

Present: Tom Failla, Chairman; Jane Connolly, Vice chairman; Don Saltzman, Ken Edgar, Jim Carlon, Sally Korsh Absent: Britta Lerner

Also Present: Land Use Director

Meeting digitally recorded 2/10/14

SPECIAL MEETING:

PUBLIC HEARING: APPLICATION FOR SPECIAL PERMIT FOR LIMITED HOME OCCUPATION INVOLVING INSTALLATION OF A COMMERCIAL CATERING KITCHEN IN EXISTING OUTBUILDING, 71 NEWTOWN TURNPIKE (P. COLE-SMITH) (SPECIAL PERMIT REQUIRED BY SECTION 343.4 OF THE ZONING REGULATIONS)

The applicant was present.

The Chairman read the public hearing notice for the special meeting into the record. He then went through potentially applicable provisions of the Zoning Regulations.

The applicant then stated that she is a farm to table chef, seeking a special permit application for a limited home occupation involving installation of a commercial catering kitchen in an existing outbuilding at 71 Newtown Turnpike. The outbuilding was a garage and never a residence and is approximately 575 square feet. The applicant stated that her intended hours of operation would be approximately 8 a.m. to 11 p.m., six days a week. She also explained her desire to have cooking classes, not yet determined, for about 4 people per class. The applicant also stated that she is operating a substantial farm on her property.

The Commission discussed the applicability of Section 343 of the Regulations (pertaining to a limited home occupation) to this application. In particular, Section 343 and the applicable definitions do not appear to permit a limited home occupation to be operated from an outbuilding.

The Commission then discussed an alternative approach, under which the proposed commercial kitchen might qualify as a customary accessory use to the applicant's farming activities, under Section 321.2(e) of the Regulations. The Commission then discussed appropriate conditions under which a special permit might be granted to the applicant.

The Chairman suggested that the Commission might be guided by the provisions of Sections 332 and 343. To become eligible for a special permit as a customary accessory use, the applicant would have to amend her application.

The Chairman requested the Land Use Director to make a note of all the letters received for support of this application, ten (10) in all.

Public Comment:

Diedre Doran, abutting neighbor; Resident of Eleven O'Clock Road, Peter Shih of Old Easton Turnpike and Michelle Fracasso of Wells Hill Road supported the application and felt the commercial kitchen

HOME OCCUPATION CONT:

would be an asset to the Town. The others (13 in total) in the audience raised their hands to indicate their support for this application.

The Chairman then went over the special permit requirements in detail to include setbacks, parking, screening, issues of disposal of waste products, parking, building/garage adaptable for public health and safety. Discussion ensued regarding which conditions from Section 332 and 343 should be incorporated into a special permit for this applicant. After a discussion the Commission decided to keep the public hearing open until the next meeting on February 24 to create the conditions.

DISCUSSION/DECISION CONT: APPLICATION FOR APPROVAL OF LOT DEVELOPMENT PLAN, 11 HILL CREST LANE, LOT 5, BARCELLO SUBDIVISION (LAND TECH)

Peter Romano of Land Tech was present and also Richard Altman, builder. Mr. Romano submitted a list of conditions as requested from the last meeting. He then went over a revised plan showing the removal of the boulder retaining slope and stabilization of the slope with vegetation. The Commission requested a sign off by a certified design engineer subject to approval by the Town Engineer. The Commission also requested a sequence plan for the removal of the boulders and a plan of protection of the down slope. A discussion followed regarding the timing of the removal of the boulders in connection with the proposed construction.

The Commission went over, in detail, the list of conditions presented by Land Tech, and made appropriate additions and corrections,

Ken Edgar moved that the Commission approve the lot development plan for 11 Hill Crest Lane, Lot 5 of the Barcello Subdivision subject to the conditions that were agreed upon. Seconded by Sally Korsh. Vote in favor (6-0) Britta Lerner absent.

APPROVAL OF MINUTES:

Ken Edgar moved that the Commission approve the minutes of January 27, 2014, as edited by Ken Edgar and Tom Failla. Seconded by Don Saltzman. Vote in favor (6-0) Britta Lerner absent.

OTHER BUSINESS:

The Chairman reported on his conversation with the First Selectman regarding COG and how it will affect the Planning & Zoning Commission.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Unanimous on 2/24/14

