Planning Department is also considering a citation ordinance for the Commission to review rather than merely a letter requesting compliance. He referred to flashing "open" signs to ensure the intent of the Commission is to include them as mechanical signs and per regulation, the Town does not allow mechanical signs. Mr. Anderson commented that, if the Commission views the flashing "open" signs as somehow different, the regulations should be changed.

Mr. Bergin stated he assumed other members of the Commission may not agree with him, but he does not have a problem with the flashing "open" signs. He was concerned about strings of LED lights that border entire windows, which are not covered by anything.

Mr. Anderson explained that lit "open" signs are allowed; however, flashing "open" signs are not allowed.

Mr. Kennedy noted that is the wording of the regulations, which would be much more stringent if the "open" signs were not allowed altogether. He was of the opinion that having a lit "open" sign not flash is not an enormous burden.

Mr. Anderson made it clear that he simply sought clarification, as the Planning Department is working on the sign issue and wanted to be sure of the Commission's intent.

Mr. Kidd observed that it would be problematic to alter those regulations.

Mr. Stoppelman reported that flashing "open" signs are very prevalent around town.

Mr. Kidd allowed a statement from Ms. Fish.

Ms. Fish reported that Art. II, Sec. 9.14.03 states that signs may not revolve, simulate motion, or flash and questioned whether that would cover the ZEO because the signs are not allowed to flash at all.

Mr. Bergin interjected that the prior discussions referred to the Walgreens sign and whether that could change from "milk" to "flu shots." Specifically, he said, the members of the Commission are of the understanding that the sign could not change under this regulation; the sign could have one message per 24 hours. He reported that the question about "open" signs was whether a neon sign in a window constitutes a mechanical sign and whether the action of flashing the word "open" is comparable to the sign at Walgreens. However, Mr. Bergin stated, he has not read the sign regulations recently, he may be completely incorrect in his interpretation, and he is unsure if that is exactly the same.

Mr. Anderson responded that it is probably exactly the same; the Town is treating it the same because there is no distinction in the regulations.

- Agricultural Regulation.

Mr. Bordeaux requested direction from the Commission. He reminded the Commission of the recent workshop with representatives of the agricultural community in Manchester. The intent of the workshop was to tackle the agritourism issue, he noted. Mr. Bordeaux described several options and said he thought that the Commission could begin with definitions. He reminded the members that the thought was to defer to the Connecticut General Statutes' definition for agriculture, but that did not hold up and it will be necessary to establish these definitions in the regulations, and determine next steps from there.

Mr. Anderson requested clarification that Manchester could define agriculture according to the Connecticut General Statutes, but not specifically state that in the regulation.

Mr. Bordeaux agreed and noted it is in the wetlands regulations. He suggested the Commission think about this item and contact him, or the matter could be taken up immediately. Planning could spell out and list a number of activities that could be compatible or complementary to agricultural activities and make them all subject to special exception, he said. Mr. Bordeaux also said he felt that Planning could take proposals for agritourism activities on farms of a certain size that could potentially generate a certain number of vehicles. He noted that there was also discussion over whether something could be drafted to handle proposals administratively by the Zoning Enforcement Officer. Mr. Bordeaux reported many of the items are backstopped by the Health Department or the Building Department. An overlay zone could be considered, he explained, with a list of activities that would be acceptable in that zone and could potentially be applicable to Rural

Residential zoned parcels where farming is occurring and the owner can demonstrate the ability to accommodate visitors.

Mr. Stoppelman requested clarification and noted that, in his opinion, size is very important. He related the possibility of a backyard gardener holding a wedding.

Mr. Bordeaux explained that the Rural Residential zoning district requires a minimum lot size of a half-acre or 30,000 sq. ft., which would be a very small lot for a wedding.

Mr. Kennedy expressed his opinion that the most straightforward option is the first option: “Add definitions and list uses accessory to Agriculture/Farming subject to Special Exception.” He explained that if something new comes along, people can say they want to do this and the Commission can amend the regulations accordingly.

Mr. Bordeaux noted that an item Mr. Anderson addressed was pick-your-own, which is not explicit in even the State’s definition. Pick-your-own seems obvious as it is different from a festival or an outdoor event.

Mr. Kennedy noted that Botticello has held farmers’ markets. However, none of this is provided for in the regulations.

Ms. Scorso stated that she was leaning away from the first option, “Add Definitions and list uses accessory to Agriculture/Farming subject to Special Exception,” because there are so many farming activities and events. She noted that, from brainstorming at the last workshop, she had a list of all the activities. Ms. Scorso stated that the main issue with such events is parking and traffic. Therefore, she stated, she was leaning towards Option #2, “Regulate Activities on Sites of a Certain Size Based on Traffic Generation and/or Recurrence.” She speculated about pick-your-own with minimal traffic, noting that it would not have a huge impact. There are also larger events such as a farm brewery or festival that would bring many attendees, she said, but then there are hayrides and things like that. Ms. Scorso asked if the Commission wanted to list all of those types of activities, when around the corner there could be another type of activity that the Commission might not have accounted for.

Mr. Kidd asked if nearby towns’ regulations had been reviewed, noting that Coventry has October hayrides, for example.

Mr. Bordeaux replied that he cannot recall, though he noted that South Windsor was reacting to the goat yoga debate in Manchester.

Mr. Kidd said he assumed that Hebron must have regulations, as well as Coventry. He noted that he agreed with Ms. Scorso that parking is an issue. He stated that he likes the definitions, though it may be prudent to examine how other towns handle this matter. Mr. Kidd pondered whether all three of the options may be utilized, and speculated about whether the Commission plans on regulating or allowing such proposals.

Mr. Bordeaux explained that the only place any of the activities would be permitted, because they are accessory in a sense to an agricultural activity, would be in a Rural Residential zone.

Mr. Kidd questioned where the overlay zone would be located, assuming it would not be in all Rural Residence zones but in specific areas.

Mr. Bordeaux confirmed.

Mr. Anderson informed the Commission that an applicant could come before the Commission stating they have five acres and show their plan, requesting the overlay zone on their property.

Mr. Bordeaux explained that, in the overlay zone, there could be a series of uses that are possible if there is enough room and a sufficient buffer.

Mr. Kidd responded that it is an interesting way of looking at it.

Mr. Bergin said he was interested in the fact that #2 is a trigger in terms of traffic and parking. He was concerned about certain uses being prohibited in smaller, non 5-acre lots. He questioned, if proposals have reached a threshold of parking or traffic generated, the matter would be a special exception. In that event, he asked if everything else would be as of right as long as it is tangential to agriculture.

Mr. Bordeaux replied that the intent is to preserve smaller farms and noted that small farms can be incredibly productive. He reported that, in the case of an event such as goat yoga that attracts 50 patrons at one time and has another session 15 minutes after the last, parking would be difficult to accommodate on a small lot.

Ms. Scorso speculated about whether the Porter Street farm would be allowed to have riding if they do not exceed 20 parking spaces.

Mr. Bordeaux responded that the riding issue is tricky because the lots are split. He stated that the horse regulations could be reviewed more closely; e.g., a separate set of regulations for horses, keeping and riding, noting that they are allowed for personal use but not commercial use. Mr. Bordeaux stated that, to his knowledge, there are three sites in town where horses are kept and he would be reluctant to lose those. He was unsure of why riding was an issue on a Rural Residential site where horses may be kept but lessons are not allowed.

Mr. Kidd noted that was an issue with the Porter Street application.

Mr. Bordeaux reported that he could begin by defining uses.

Mr. Stoppelman questioned whether a child could sell tomatoes, to which Mr. Bordeaux replied, "Of course," and noted there are farm stand regulations. In his opinion, goat yoga and other events that would attract crowds should be limited to large-sized farms, he said.

Mr. Kidd suggested that parking, event duration or frequency may be ways to look at it, referring both to goat yoga, recurrent events, and an apple stand on the side of a road with an occasional car.

**APPROVAL OF MINUTES**

December 11, 2017 – Public Hearing/Business Meeting

**MOTION:** Mr. Kennedy moved to approve the minutes as written. Mr. Bergin seconded the motion and all members voted in favor.

**RECEIPT OF NEW APPLICATIONS**

1. **TRUSTEES OF NORTH METHODIST CHURCH – Special Exception (2017-111) –**  
Request a special exception under Art. III, Sec. 6 to create a rear lot at 41 Farmington Street.
2. **NORMAN AND LINDA LATULIPPE – Special Exception Preliminary Plan (2017-112) –**  
For a special exception under Art. III, Sec. 6 and a preliminary plan of development to create one rear lot at 780 Vernon Street.

**MOTION:** Mr. Kennedy moved to adjourn the business meeting. Ms. Scorso seconded the motion and all members voted in favor.

The Acting Chairman closed the business meeting at 9:58 P.M.

I certify these minutes were adopted on the following date:

February 5, 2018 \_\_\_\_\_  
Date

\_\_\_\_\_  
Eric Prause, Chairman

**NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.**