

Town of Andover Connecticut
Planning and Zoning Commission
Community Room, 17 School Road, Andover

July 18, 2016
Regular Meeting/Public Hearing
7:00 PM
MINUTES

1. **Call to Order:** Eric Anderson calls the Meeting to order at 7:06PM

2. **Roll Call/Seating of Alternates**

Members Present: Eric Anderson, Leigh Ann Hutchinson , Patrick Dougherty, Scott Person

Members Absent: Mike Palazzi

Alternates Present: Ed Sarisley (seated for Mike Palazzi)

Alternates Absent: Gerry Hardisty

Public Present: Attachment #1

3. **Additions/Changes to the Agenda**

Eric Anderson would like to add under Old Business Item 6i a discussion on the plan that he distributed at the last meeting for Complete Streets. He would also like to add Item 7a under New Business , set a meeting date for a Special Meeting to review the proposal for professional help.

All Commission Members are in agreement with the additions

4. **Public Participation**

None

5. **Public Hearing:**

Application for a Special Permit to run a Small Home Retail Business on the property at 415 Route 6, deed reference; Vol. 127, Page 770 in an industrial zone. Applicant is Wendy Kopp, owner Roland Kopp. Site plan and description of activity provided with the application.

Eric Anderson asks Mr. Valente if he believes that the application is complete?

John Valente replies that the applicant can present the application at this time and he believes that it will be complete by the end of this meeting.

Eric Anderson asks the Commission if they would like to motion to begin the Public Hearing.

Patrick Dougherty Motions to open the Public Hearing at 7:20PM

Scott Person Seconded

Motion Passed/Unanimous 5/0/0

Wendy Kopp describes her business to the Commission and introduces the tenants that are in attendance that reside in the house at the front of the property and states that they will help run the store in the carriage house in the rear of the property. The store would like to be open in the fall and this is located in a pre-existing structure in an industrial zone. There will be five parking spaces for customers on the property.

Eric Anderson asks about the set up of the business and also about the parking situation as he was informed by the BOS that she requested use of the Commuter Parking lot next to the property.

Wendy Kopp described the set up/operation of the business and why she requested the additional parking area only if it was needed. They would assure that there was a path to the property so that customers would not have to walk on Rte.6.

Eric Anderson notes that this would ultimately have to go through the BOS and then if approved back to the P&ZC.

John Valente states that they would have a separate path to the property so that there will be no foot traffic on Rte.6. He then asks Ms. Kopp about the signage.

Wendy Kopp advises Mr. Valente and the Commission that she is intending on placing a 2' X6' sign on one side and a 6' X3' on the other side.

John Valente notes that 50sq.ft is allowed per the regulations. He then bring up the spot lights that would have to be modified so that they do not shine out onto Rte.6. Another requirement that he mentions is the buffering of the operation/parking which should be easily done with two short sections of 6ft high fences.

Wendy Kopp asks if she could use vegetation for the buffering?

John Valente replies that he is not opposed to vegetation however it would take longer and it would be easier to put up fences for easier access. A combination of both would also be acceptable.

Eric Anderson asks what the proposed hours of operation are?

Wendy Kopp replies that are looking to be open 20hrs/week, noon-6 on weekends and 4-7 on weekdays.

Eric Anderson talks about the lighting on the property. It has two purposes. One is that someone can safely park there and walk safely to and from there car. The second would be that it is not supposed to extend off the property to cause a hazard to cars on the road. He also recommends that she look into dark sky lighting.

John Valente brings up the written request for a waiver on sections; 23.2(4), a,g,h,i; 23.2B a,c,d,e,g and 25.2(5) and asks the Commission to consider the waiver.

Eric Anderson states that if they decide to start stripping or using oil based paint or chemicals they would have to Come back before the Commission.

Ed Sarisley questions the site plan that was submitted.

There is a discussion among the Commission, the applicant and her husband who drafted the site plan. Mr. Sarisley suggests that the note on the plan be modified so that the language reads that it is only physical features that are shown from the 1985 plan. Parking plan also discussed.

John Valente lists the restrictions as discussed:

- 1.) No storage of chemicals or stripping on the property
- 2.) Fencing and or vegetation for buffering to be approved by the Zoning Agent
- 3.) Lighting conforming to zoning regulation will be in place
- 4.) Signage and lighting must conform to Zoning regulations will be approved by the Zoning Agent
- 5.) The note will be added on the site plan be modified so that the language to read that it is only physical features that are shown from the 1985 plan.

Eric Anderson asks if they should note the hours of operation

John Valente notes that the proposed hours of operation are noted in the minutes and does not believe that this will be an issue.

Eric Anderson asks if any Commission Members or people in the public have any additional comments?

Dianne Grenier states that she has been very vocal about businesses coming into the Town in the past however this is the type of business we want and she approves of it.

John Corl also voices his support of this small business in the Town.

Julia Haverl states that the BOS had no objections about the business. The only concern that was brought up was about the need for insurance for the commuter parking lot they however do not want people walking on Rte.6.

Eric Anderson notes that if it was approved for the use of the lot by the BOS an 8-24 submittal would have to be submitted to the P&ZC.

Steve Willard supports this application. He was Chairman of the Economic Development and he does not understand why Ms. Kopp could not have accomplished this in an easier fashion instead of having to come to this meeting. The details should have been discussed prior to this meeting.

Karen Osborne also supports this application.

Eric Anderson asks if there are any more comments; there are not and he asks if the commission would like to close the Public Hearing.

Wendy Kopp asks the Commission to clarify the time line for her

Eric Anderson does not think that there is any reason this can not be accomplished tonight. They would just have to submit any addition approval and conditions that must be met to the Zoning Agent for approval. There is no reason she can not start the business.

Leigh Ann Hutchinson Motions to close the Public Hearing at 7:40PM

Scott Person Seconded

Motion Passed/Unanimous 5/0/0

6. Old Business

a. Application for a Special Permit to run a Small Home Retail Business on the property at 415 Route 6, deed reference; Vol. 127, Page 770 in an industrial zone. Applicant is Wendy Kopp, owner Roland Kopp. Site plan and description of activity provided with the application.

Eric Anderson asks the Commission if anyone would like to make a motion on this application with the restrictions that the Commission Secretary has read.

Ed Sarisley Motions to approve the application with the restrictions that were read.

Patrick Dougherty Seconded

Motion still on the floor temporarily tabled

Eric Anderson asks the Commission if they are comfortable in granting the waiver?

Ed Sarisley is concerned about the drainage and asks Mr. Valente if it is an issue.

John Valente replies that he sees no issues with drainage and describes how the property drains.

Eric Anderson states that this is typically waived when there are no physical changes being made.

Discussion among the Commission Members on the waiver

Patrick Dougherty Motions to approve the waiver requested by the applicant.

Scott Person Seconded

Motion Passed/Unanimous 5/0/0

Previous motion on the table, application only

Motion Passed/Unanimous 5/0/0

b. Adoption of revisions to Zoning Regulations:

1. "Overnight parking of commercial vehicles and vehicle signage."

No Discussion

c. Discussion on the Incentive Housing Program.

Eric Anderson asks if Mr. Valente has received anything back from Mr. Warner regarding the revised mapping. He has not and Mr. Anderson states that they need the updated mapping to proceed. He asks Mr. Valente to contact Mr. Warner.

d. Report from L.A. Hutchinson/E. Anderson regarding the Route 6 Economic Development Committee and Zoning Sub-Committee

Leigh Ann Hutchinson states that they do not have any correspondence yet and asks Mr. Valente if he has anything.

Mr. Valente does not however he has tried to asks for information however they are very defensive about being asked if anything is done.

Discussion on the lack of progress on this development

e. Report of Sub-Committees

None

f. Nominate and appoint new member for the vacant Alternate Position.

There are two residents that submitted letters of interest to be alternates on the Planning and Zoning Commission; Karen Osborne and Jessee Person.

Eric Anderson asks both parties to introduce themselves to the Commission and tell them why they want to be on the Commission.

The Chairman then asks question of the interested parties and invites all Commission Members to do the same. He then allows the interested parties to ask any question they may have. The Chairman also explains the what the responsibilities are of a Member after they answer the Commissions questions and the Commission answers theirs. A Vote is then taken by the Commission Members.

Eric Anderson reads the outcome of the vote that the secretary has has written down to the Commission and congratulates Jessee Person as being elected to be the new alternate.

John Valente advises him that he needs to be sworn in and Eric Anderson adds the list of material he should be familiar with.

g. Discuss 98 Shoddy Mill Road the stock piling of landscape material by Ryan Fitch (from a business he works for) to be used to landscape his property.

Eric Anderson states that the parties will come in an speak with the Commission.

John Valente agrees and states that both Mr. Fitch and Mr. Caderette would be prepared for the next meeting.

h. Discuss a Moratorium on Commercial Applications.

Eric Anderson advises the Commission of what the Town Attorney told him and the bottom line is that they can have a Moratorium if the Commission votes to do so.

John Valente confirms that they can hold a moratorium however it will be apparent to all what application it was for since the public suggested it at a meeting/hearing since they were against that specific application.

Discussion on a moratorium what it would do and how it would effect all new applications.

Eric Anderson states that they could hold a public hearing if the Commission wants to however it holds serious consequences. He then asks if any Member would like to make a motion to hold a moratorium? No Member wishes to.

i. Complete Streets Plan:

Eric Anderson asks the Commission if they have any comments on the plan he drafted and handed out to the Commission Members last Meeting? There are no comments and the Chairman asks three questions; a. is this worth adopting, b. reasonable and c. are there any modifications? He explains that he has been meeting with other people in other neighboring Towns that are attempting to also make a similar plan and asks if anyone is interested in attending a meeting. Several Members are and he advises them that he will set up a meeting to inform them of the date, time and location.

7. New Business

Application of Joshua Clark and Christopher Wierzbicki, 64 Long Hill Road to create a subdivision of land to include three building lots and Conservation land. Access through easement on Riverside Drive and frontage on Long Hill Road

Eric Anderson asks the applicant if the 8-2 Survey is complete and everyone is satisfied.

Mr. Clark states that it is complete to everyone's satisfaction

Eric Anderson then asks John Valente if the application is complete.

John Valente replies that it is however the Town needs to make the easement language a part of the record.

Mr. Clark states this can not be done until it is complete.

Discussion among the Commission Members and the applicant on the property and the easement.

Eric Anderson states that he needs the easement language from the BOS meeting minutes when it was approved. He states that they need to hold a Special Meeting/Public Hearing on this application. (note that a Special Meeting was requested by the applicant due to a medical reason and the Commission agreed to work with the applicant).

Discussion on the date for this meeting. The Commission along with the applicant agree on August 8, 2016 at 7:30PM in the Community Room. John Valente would also like to discuss Regular Meeting agenda items at this Special Meeting.

Patrick Dougherty **Motions** that the Special Meeting/Public Hearing date be set for August 8, 2016 at 7:30.

Scott Person **Seconded**

Motion Passed/Unanimous 5/0/0

Discussion on the site plan and whether a site walk is required since the Commission has already been on a site walk and is very familiar with the property.

John Valente believes that new Commission Alternate, Jessee Person, should go on one.

The site walk, 64 Long Hill Rd., is then set for July 21, 2016 at 7PM, meeting at the end of Riverside Drive (near the recreation fields).

7.a Tabled

Leigh Ann Hutchinson leaves the meeting at 9:20PM

8. Approval of Minutes: June 20, 2016 Regular Meeting Minutes

Ed Sarisley **Motions** to approve the June 20, 2016 Regular Meeting Minutes.

Patrick Dougherty **Seconded**

Discussion; page 3, top under Eric Anderson change new to knew, middle add statement “however they would have to pay for it themselves, referring to the Town Attorney and at bottom change Public Meeting to Public Hearing.

Motion Passed/Unanimous with changes 4/0/1 Leigh Ann Hutchinson abstains

9. Administrative Report:

John Valente talks about Mr. Caderette and the situation that will be discussed at the next meeting. He also mentions the permit that Mike and Cathy Palazzi must submit an application to use 17 School Road for the Farmers Market (item also at the next meeting). John then states that he spoke with the Town Attorney on the issue of the prayer Meetings that are being conducted at 80 Shoddy Mill Rd. He asks the Commission if we can /should regulate this activity since it is at a residence?

Eric Anderson Recuses himself

Discussion among the Commission Members on regulating this activity, the liability and the question of having a permit or adhering to what the fire marshal and health official requires?

John Valente states that he will pursue a voluntary compliance with the resident on this situation. If this activity continues to be an issue he will bring it before the Commission again.

10. Correspondence:

John Valente talks about the RFP for a planner and states that they received one application from a Mr. Warner. He reads the credentials of the applicant and the cover letter that he wrote aloud to the Commission. This will be discussed further at the next meeting.

11. Adjournment

Ed Sarisley Motions to Adjourn at 9:50 PM
Scott Person Seconded
Motion Passed/Unanimous 4/0/0

*Respectfully submitted by Sandra Nichols, Commission Secretary