

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
June 15, 2015**

Present: Frank Bauchiero, Jr., Chairman
Charles Sheehan, Vice Chairman
Chester Kuras, Secretary
Mark O’Hara
Jacek Bucior
Mark Winne
Ginny Bromage, Alternate
Brendan Malone, Alternate

Absent: Gina Pastula, Alternate

Also Present: Bill Hawkins, AICP, Town Planner
Eleanor Binns, Administrative Secretary
Gerry Turbet, Town Engineer

The proceedings of this meeting were voice recorded.

I. ROLL CALL

Chairman Bauchiero called the meeting to order at 7:00 pm. He then asked Ms. Binns to take a silent roll call. All full members were in attendance, therefore, no alternates were appointed.

For the record, Secretary Kuras read aloud the legal notice that was published in the Hartford Courant on June 4, 2015 and June 11, 2015.

II. INFORMAL DISCUSSION

Canis Major Solar Farm, 1005 North St.

Tim Coon of J.R. Russo and Associates and Jeff Macel of Lodestar Energy presented the latest site plan for a two megawatt solar array to be located off of North Street on the Sullivan property. The project area is 26.5 acres and the solar panels will cover 10 acres of the property. This plan has been updated since it was last presented in March and incorporated the feedback given by the commission at that time. There will be an eight foot high fence surrounding the solar equipment and there will be screening on the north and southwest of the property to supplement the natural screening on the site. They have reduced the tree clearing in the wetland area to reduce the impact and have added more shrubs and erosion controls. An independent evaluation of the project has shown that it will have no effect on the cultural or historical resources in the area, there are no endangered species affected, and there will not be a negative impact to the wetlands. The electrical poles will need to be above ground as required by the gas and electric companies, but should not have a visual impact on the neighboring properties. Mr.

Coon also noted that this project is outside of height and distance required for a Federal Aviation Administration (FAA) review. The application has been submitted to the Connecticut Siting Council which regulates projects of this size and Lodestar is looking for a letter of support from the commission and for the commission to recommend to the siting council any conditions that they might want to be included in the final plan.

Chairman Bauchiero asked about input from abutters and it was explained that all abutters would have the opportunity for comments to the siting council at their public hearing.

The consensus of the commission was to have the town planner write a letter to the siting council, noting that the applicant had come before the commission with the plans and ask the siting council what kind of input they would like from the commission.

III. PUBLIC HEARING

File # 2015-03: Request for a 2 lot resubdivision located at 709 Mountain Road, Somerset Farms, Map 21H, Block 26, Lot 5 - Applicant – Elzear & Patricia Roy

Nat Sreenath of Sreenath Associates presented the site plan for the 9 acre parcel which will be resubdivided into two parcels, one of 1.5 acres for one single family house and the other to be 7.5 acres with one single family house and a barn. These lots will be served by public water and septic systems. The septic system design has been approved by North Central Health District. The plan details the erosion and sediment controls and meets all the setback requirements. A six foot fence will be built in the back of the property between the neighboring tobacco field and these properties.

Chairman Bauchiero asked for the reports from the Town Planner and Town Engineer.

Mr. Hawkins read his report into the record, stating that surrounding properties are zoned R-45 and farmland preservation (Leahey Farm). He noted that the farmstand for which there was a special permit issued in 2009, has been removed and a horse barn is currently being built.

Mr. Hawkins noted that both the proposed new lot and reconfigured lot meet the requirements of the subdivision and zoning regulations in terms of frontage and developable area. He reviewed the waiver requests from the applicant and felt they were in order and also noted the applicants' intention to transfer the smaller proposed lot to an immediate family member for no consideration which will exempt them from paying a fee for the open space. He stated that this is not an area where 1.8 acres of open space would be beneficial therefore the waiver is recommended. On the plan there is a 50 foot agricultural buffer along the southerly boundaries of the proposed lots and a note indicating the property is in proximity to an active farm per Section 805 of the subdivision regulations is on the plans. There are no plantings proposed in the buffer but the applicant has indicated that a fence will be put in along the common property line of lot 5 and the farm. The house location for lot 5-A is approximately 870 feet away from the Leahey Farm property. The driveway for lot 5 shows an emergency vehicle turn-around and a detail on the plans indicates it will have three foot drivable shoulders for a total width of 18 feet as it is longer than 250 feet. He recommended standard conditions be part of an approval.

Mr. Turbet read his report into the record stating that sight distances for the proposed driveways meet the requirements of the regulations. He recommended that 20-foot paved aprons be added to the 2 driveway entrances. Mr. Turbet also noted that drainage impact would be minimal and he had no objection to the waivers requested. He recommended if the application is approved,

the standard approval conditions 1-6, 7, 9 and 11, should apply and that the iron pins be set before the mylars are signed.

Chairman Bauchiero opened the hearing for comments from the public.

The following people made comments:

Bill Leahey, 133 Taintor St.

Mr. Leahey stated that he grows tobacco on the abutting property and periodically sprays the crop. They make every effort to do the application when conditions are favorable to be sure that there is no drift over to the next property. He discussed this with Mr. Roy and Mr. Roy indicated that he would pursue having a hold harmless letter written and Mr. Leahey agreed that he would notify Mr. Roy when they were spraying the crop.

Richard Bixler, 671 Mountain Rd.

Mr. Bixler stated that he and his wife and mother in law own abutting property and came forward to take a closer look at the plan. He had no further questions after looking at the plans.

With no further comment Chairman Bauchiero asked for a motion to close the public hearing.

Mr. Sheehan moved to close the public hearing.

Motion seconded by Mr. Kuras and approved unanimously, 6-0-0.

File # 2015-04: Request for a text amendment to add Section V.W Keeping of Chickens to the Zoning Regulations. Applicant- Town of Suffield

First Selectman Ed McAnaney gave the background of the text amendment and the process of the committee that was convened to help draft the proposal. The appointed committee consisted of six members which included two members of the zoning and planning commission. Mr. McAnaney and Mr. Hawkins were also part of the committee. The committee met once for approximately 2 and $\frac{3}{4}$ hours and discussed recommendations and the possibilities for amending the regulations to allow for keeping of chickens on less than five acres which is the current regulation. Mr. McAnaney stated that they looked at the regulations in other towns and considered information supplied by Mrs. Mormino and others in their discussion and came to a consensus as to what a regulation should contain. Subsequent to this, the proposed draft of the amendment to the regulations was written with Mr. Hawkins and the application was filed.

Mr. Sheehan then read the copy of the draft proposal into the record and also read into the record letters from The Hartford County Farm Bureau, Renald Guillemette and Brian Banak.

Mr. Bauchiero asked about the distance for manure storage and felt that it wasn't far enough.

Mr. Sheehan asked about the permission to have roosters and asked if this type of regulation was in any other towns. He was concerned that this was unenforceable when property changes hands. Mr. McAnaney stated that this was put in as a compromise.

Mr. O'Hara commented that as a member of the committee he felt that the draft was a compromise.

Ms. Bromage felt that the new draft was weighted too heavily towards chicken keeping going from the present five acre requirement to lots as small as a quarter acre.

Mr. Winne also spoke as a member of the committee and stated that the roosters were a point of contention and that a quarter acre might be too small.

Discussion ensued about the space requirements and how that would fit on a quarter acre lot.

Chairman Bauchiero opened the hearing for comments from the public.

Robert Anderson, 939 Bridge St. Chickens should not need a permit as they not required for other animals. Fenced yard should not require additional setbacks

Linda Imswiler, 482 Remington St. Submitted pictures of chickens from the neighbor's yard on their property causing damage and noise. Repeated attempts at compliance have been unsuccessful. Concerned about enforcement.

Scott Guilmartin, 759 Hale St. Concerns about allowing roosters unless than 5 acres and how this can be administered.

Kathy Mormino, 519 South Stone St. submitted folders to commission members with information. Many in town already raising chickens – detailed many benefits of keeping chickens, does not harm property value. Suffield considered farm town. Present draft was not what committee came up with.

Robert Parks, 30 Barry Place, This change has the impact of a change in zone rather a text amendment. Recommended 2 acre requirement or only by special permit.

Ron Guilmette, 1249 North Grand St. draft is poorly written – idea of permission from neighbors is wrong. Feels this is much too specific but do need regulations

Joe Plourde, Barry St. need to improve draft – make sure chickens are kept on owners property

Michelle Bryll, 433 Boston Neck Rd. doesn't understand need for permit

Shannon Watson, 333 Griffin Rd. draft is both vague and restrictive and enforcement too difficult. Why regulate compost?

Ann Lewis, 639 North Grand St. Was on committee – they did not end up with agreement for permits. Most people will not be getting more than a few chickens. Why putting higher regulations on chicken feed than any other type of feed?

Ruth Greenberger, 1069 North Grand St. too many zoning regulations in Suffield

Tara Harlowe, 1020 Suffield St. was on committee. Do not need 5 acres for chickens

Tom Drakely 2075 Mountain Rd. issue should be on animals not just chickens. Issue is why 5 acres – this draft is way too specific.

Donna Dunai, 1526 North Stone St. draft goes too far in regulating and should go back to the table to revise.

Tom Mormino, 519 South Stone St. Needs to be done right should come up with better draft. Come up with something through a transparent process.

Chris Anderson 939 Bridge St. Regulation is taking too long need to come up with something.

With no further comments from the public, commission members discussed continuing the discussion until the July meeting to allow opportunity to consider everything discussed and review the material submitted to come up with a revised regulation.

Mr. Sheehan moved to continue the public hearing until the July meeting, seconded by Mr. Kuras and approved unanimously, 6-0-0.

III. NEW BUSINESS

File# 7-05 – Request to extend Site Plan Approval from Trademark Builders, LLC & White Birch Trust, LLC for the Greendale Village active adult development located on East Street. Map 76H, Block 45, Lot 134A. Applicant – Matthew Falkowski

Mr. Hawkins stated that the road has now been paved, and three quarters of the planting have been completed with the remainder to be done in the next few weeks. The remaining sidewalks, street lights and walking path are to be finished. There are eight units left to be built.

Three residents of the development spoke in favor of the extension and there were none in opposition.

Mr. Bauchiero asked for a motion to extend the approval.

Mr. Sheehan moved to extend the site plan approval for Greendale Village for four years until June 15, 2019, with the bond remaining in effect, seconded by Mr. O'Hara and approved unanimously, 6-0-0.

IV. OLD BUSINESS

File # 2015-03: Request for a 2 lot resubdivision located at 709 Mountain Road, Somerset Farms, Map 21H, Block 26, Lot 5 - Applicant – Elzear & Patricia Roy

Mr. Bauchiero called for motions on the application.

Mr. Sheehan moved approval of the following waivers for **Application #2015-3:**

- Sidewalks per Section 308a.
- Open Space per Section 308.b – Fee-in-lieu of \$3,000 for the new lot which will be waived if the lot is transferred to an eligible family member for no consideration.
- Curbs and gutters per Section 308.c
- Street lights per Section 918
- Street trees per Section 402.m

Seconded by Mr. Kuras, and approved unanimously, 6-0-0.

Mr. Sheehan moved approval of **Application #2015-3** with the following conditions:

- Each driveway should be constructed with a 20-foot paved apron
- Iron pins indicated on the plans shall be set along the dividing line between lots 5 and 5A prior to the Commission signing the plan.
- Standard Approval Conditions 1- 6, 7, 9, and 11 apply.
- Seconded by Mr. Kuras, and approved unanimously, 6-0-0.

Seconded by Mr. O'Hara, and approved unanimously, 6-0-0.

V. REPORTS

Chairman – Mr. Bauchiero announced that he would be stepping down from the commission after the August meeting and would not be seeking reelection.

Town Planner – There was further discussion about sending a letter to the siting council regarding the Canis Major Solar Farm. The commission members asked Mr. Hawkins to draft a letter noting that the detailed plan was presented to the commission on two occasions and the applicant had addressed concerns raised. A draft of this letter will be sent to commission members for their input before being sent to the siting council.

Mr. Hawkins reported that there was no appeal filed on the Hamlet on East Street South Affordable Housing decision. He also updated the members on active development projects in town.

VI. MINUTES

Mr. Sheehan made a motion to approve the May 18, 2015 regular meeting minutes as submitted; Motion seconded by Mr. O'Hara and approved unanimously, 6-0-0.

VII. CORRESPONDENCE

Correspondence was read into the record during the public hearing.

VII. ADJOURNMENT

With nothing further to come before the commission, Mr. Sheehan made a motion to adjourn at 9:40 pm; seconded by Mr. O'Hara. Motion carried unanimously 6-0-0.

Submitted,

Chester Kuras, Secretary

cc: Assessor, Building Official, Conservation Commission, Economic Development Director, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel, File