

PLANNING & ZONING COMMISSION
TOLLAND, CONNECTICUT
REGULAR MEETING MINUTES OF OCTOBER 24, 2011

MEMBERS PRESENT: Michael Cardin, Chair
Marilee Beebe, Vice Chair
Sue Errickson, Secretary
Jack Scavone, Regular
John Hughes, Alternate

MEMBERS ABSENT: Dave Barrow, Regular
Benjamin Stanford, Alternate

OTHERS PRESENT: Linda Farmer, Director of Planning & Community Development
Public

1. **Call to Order:** Michael Cardin, Chair called the meeting to order at 7:30p.m. in Council Chambers.
2. **Public Comment:** Ken Hankinson of Johnson Road noted that this is the last meeting of the Commission before the elections. He expressed his thanks and appreciation for the efforts and accomplishments of the Commission over the last two years, giving a special note of thanks to Mr. Cardin for his courtesy, respect and level-headedness he brought to the Board as chair.
3. **Public Hearing**
 - 3.1 **P&Z App. #816 – Town of Tolland – Planning & Zoning Commission** – Request for a revision to the Zoning Regulations section 15-3.C. to allow chickens to be kept on property of at least 0.5 acres.

Ms. Errickson read the public notice into the record. Mr. Cardin seated John Hughes for Dave Barrow for the remainder of the meeting. The proposed change in language to the regulations was put up on the overhead screen for review. John Hughes asked if they would be implementing a permit fee for the keeping of chickens, and if this would also apply to children who might keep a few chickens for a 4-H project. Ms. Farmer said it would apply to this type of situation if the lot size falls into the parameters of the proposed regulation. Mr. Cardin noted that the PZC does not set permit fees, but can recommend an amount. He suggested if they do so that it not be one that is burdensome. Ms. Farmer said there does not necessarily need to be a fee.

The Commission discussed whether residents would need to take out a zoning permit to erect a chicken coop when it is not required to put up a dog house. Ms. Farmer said a permit would be required for a coop, but suggested it might be a simple way to track what is going on in the community with regard to the keeping of chickens on small lots. Ms. Errickson said it would be good to know that coops are not being installed right on the neighbors lot line. Mr. Cardin agreed, saying it makes sense when dealing with small lots, and it is a

tradeoff that allows people to keep chickens while at the same time being considerate of neighboring property owners.

Both Mr. Scavone and Ms. Beebe said they would support a minimal fee to offset the costs of reviewing a brief sketch of the size and location of a coop and fenced area and filing the record.

Josh Freeman of Shenipsit Lake Road said he felt a small fee to pay for some review seems reasonable and that he appreciates the efforts and consideration of the Commission in allowing chickens on smaller lots.

Bill Eccles of Sugar Hill Road suggested not capping the fee at any particular value in order to allow for enforcement costs due to noise or other complaints.

Ms. Beebe asked if there are any fines currently imposed for non-compliance with such regulations. Ms. Farmer said they do have a right to issue citations for conducting an unauthorized use. Mr. Cardin asked if complaints of loose chickens would be an animal control issue. Ms. Farmer said she would expect so, and that it has never been approached from a zoning standpoint, although section 15-3.E. of the Zoning Regulations states “all livestock shall be suitably contained on the premises.”

John Littell, Director of Public Safety, asked that the Commission make a note that when changes such as this one are being considered to keep his department in the loop. He said they do occasionally deal with issues of noise from animals or from dogs going after livestock. He said he is in favor of residents being able to have this opportunity, but it is also good to keep his office informed of new regulations.

Mr. Cardin noted that the Public Hearing on this item was set 60 days ago and has been discussed by the Commission in their meetings for some time.

Sue Errickson/Marilee Beebe, motion to close Public Hearing #816. Motion was unanimously approved.

4. Action on Public Hearing

- 4.1 **P&Z App. #816 – Town of Tolland – Planning & Zoning Commission** – Request for a revision to the Zoning Regulations section 15-3.C. to allow chickens to be kept on property of at least 0.5 acres. Commission to take action on October 24, 2011 Public Hearing item.

Sue Errickson/Jack Scavone motion to adopt the changes to Zoning Regulation section 15-3.C. as outlined in the document dated September 20, 2011, effective November 15, 2011. Motion was unanimously approved.

5. Other Agenda Items

5.1 174 Merrow Road – Discussion concerning the Change of Use/Occupancy – Mr. Cardin noted that no one is here regarding the change of use/occupancy request. He said in the past, there was consensus to ask for a sketch of the property and what their plans are. Ms. Farmer said she and the town attorney met with the property owners and their attorney; however they have not submitted anything to her and no business has started there to her knowledge.

5.2 Update from the Special Meeting that was held on Monday, October 17, 2011 concerning the Technology and Office Zone. Mr. Cardin said his thoughts on this were to provide the future commission with a “next steps” guide to help them with the continuity for this proposed zone. He noted that Mr. Barrow expressed hope that a similar concept that was put in place in the Tolland Village Area would be adopted in the TOZ—whereby existing businesses that want to improve or expand their footprint will not be hindered by any new regulations. Mr. Cardin listed the next steps:

- Hold a meeting with the Lt. Governor on the TOZ and include Kevin Bouley, Bryan Hurlburt, and George Mantak to discuss technology expansions at UConn and make Tolland part and parcel with those discussions. This partnership will be vital to designing regulations and bringing a TOZ to fruition.
- Hire a consultant that can help the Commission with visual preferences, etc., to have a similar success to what they had with the TVA. Mr. Cardin noted that the PZC has had a good track record with engaging consultants.
- Continue meetings with stakeholders.
- Include the Design Advisory Board when meeting with consultants about architectural preferences.
- Make sure the Economic Development Commission is included at all times, specifically when related to signage issues and market studies.
- The Commission should provide itself with the flexibility in any regulations in the TOZ to address changes in technologies and the economy.

Mr. Cardin noted that one of the largest components under the Plan of Conservation and Development is economic development and the creation of nodal development. He said the TVA is one such node and the TOZ can be another. He added that the learning experience from developing the TVA is a great road map for the next Commission for what works and does not work.

Ms. Farmer said the visual preference study was important with the TVA and that when it comes to visual preference with the TOZ, they may wish to look at different building layouts for a development vision as opposed to specific architectural styles.

Mr. Cardin said the hallmark of this Commission has been its ability to build rapport with the community and build consensus.

Mr. Eccles said in talking with various people, he has found the TVA is a fairly polarizing subject and that there seems to be some misunderstandings among people about what it

actually is. He said it is not like the opportunity was not there for people to become informed but they may need to look at taking a different approach to getting the word out. Mr. Cardin said it was difficult to help people understand, no matter how many times they said it, that the concept plan they showed for the TVA was just a concept and not a specific plan. He said he feels the regulations in the TVA offer more flexibility in the process than anything the town has offered before and he would like to see that vision carried to the TOZ to give those property owners greater flexibility as well.

Ms. Beebe said Mr. Eccles identified what is a perpetual challenge for the PZC. She said people are often wary and don't understand the process. She said they need to be creative about how they get information out to the public using different social media and the town's technology.

- 5.3 Request to allow multi-family development in the Neighborhood Commercial Zones. Mr. Cardin requested that a discussion about this item be added to the agenda. Ms. Farmer said they are opening up a Public Hearing on November 14 based on a request from the developer, Richard Lee, to allow multi-family housing development in the NCZ zones. She said the junction of Routes 30 and 74 has been identified as a potential node in the Plan of Conservation and Development and she has met with Richard Lee's attorney to discuss this.

Ms. Farmer asked for suggestions on what information the PZC might want her to prepare for the November 14 meeting.

Ms. Beebe said it would be helpful to look at the NCZ areas and what uses they have there now and see what areas could be developed as multi-family. She said they need to be able to look at the potential impact on nodal development in these areas.

Mr. Cardin said there are auto businesses in the proposed TOZ and it might be good to ask if there is room for them to expand and if that area is the best place for them. He said they should be asking themselves what should be the ratio of businesses to residential development. He said they should also ask Mr. Lee's attorney if he has any suggestions to address nodal development that would be mutually beneficial for both his client and the town. He also said they need to stress to prospective developers that a key component of nodal development is connectivity with such things as sidewalks, pathways and trails.

Ms. Errickson noted that allowing multi-family development in the NCZ zone would mean allowing it in all three NCZ zones in town. Ms. Farmer said she explained to Mr. Lee's attorney that even if the Commission looks favorably on this type of change, it may not be a simple change to the regulations.

6. **Approval of Minutes** – Approve minutes of September 26, 2011 Regular Meeting and October 17, 2011 Special Meeting.

Sue Errickson/Jack Scavone motion to approve the minutes of the September 26, 2011 Regular Meeting. Motion was unanimously approved.

Jack Scavone/John Hughes motion to approve the minutes of the October 17, 2011 Special Meeting. Motion was unanimously approved.

7. **Activities and Updates**

7.1 Update on Page Property – Gehring & Cedar Swamp Roads – There are no updates at this time.

8. **Town Staff Comments** – Ms. Farmer noted that the town engineer, Jennifer Usher gave her two week notice today.

9. **Announcements – Upcoming Meetings** – The next PZC meeting will be on November 14, 2011.

10. **Reading of Correspondence** – None.

11. **Communications and Petitions from Commission Members** – Ms. Errickson told Mr. Cardin that she appreciated his chairmanship on the Commission and he will be missed.

12. **Public Participation**: None.

13. **Adjournment**: Sue Errickson/Jack Scavone motion to adjourn the meeting and pay the clerk at 8:50p.m. Motion was unanimously approved.

Respectfully submitted,

Annie Gentile
Clerk