

**COVENTRY PLANNING AND ZONING COMMISSION
MEETING MINUTES
MONDAY, MAY 9, 2022**

CALL TO ORDER

By: Jobbagy

Time: 7:02 p.m.

Place: Annex and Zoom

ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Steven Hall, Secretary - remote	X	
	Bill Jobbagy, Chairperson	X	
	Ed Marek - remote	X	
	Christine Pattee, Vice Chairperson - remote	X	
	Darby Pollansky		X
ALTERNATE MEMBERS:	Bob Burrington - remote	X	
	Carol Polsky - remote	X	
	Brian Murray	X	
STAFF:	Eric Trott, Town Planner	X	
	Heidi Leech, Permit Technician/Substitute Recording Clerk	X	

Burrington was seated for Pollansky.

AUDIENCE OF CITIZENS:

Howard Haberern - 80 Cassidy Hill Road: Mr. Haberern expressed concern that he was mischaracterized by PZC Member Christine Pattee at the last meeting as wanting to shut down the music and intentionally gumming up the works for submitting questions to Eric Trott regarding Cassidy Hill Vineyard. He said the Vineyard has been operating illegally for 10 years, he doesn't want it shut down but he wants it to operate legally. He feels Pattee has made statements that show she is biased in the matter of Cassidy Hill Vineyard and she should recuse herself in the matter. Mr. Haberern feels he was censored by the PZC Chair when Audience of Citizens was skipped at the last meeting,

he thinks specifically because he was there. He stated he has the right to speak at any meeting.

PUBLIC HEARINGS:

- 1. #22-3 – Subdivision application of Bushnell Associates for owner, Zachary N. Studenroth for a 2-lot subdivision at 445 Goose Lane (Assessor’s Account No. R06044) – GR-40 Zone.**

Trott explained that we are still waiting on a report from the State Archaeologist so the Public Hearing will have to be continued. We received a request for a 30-day extension of the Public Hearing from the applicant to allow for time to receive the opinion from the State Archaeologist. Hearing continued to May 23rd meeting. Jobbagy asked if there was any public comment or questions. There were none.

- 2. #22-4 - Subdivision application of Bushnell Associates for owners, Robert and Mary Kortmann for a 2-lot Family Resubdivision at 430 Talcott Hill Road (Assessor’s Account No. R02961) – GR-40 Zone.**

Dr. and Mrs. Kortmann were present. Trott said that we received the opinion letter from the State Archaeologist and she concurred with the consultant that there are no archeological concerns. Andrew Bushnell also submitted revised site plans which address staff comments. Trott asked the Kortmanns if they wanted to make any comments and they did not. There were no questions or public comments.

Jobbagy closed the Public Hearing at 7:10.

MOTION: The Coventry Planning and Zoning Commission approves application #22-4 – Subdivision application of Bushnell Associates for owners, Robert and Mary Kortmann for a 2-lot Family Resubdivision at 430 Talcott Hill Road (Assessor’s Account No. R02961) – GR-80 Zone.

The Commission also approves the following waivers:

Chapter 4, Section 4 (Hydraulic Study)

Chapter 4, Section 2.8 (Road System)

With the following conditions:

- 1.The Town Engineer shall approve the final revised plans.
- 2.A Drainage Easement shall be indicated on the new lot to address the extension of the swale and plunge pool.

Motion by: Pattee

Seconded: Burrington

Voting:

For: Hall, Jobbagy, Marek, Pattee, Burrington,

Against: None

Abstain: None

Motion unanimously approved.

Due to there being several people present for the matter of Cassidy Hill Vineyard, the Chair moved New Business, Item 1 up to the next item on the agenda

Brian Murray recused himself and took a seat in the audience.

NEW BUSINESS:

1. Preliminary Discussion – Cassidy Hill Vineyard – Special Permit Modification – 454 Cassidy Hill Rd

Attorney Dori Famiglietti of Kahan, Kerensky, Capossela, LLP and Mr. and Mrs. Chipkin were present. Attorney Famiglietti said they are looking to modify the existing special permit. They were hoping to be further along in the process and be ready to submit an application but they aren't quite ready yet.

Chairman Jobbagy explained the reasons for having a preliminary discussion with an applicant, so that everyone can be on the same page to make the application process smoother.

Famiglietti explained that they are looking to modify the 2011 Special Permit for Social Gatherings as an Accessory Use to the Winery to more accurately reflect the events that are occurring and that they would like to have occur. This is not a modification to the original 2006 Special Permit for the Winery.

She acknowledged that not all improvements were initially implemented. Some small weddings are done but mostly other outdoor social events. She said that she spent time researching the file and minutes of previous meetings identifying concerns and making a plan forward. They have hired Galen Semprebon from East-West Engineering as their engineer for an updated site plan and traffic study. They are also working with Mark Reynolds to update and record the final site plan mylar with adjustments to perfect the 2011 approval then bring it forth with modifications to address the deviations. The primary issues being number of events, size of events and traffic – a comprehensive traffic and parking plan. They are hoping to get an application before the PZC sooner than later. Famiglietti said she knows that her clients and people in town are anxious to get everything going and she feels they can bring it up to a standard where everyone will be pleased.

Jobbagy asked about the Traffic Management Plan. Famiglietti largely related the traffic to circulation through the site and parking. That will dictate the traffic. They are thinking of having parking attendants – one on the property and one on the street near Baxter Road. They can count cars and once the parking is full turn cars away without having them come down Cassidy Hill Road and having to turn around on the property.

Trott said he's been communicating with David Corcoran, the Town Planner in Tolland. Tolland citizens have been calling him with questions since Baxter Road is in Tolland. Once an application is received we will notify the Town of Tolland per Connecticut General Statutes. Trott said they discussed diverting traffic north onto Baxter Road. Trott says Galen Semprebbon should examine capacity issues/traffic counts on Baxter as a baseline. There obviously can't be a test run since there are no events being conducted at this point. Famiglietti said she would contact David Corcoran to ask what his concerns are and ask Semprebbon to work it into his report.

Pattee said that since the traffic and audience count have been one of the biggest issues, she would appreciate an idea of the calendar of events and timing. Famiglietti said that they would like to continue Friday night events, weather permitting, April to September, but often the events don't start until May due to rain. Mr. Chipkin said that the maximum duration would be April through Labor Day but the last three years started in May.

Famiglietti said that they would like to do Friday nights and also a limited number of other events such as Car Shows, Vendor Events, etc. This could be a Saturday or Sunday afternoon, midday hours possibly 11-5. Pattee asked what the Friday music event hours are. Music events are 6:00 – 8:00 p.m.

Trott said a number of events versus a window of time for events would be more helpful. What are the impacts based on the number of events? Mr. Chipkin said that there are 22-23 Fridays from April 1st to Labor Day. He doesn't have the exact number. They would like a maximum of 10 daytime events. Trott said he understands the weather is a variable.

Attorney Famiglietti said the 2011 Accessory Use approved from April 1st to September 30th 15 Events. They are looking at that same window but to update the number of events. Trott said 15 events with less people and now looking at 200 spaces with 2-2.5 people per car, they need to look at that impact. It would be helpful to have the side by side comparison of the morphing of the events.

Famiglietti said that the 2011 Permit used the number of attendees but she feels the number of cars is the best way to measure. Managing the traffic/parking is the crux of the issue. If they evaluate and plan for that, it should address the concerns of the community at large. Trott said that they need to make the parameters of the permit quantitative and qualitative in order to evaluate it better and determine compliance.

Trott mentioned that the applicant did recently get approval from the Inland Wetlands Agency for a gravel access road, drainage swale and basin site improvements. Famiglietti said that in comparison to the 2011 approval which was for 24-foot wide, two-way traffic, it is now 12-foot wide for one-way traffic circulation.

Trott said there are maximum number of cars/guests options. It requires good communication between parking attendants. He also noted that the attendant working in the Right of Way will need to be a Certified Traffic Control Person such as Police

Officer, Fire Police, Etc. The person working on vineyard property does not need to be certified. Trott said that having the parking attendants counting the number of spaces and when they are all full vehicles can be directed to continue up Baxter Road instead of having to pull into the vineyard parking lot to turn around. That's what has caused a bottleneck and safety concern in the past.

Trott asked the Chipkins if they would be willing to provide port-o-lets if necessary to address Eastern Highlands Health District concerns. Yes, they are open to this if necessary.

Trott mentioned that adequate lighting is critical. He noted that large portable lighting might not be necessary if wall pack lighting on the barn can meet the appropriate lumens. Trott said a lighting plan will be necessary. He suggested that Galen Semprebon include this in his plan for public safety reasons.

Trott also mentioned that any food vendors who come to the vineyard for events need to be licensed by the Eastern Highlands Health District.

Trott asked PZC members if they had any questions. Burrington asked if there would be any traffic directional signage. Trott said that Semprebon should address that in the Traffic Management Plan. Famiglietti said yes, he will address it and it will also help having the traffic attendants. Trott said that the study should address the use of cones, signage and flaggers for traffic control.

Polsky said she recalls the number 150 but someone said 200. Are they two separate things? Are we changing the method of capacity? Trott said that the trouble is quantifying the number of parking spaces (196), we can't predict the exact number of people in each car who will attend. Weather conditions and field conditions might dictate the actual number of parking spaces/cars. There's the known quantity (cars) versus the unknown quantity (of people in each car). It's easier to work toward compliance with vehicle management versus people management.

Famiglietti said that the original permit was based on people for projecting impact number of vehicles is key. The bulk of the impact is the cars/traffic not the number of people or noise.

Trott said assuming 3 people per car, backing into the number using the maximum number of spaces and number of occupants. We want to have a defined number so we can determine compliance. Counting actual people in cars is harder to do.

Jobbagy asked Famiglietti and Mr. and Mrs. Chipkin if they had any questions. They did not. Famiglietti said they would be following up with their engineering based on this discussion.

Trott said once an application is received we would give referrals to Town Staff for review— Fire Marshal Bud Meyers, Acting Police Chief Spadjinske, Building Official Steve Prattson, Town Engineer Todd Penney, Sanitarian Glenn Bagdoian, Wetlands Agent

Mindy Gosselin. The Town Engineer would peer review the Traffic Study and may hire an outside Traffic Engineer to do an additional review if he prefers, since he is not specifically a traffic engineer. We will defer to his judgement.

A person in the audience asked if they could ask a question. Jobbagy said that since this is not a public hearing this is not a time for public comment. She said she had something to say about the engineering report process. Trott told her that she could email him questions or comments at any time.

Howard Haberern – 80 Cassidy Hill Road said that he will be sending in questions to Eric Trott – can he do that without being criticized? Trott allowed that before.

Trott said anyone can always send him questions, but please keep in mind that we don't even have an application yet.

Trott mentioned that he received an email from the Bud Meyers, Fire Marshal who received an email from a retired Manchester Deputy Fire Chief asking if the Fire Marshal would be reviewing Cassidy Hill Vineyard's application. As mentioned previously, the Fire Marshal will review the application as a referral. That retired Manchester Deputy Fire Chief was in attendance at the meeting and thanked Trott for addressing his concerns.

Brian Murray was reseated at the table.

OLD BUSINESS:

1. CRCOG Regional Planning Commission – Coventry Representative

Ed Marek has served as the Town's representative to the CRCOG Regional Planning Commission for the last 8 years. The representative needs to be a volunteer who is familiar with our POCD and Zoning Regulations and who will represent the Commission in a manner in which we conduct business. The general consensus is that Ed is the best candidate for the job if he is willing to continue.

MOTION: The Coventry Planning and Zoning Commission appoints Ed Marek as the Coventry representative to the CRCOG Regional Planning Commission, effective to December 31, 2023.

Motion by: Pattee

Seconded: Burrington

Voting:

For: Hall, Jobbagy, Marek, Pattee, Burrington,

Against: None

Abstain: None

Motion unanimously approved.

ADOPTION OF MINUTES:

Motion: The Coventry Planning and Zoning Commission approves the minutes of the April 25, 2022, meeting.

Motion by: Pattee

Seconded: Burrington

With Corrections: Page 4, First Line, Change “go” to “goes”
Page 4, Enforcement Section, 5th Line, Change “spend” to “spent”

Voting:

For: Hall, Jobbagy, Marek, Pattee, Burrington,

Against: None

Abstain: None

Motion unanimously approved.

STAFF REPORTS:

1. Cannabis Establishment Regulations – Status

Eric Trott, Bill Jobbagy and Alexa Gorlick (ZEO) have been meeting to work on the regulations. They are working on a synergistic approach using Connecticut and Massachusetts regulations. Trott said the PZC may want to schedule a special meeting to do cannabis regulations given the upcoming applications. Trott asked if members had any input or comments for the subcommittee.

Trott said the Commercial Zone on Route 44 has been identified as a potential target zone for a cannabis establishment. Are there any other zones for a micro or commercial cultivator location? Trott asked the PZC for feedback but didn't receive any. Trott asked if PZC members were generally comfortable with the designation. Burrington said he is happy/comfortable with what he's seen so far. Pattee said ditto and she wanted to confirm that there would be no outdoor growing facilities. Trott said no, State Law only allows highly secured indoor grow facilities due in part to odor control. Not to be confused with hemp which is grown outdoors. Trott says he sees a general comfort level with members. Trott said after zones next to consider would be input related to parking.

Pattee asked who would be responsible for initial review and final approval of applications. She read that there were 8,000 initial applications under the disenfranchised application process. Trott said for our purposes it would be a standard Special Permit – Staff Review, Preliminary Review, and PZC Application for Special Permit.

Trott said the subcommittee will continue to work on the draft regulations.

Pattee asked how the PZC will deal with multiple applications if only one establishment is allowed in Coventry based on population. Trott said he didn't know. He will ask.

Jobbagy said there is interaction with the State. The applicants would start by getting State Preliminary Approval which is conditioned by approval from the Town.

Pattee said she wants to express her appreciation to Eric Trott and Bill Jobbagy. This is a very touchy but very important subject.

Trott said there will be a further draft to come.

2. Accessory Dwelling Units

No update

3. Housing Affordability Plan

The Community Value Statement was included in packets. Trott said that we were given a basic statement document but we personalized it to give it Coventry's special feel. Trott said the draft Housing Affordability Plan should be ready in the next week or two to bring to the PZC before going to Public Hearing. The Public Hearing will be scheduled for the second meeting in June. We can ask OPM for an extension as the original due date was June 1st but we don't want to rush it. This is a highly sensitive, stigmatized subject.

Pattee said she liked the Community Value Statement. Jobbagy said it looks good.

ACKNOWLEDGMENTS:

1. #22-5 – Special Permit Application of XS Realty Holdings, LLC for Professional Office at 1572 Boston Tpke

ADJOURNMENT:

Jobbagy adjourned the meeting at 8:20 p.m.

Respectfully Submitted,

Heidi A. Leech

Heidi A. Leech, Substitute PZC Recording Secretary

PLEASE NOTE: These motions are not official until approved by the Planning and Zoning Commission at the next Commission meeting. Please see the next Commission meeting minutes for approval or changes to these motions.