



# *TOWN of* **THOMPSON**

## **PLANNING AND ZONING COMMISSION**

**Minutes–PZC Subcommittee Meeting**  
**Tuesday, June 16, 2020 at 6:00 PM**  
**Zoom Meeting**

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### *Invite*

### *Zoom Meeting June 16, 2020*

*Topic: Planning & Zoning Commission Sub-committee - Review Zoning Regulations*

*Time: Jun 16, 2020 06:00 PM Eastern Time (US and Canada)*

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### **1. Call to Order at 6:00 PM by Chairman Joseph Parodi-Brown**

**Roll Call:**

**Joseph Parodi-Brown**

**Alvan Hill**

**Michael Krugel**

**Robert Werge Sr.**

**John Lenky**

**Brian Santos**

**Charlene Langlois**

**Seated:** Alvan Hill for Mike Krogul, and Brian Santos for Christopher Nelson

**Absent:** Christopher Nelson, Missy Desrochers, Christine Chatelle

**Staff Present:** ZEO Cindy Dunne, Planner Tyra Pen-Gesek, First Selectman Amy St. Onge, Gloria Harvey Recording Secretary

*MUNICIPAL BUILDING*

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## 2. PZC Commission Discussion of Comments Received on Proposed Regulations

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## Frontage and Setback Requirements

<u>Use</u>	<u>Frontage</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
Residential	100'	20'	20'	20'
Agricultural, Non-Residential, Non-Livestock	100'	20'	20'	20'
Agricultural, Livestock, Non-Swine	150'	150'	150'	150'
Agricultural, Livestock, Swine <sup>1</sup>	300'	300'	300'	300'
Accessory Structures to the Primary Building	n/a	<sup>2</sup>	12'	12'

C.Campbell: I do not appreciate the proposition of shortening how much road frontage would be required in order to build.

D. Couture: reducing the frontage makes the acreage more valuable (implication in her letter is that this is a negative consequence)

C. Dunne: recommends the following changes to the proposed draft

<u>Use</u>	<u>Frontage</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
<i>Residential</i>	<del>100'</del> <i>150'</i>	<del>20'</del> <i>50'</i>	20'	20'
<i>Agricultural, Non-Residential, Non-Livestock</i>	<del>100'</del> <i>150'</i>	<del>20'</del> <i>50'</i>	20'	20'
<i>Agricultural, Livestock, Non-Swine</i>	150'	<del>150'</del>	150'	150'
<i>Agricultural, Livestock, Swine<sup>1</sup></i>	300'	300'	300'	300'
<i>Accessory Structures to the Primary Building</i>	<del>n/a</del>	<del>2'</del> <i>.50</i>	<del>12'</del> <i>20'</i>	<del>12'</del> <i>20'</i>

*T. Penn: The purpose of reducing the frontages and the setbacks was to reduce the number of existing and potential non-conformities, giving property owners more flexibility in the use of their land, and reducing potential expenses for seeking variances. Having said that, the difference in the footprint created by a minimum lot frontage of 150 as demonstrated by Carolyn is compelling, in terms of its potential conservation impact, and the difficulty a narrower lot may have in properly siting well & septic. I am amending my recommendation to return to the longer frontage; however, I would keep the lower threshold for the other setbacks. Commission should have a quick voice vote on each of the proposed changes in setback distances.*

Tyra revised her recommendation regarding frontage conceding 150 feet.

Joseph Parodi-Brown moved and Brian Santos seconded the motion to change the frontage requirements to 150' in the Rural Residential Agricultural District and Non-Residential Non-Livestock District. A "Yes" vote will change it to 150' frontage for Rural Residential Agricultural District and Non-Residential Non-Livestock District. A "No" vote will Keep it at 100'.

Roll Call Vote:

John Lenky-No	Michael Krugel -No	Robert Werge Sr.-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
Joseph Parodi-Brown-Yes		

Motion Carried

Tyra commented the purpose of reducing setback was to reduce the potential for non-conformities.

Front Setback

Brian Santos moved and Robert Werge Sr. seconded the motion to change the front setback to 40' in the Rural Residential Agricultural District and Non-Residential Non-Livestock District. A "Yes" vote will change it to 40'. A "No" vote will keep it at 20'.

Roll Call Vote:

John Lenky-Yes	Michael Krugel -Yes	Robert Werge Sr.-Yes
Brian Santos-Yes	Alvan Hill-No	Charlene Langlois-Yes
Joseph Parodi-Brown-Yes		

Motion Carried

Accessory Structures

Michael Krugel moved and Charlene Langlois seconded the motion to accessory building be no closer to the road than the existing building. A Yes vote is to keep the draft for a front setback for an accessory structure no closer than the existing primary building.

Roll Call Vote:

John Lenky-Yes	Michael Krugel -Yes	Robert Werge Sr.-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
Joseph Parodi-Brown-Yes		

Motion Carried

Side and Rear Setback for Accessory Structure

Brian Santos moved and Robert Werge Sr. Seconded to change the side and rear setback on the accessory structure to 20'. A "Yes" vote changes it to 20'. A "No" Vote keeps it at 12'.

Roll Call Vote:

John Lenky-Yes	Michael Krugel -Yes	Robert Werge Sr.-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
Joseph Parodi-Brown-No		

Motion Carried

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Article 4A, Section 4 Agriculture

A. Farm Stands and Farm Stores

1. Not less than 50% of products sold shall be from agricultural goods grown or produced on the

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owner's farm.

C. Dunne: Not less than 75% of products sold shall be from agricultural goods grown or produced on the owner's farm. Justification – farm stands need to purchase support products to enhance their grown and produced stock, so it is reasonable to expect a percentage of product offered is not produced on their property. Ag business that ship in product put a food business owner in a commercial district at a disadvantage. A business owner in a commercial district has a higher overhead. If Farm Stand is promoting Connecticut grown then there are issues with Ag Dept if they ship in products to supplement their stock. Technically following Ct Grown guidelines it is my understanding that all products advertise as such need to be Ct Grown and products sold at their stand and not produced by the owner that product has to be labeled stating such. Maybe more research needs to be done on this.

T. Penn: The recommendation to set the level at 50% was taken directly from a series of sample regulations forwarded to me by Joan Nichols of the CT Farm Bureau. Recommend following her suggestions, as a professional advocate for agriculture in the state of CT. **Commission should confirm which level they prefer.**

Tyra commented that the purpose of this Article is to enable agricultural professional who exist or want to start a business in Thompson to make it a friendlier environment to do so. ZEO asked for clarification between a farm stand and a farm store. ZEO commented that a farm stand and farm store should be treated and defined separately.

Joseph Parodi-Brown moved and Charlene Langlois seconded the motion to keep language and specify 50% of products must be grown or produced by the owner's/owners farm and 75% for farm stand. A "Yes" vote will change it to 50% for farm store and 75% for farm stands. A "No" vote will leave it as written.

Roll Call Vote:

John Lenky-Yes	Michael Krugel -Yes	Robert Werge Sr.-Yes
Brian Santos-Yes	Alvan Hill-Yes	Charlene Langlois-Yes
Joseph Parodi-Brown-Yes		

Motion Carried

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Article 4A, Section 4 Agriculture

A. Farm Stands and Farm Stores

2. A Farm Store must meet all state and local codes and health requirements.

C. Dunne: A Farm ~~Store~~ Stand must meet all state and local codes and health requirements. Spent a lot of time thinking about this one, reviewed other towns and really don't know what the Towns' intent is if it does not have to be on the farmers property and it can be a shared store. My confusion is a Farm Store is allowed in all the districts???? This whole farm store part doesn't make logical sense. Why not just keep it at Farm Stands?

T. Penn: To do my best to clarify the intent of separating the levels of intensity between a farm "stand" and a farm "store": as included in the definitions in the proposed draft, a farm "stand" is, essentially, a temporary structure (e.g. a booth with tables or shelves surrounding it, a converted

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shed), which would be presumed to be less formal in nature, and almost certainly limited to seasonal operation. A farm “store” would be a permanent building, could be seasonal or year round, and could sell the products of one farmer or a group of farmers (e.g. a co-op). Because an allowance is made for more than one grower to have ownership, it is also reasonable to posit that the store itself does not need to be directly on a farm property, but could be located in a more central or neutral location. Both enterprises serve to support local agricultural producers, with a different level of intensity. **The Commission has previously accepted this reasoning, but recommend that they confirm whether they accept the item as presented.**

Addressed in previous Article.

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Article 4A, Section 4 Agriculture

A. Farm Stands and Farm Stores

3. All parking areas shall be in accordance with Article 5B, Section 6 of these regulations

C. Dunne: There are no specific parking standards for parking on rural residential agricultural lots in Article 5B, Section 6 of these regulations.

T. Penn: The intent was not to have a different set of parking regulations for agricultural uses, but to clarify farm stores must provide parking as per that section. Will amend to read “Farm stores shall submit a parking plan conforming to the provisions of Article 5B, Section 6 of these Regulations”. **No Commission action required.**

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Article 4A, Section 4 Agriculture

C. Agricultural Ancillary Entertainment-Based Activities or Farm-Based Recreational Activities

1. All proposed Agricultural-Ancillary Entertainment-Based or Farm-Based Recreational land uses must submit a Site Plan to the Commission for review. The Site Plan must show in detail planned use areas, parking and traffic movements. If lighting and signage are proposed, they must be included on the Site Plan.

M. Butts: This language contradicts with the language found in Article 3A, Section 4 which states “Applications for zoning permits shall be filed with the ZEO by the applicant...” Suggest changing the language to read like that found on page 50 Article 5A, Section 1 Development Standards for Home occupations and Rural Businesses, subsection B Rural Businesses.

R. Roberts: ~~concur. not 100% sure what the question is.~~ I think her issue was whether the Ag-Ancillary Entertainment site plan referred to on page 26 needs to comply with the requirements of Article 3A, Section 4 in terms of what it shows or if it only needs to show the items discussed in the text in Article 4A, Section 4.

T. Penn: Based on Atty. Roberts comments will review the site plan requirements for this use and find a way to make them clearer and less contradictory with Article 3A Section 4 **No Commission action at this time.**

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Article 4A, Section 4 Agriculture

D. Fertilizer and Manure Management – Livestock owners must comply with generally accepted agricultural practices through the Right to Farm Law (CGS 19a-341); prevailing CT Department of Energy and Environmental Protection water pollution control statutes (CGS 22a-430); and the prevailing State of Connecticut Public Health Codes

C. Dunne: Livestock owners must comply with generally accepted agricultural practices through the Right to Farm Law (~~chapter~~)(CGS 19a-341); ~~prevailing~~ CT Department of Energy and Environmental Protection water pollution control statutes(~~chapter~~) (CGS 22a-430); and ~~the prevailing~~ State of Connecticut Public Health Codes

T. Penn: will determine correct chapter citation and make edit. **No Commission action required.**

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4B Common Residential District

Article 4B, Section 1 Intent

The intent of the Common Residential District is to provide for residential use consistent with the furtherance of the rural character of the Town while protecting the town's natural resources for those areas served by public sewer and water.

C. Dunne: this district replaces current R20 delineated on the purposed zoning map which is consistent with density of lots why is it being related to rural character?

T. Penn: Encouraging increased density and infill in a specified district or districts preserves the rural character of the town at large by driving development toward those areas more suited to it. All districts of the town contribute toward its desired character, and viewing them separately contributes to the fragmentation of the community. Having said that, **if the Commission would prefer to articulate a different statement of intent for this article, now is the time to do it.**

The ZEO stated that the town is largely rural and would be assisted where density is defined. All pieces of town work together to further the overall character that we have in mind.

Joseph Parodi-Brown described the entire town as rural. Districts are created to protect the overall character.

Tyra commented this is acknowledging that it is one town and in this town certain districts have certain functions and those overall functions combined to make one town with an overarching rural character. Unified statement of purpose. To create one desirable community that has different aspects.

Keep intent as written. Santos 2 Werge. Yes leave as it No continue discussion

Brian Santos moved and Robert Werge Sr. seconded the motion to keep the intent of this Article as written. A "Yes" vote will leave it as is and a "No" vote will continue discussion.



Roll Call Vote:

John Lenky-Yes

Michael Krugel -Yes

Robert Werge Sr.-Yes

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

Joseph Parodi-Brown-Yes

Motion Carried

Article 4B, Section 2 Table of Permitted Uses

1. Farm Stands
2. Rural Businesses

C.Dunne: Common Residential District is not rural and not farm so why congest the area more with allowing this activity that has the potential of disrupting harmony in this district. Eliminate and leave off the list

T. Penn: Since a large part of this exercise has been to encourage infill and various levels of home enterprise, I do not believe there is a compelling reason to prohibit these uses in this district. As a hypothetical: If resident has a 1/4 acre parcel with a large backyard garden that produces enough to set up a farm stand in the front yard, where is the compelling interest in prohibiting that activity? Similarly, if a resident with garage on a ¼ acre parcel chooses to convert it to a woodshop for income, what is the compelling reason to disallow that, as long as the provisions of the regulations are met? **Recommend the Commission clarify its intent with a voice vote to allow or disallow each item.**

ZEO recommended rural businesses be allowed in R40 and R80. She has no problem with farm stands.

Tyra zoning is useful when it improves human life. Zoning disrupted every day functions of life. New England neighborhoods have a corner store, diner, etc. They have walkable neighborhoods. Zoning puts everyone in different areas and the damage from those ways of zoning is what we are trying to undo. The ones identified here are small enterprises where a person can run a business from home. One of the overarching purposes of this Article was to undo the fragmentation that zoning caused. Charlene Langlois commented people are looking to support their rural community. Thompson is always publishing people out and not drawing them in. Changes should be made in the regulations to help Thompson grow. We're so tight and we are not welcoming people at all.

Farm Stands

Joseph Paodi-Brown moved and Brian Santos seconded the motion to keep farm stands in the permitted use with a zoning permit required in the Common Residential District. A "Yes" vote will keep them. A "No" vote will not allow them.

Roll Call Vote:

John Lenky-Yes      Michael Krugel -Yes      Robert Werge Sr.-Yes  
Brian Santos-Yes      Alvan Hill-Yes      Charlene Langlois-Yes  
Joseph Parodi-Brown-Yes  
Motion Carried

#### Rural Business-Slightly intensified home occupation

Commissioners agreed to take out of order and discuss now. Tyra suggested voting with the understanding an alternate term be given to rural business.

Joseph Parodi-Brown moved and Brian Santos seconded the motion to keep Rural Business in the Common Residential District with a site plan as drafted. A “Yes” vote keeps it in this district. A “No” vote removes it from this district.

Roll Call Vote:

John Lenky-Yes      Michael Krugel -Yes      Robert Werge Sr.-Yes  
Brian Santos-Yes      Alvan Hill-No      Charlene Langlois-Yes  
Joseph Parodi-Brown-Yes  
Motion Carried

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#### A. Dimensional Requirements

The minimum lot size shall be 4,500 square feet. New construction shall be permitted, provided that the requirements for setbacks and building height requirements are met.

B. Davis: The blanket 4,500 sq.ft. minimum lot size is not realistic. That is about .1 acres and smaller than a 100' x 50' building lot. With the 100' minimum frontage requirement the lot could be less than 50' deep. That means with 20' front and rear setbacks a building could theoretically be 10' deep. I am aware the committee initially wanted no minimum lot sizes but this is not the answer. Also does this mean that existing properties with all the buildings squished onto 4,500 sq.ft. are now eligible to call the balance of the land as undeveloped and therefore apply for a lower tax rate for all that land? What does this do to the tax base of the town now and in the future?

#### C. Dunne: Creating Postage Stamp Lots

T. Penn: To reiterate: one of the goals of this exercise was to eliminate non-conformities. The minimum lot size proposed for this district is based on existing properties. I found the smallest house lot currently in R20, which is .11 acres/4800 sq ft, and I rounded down a tiny bit. While I can't answer Bernie's question about taxation rates, I will follow up with the new assessor to see if he can provide clarification. As to what it may do to the tax base in the future: assuming for a moment that a property owner in this district chose to subdivide an existing parcel into 2 or three small house lots, each of those house lots would be eligible to be taxed as a primary lot, rather than excess, after subdivision; so, as I understand it, the implication is an improved tax base, not a degraded one; regardless, I will also ask the new assessor to clarify. Also, Bernie's comments on frontage and setbacks are in error: he is looking at the dimensional requirements for the Residential Rural District. They are considerably lower in this district. Comments regarding small lots or “postage stamp lots” reflect the individual preferences of the commenters; there are many

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reasons why a homeowner might prefer a smaller lot, for affordability or maintenance reasons. The Commission does not have a compelling interest to demand that a property owner purchase more



land than suits his needs and tastes. The argument could be made, however, that the minimum lot size could be moved back up to 4800 sq ft, to reflect the smallest existing parcel. **Recommend the Commission articulate their intent and preference for the minimum lot size in the district.**

Following discussion, Joseph Parodi-Brown moved to keep 4500 square feet as drafted and hearing no objection it will remain at 4500 square feet as drafted.

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#### Frontage and Setback Requirements

1. The minimum frontage for all lots in this district is 50'.
2. Front and rear setbacks shall be no less than one-sixth (1/6) of the lot's road frontage along a public way, or 35', whichever is less.
3. Side setbacks shall be no less than one-half (1/2) of the front setback.
4. Setbacks for an accessory structure shall equal or exceed that of the primary structure.
5. The ZEO shall permit the construction of a required special needs access-way to protrude into any setback, provided that it is the only reasonable location for such access-way

C.Dunne: prefers the following

Front and rear setbacks shall be no less than one-sixth (1/6) of the lot's road frontage along a public way, or 35', whichever is less. **Get rid of the fraction and go back to feet**

Side setbacks shall be no less than one-half (1/2) of the front setback. **Get rid of the fraction and go back to feet**

Setbacks for an accessory structure shall equal or exceed **Give a number** that of the primary structure.

#### A. Frontage and Setback Requirements

<u>Use</u>	<u>Frontage</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
Residential, single-family or two-family	100'	<del>20'-35</del>	<del>10'-12</del>	<del>10'-12</del>
Multi-family, three or more units	100'	<del>20'</del>	25'	25'
Non-residential	100'	<del>20'</del>	25'	25'
Accessory Structures to the Primary Building	<del>n/a</del>	<sup>1</sup>	<del>10'</del>	<del>10'</del>
Special Needs Access	n/a	<sup>2</sup>		

<sup>1</sup> front setback for an accessory structure shall equal or exceed that of the primary structure **give a foot number**

T. Penn: Given the purpose of driving density and accommodating for existing smaller lots in this district, reverting to larger frontages and setbacks is counterproductive to that goal. Using the fractions for the setbacks will aid in reducing non-conformities. We adjusted the frontage requirement back up to 50' from 40' (currently the shortest existing lot frontage in this district) to

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accommodate for the need of emergency services to easily find houses when called out (based on 50' increments). No compelling interest has been identified to expand it further. **The Commission should clarify their intent and purpose**, but I strongly recommend keeping the lower dimensional requirements

Commissioners unanimously agreed to keep this Article as drafted.

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4C Thompson Common Village District

Article 4C, Section 2 Table of Permitted Uses

2. Agriculture (as defined in Article 7, of these regulations and also as in CGS, Section 1-1 (q))

8. Rural Businesses

C. Dunne: Viewing the purposed zoning map the area is not large enough to support Agriculture so why put it in use chart?

I question Ag and Rural business being in this area, again this is designated as a Village but the definition of rural does not seem to relate to this area

Definition of rural - relating to, or characteristic of the countryside

Definition of Village - a group of houses and associated buildings

T. Penn: The assumption about the size of lots vs the requirements of agricultural use are based on a traditional view of agriculture (e.g. large fields for crops or livestock); but, innovations in agriculture may allow for future enterprises that are less intensive in their use of acreage (some aquaponics/hydroponics methods may be an example). While it may not be likely that an applicant will present such a use, there is little reason to exclude the possibility. As to the contention that the "rural" and "village" characters are somehow contradictory, I repeat my response to a similar comment under the Common Residential District: all of the districts, although slightly different in their usage, contribute to the overall "rural" character of the town. Also, the definitions cited do not come from our document's glossary, so they are not directly relevant. Recommend keeping the items. Commission to vote on inclusion or deletion.

Agriculture

Brian Santos moved and Michael Krugel seconded the motion to keep agriculture in the Thompson Common Village District with a Zoning Permit. A "Yes" vote is to keep it as written. A "No" vote is to strike it.

Roll Call Vote:

John Lenky-Yes                      Michael Krugel-Yes                      Robert Werge Sr.-No

Brian Santos-Yes                      Alvan Hill-Yes                      Charlene Langlois-Yes

Joseph Parodi-Brown-Yes

Motion Carried

Rural Business

Charlene Langlois moved and Brian Santos seconded the motion to leave Rural Businesses in the Thompson Common Village District with a site plan and Commission approval. A "Yes" vote to keep as written. A "No" vote to strike it and not permit it in the district.

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Roll Call Vote:

John Lenky-Yes                      Michael Krugel-Yes                      Robert Werge Sr.-No

Brian Santos-Yes                      Alvan Hill-No                      Charlene Langlois-Yes

Joseph Parodi-Brown-Yes

Motion Carried

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4D Business Development District

Article 4D, Section 2 Table of Permitted Uses

2.Agriculture (as defined in Article 7, of these regulations and also as in CGS, Section 1-1 (q))
4.Farm Stands
5.Agricultural-Ancillary Entertainment-Based Activities
7.Farm-Based Recreational Activities (Seasonal or Ongoing)
8.Rural Businesses
19. Schools, Student Housing (including conversion)

B. Dunne: Viewing the purposed zoning map the area is designated for Business development are we mixing Agriculture in that mix. Why would a rural Business be in a Business Development?

Why do you want Student Housing in a Business Development District?

T. Penn: As with previous, similar comments regarding types of uses: this reflects status quo bias for the way things already are. Among the purposes of the re-write was to change the regulations to reflect a more flexible, nimble, livable and resilient community. While the addition of any of these uses in the business development may be unlikely, if an applicant believes an agricultural enterprise in this district is viable, a compelling interest has not been shown to prohibit it. In regards to schools/student housing: while it is improbable that the equivalent of a country-club school like Marianapolis would look to build in this district, a community college campus, job-skills training school, etc, might find such a location desirable. The question "Why would someone...?" is irrelevant, the commission cannot predict the motivations of an applicant; the relevant questions are "should we allow? And "why or why not?" if both of those questions cannot be logically answered without reverting to personal biases, then I would caution against disallowing any of the listed items. To clarify its intent, the Commission should have a yes/no vote on each of the questioned items.

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Tyra commented that residences are permitted in every district and we can't predict how businesses and industries change.

Agriculture in Business Development District

Joseph Parodi-Brown moved and Alvan Hill seconded the motion to vote on items 2 Agriculture, 4 Farm Stands, 5 Agriculture-Ancillary based activities, 7 Farm Based Recreational Activities, and 8

Rural Businesses together. A “Yes” vote to keep items 2, 4, 5, 7, and 8 in this district. A “No” vote to strike them from the Business Development District.

Roll Call Vote:

John Lenky-Yes                      Michael Krugel-Yes                      Robert Werge Sr.-Yes  
Brian Santos-Yes                      Alvan Hill-Yes                      Charlene Langlois-Yes  
Joseph Parodi-Brown-Yes  
Motion Carried

Schools, Student Housing in Business Development District

Joseph Parodi-Brown moved and Brian Santos seconded the motion to keep campuses and dormitories including conversion in the Business Development District as written with a Special Permit. A “Yes” vote will keep it as written. A “No” vote to prohibit.

Roll Call Vote:

John Lenky-Yes                      Michael Krugel-Yes                      Robert Werge Sr.-Yes  
Brian Santos-Yes                      Alvan Hill-Yes                      Charlene Langlois-Yes  
Joseph Parodi-Brown-Yes  
Motion Carried

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Article 4D, Section 2 Table of Permitted Uses

22. Manufacturing	Existing			X	
	New			X	

B. Davis: I'll persist on the INDUSTRIAL zone issue. I don't think your response to me really covered the concern of industrial uses scattered all over town. Bad enough now but could be worse in the future without a clearer industrial definition or zone. Remember that not all industrial use is Putnam Industrial Park clean. There is a lot of room for abuse if industrial use and areas is not more clearly spelled out.

T. Penn: I believe the solution to Bernie's concern is a clearer standard for what level of manufacturing we consider acceptable. As I pointed out to him in our email conversation: both his former millwork company and an iron smelter could be deemed “manufacturing”. One of these uses is compatible with the profile of Thompson, and one is probably not. One possible solution is to change the category to “light” manufacturing, and then define that clearly in the glossary; and then also define “heavy” manufacturing and identify it as a prohibited category. Commission should decide how it wants to address the issue of “manufacturing” as an allowed activity within the Business Development District.

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Industrial activities are scattered all over town. Tyra commented if zoning had been done thoughtfully it would have been put in a more remote area. Bernie Davis suggested better control of the Business Development District was necessary and important. Tyra said the Commission needs to decide the level of intensity and what's appropriate for the town. She then will write the definition. What's the cut-off?

Joseph Parodi-Brown commented that the path Tyra laid out is reasonable and the Commission agrees there are levels of manufacturing activity the town doesn't want. He suggested Tyra write a definition defining light manufacturing and prohibiting heavy manufacturing which the Commission will discuss and vote on at the next Regulation Review meeting.

Robert Werge Sr. left the meeting at 8:19 pm.

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Article 4D, Section 2 Table of Permitted Uses

29. Commercial Kennels	Existing			X	
	New			X	

J. Rice: does not wish to permit commercial kennels

T. Penn: My conversation with John leads me to believe that his objection is based on not wanting to have commercial kennels in residential areas; but, they are only proposed as a special permit use in two districts: Business Development and Thompson Corridor Development. If the Commission believes there is a compelling reason to disallow them completely, then they may opt to strike the item; but these seems like reasonable districts in which to permit such businesses. Commission should have a yes/no vote on the item for both districts.

Kennels are being proposed in Business Development District and Thompson Corridor District.

Alvin Hill moved and John Lenky seconded the motion to eliminate commercial kennels in the Business Development District and the Thompson Corridor District. A "Yes" vote would prohibit commercial kennels and a "No" vote would allow them.

Roll Call Vote:

John Lenky-Yes                      Michael Krugel-No              Joseph Parodi-Brown-No  
Brian Santos-Yes                      Alvan Hill-Yes                      Charlene Langlois-No  
Motion Failed and stays with a Special Permit.

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Article 4D, Section 3 General Development Standards

Landscaped Buffer Area

Notwithstanding the setbacks for the structure, the Commission may require up to an additional fifty (50) feet of buffer between a commercial use and a residential or agricultural use. The Commission may require additional screening where it deems it necessary to protect neighboring

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properties from noise, light or other nuisance. Such additional screening may include the erection of a solid fence or the installation of an earthen berm, or other measures deemed appropriate by the Commission. Any plantings so required should be of varieties native to Connecticut. Species from the most current Connecticut Invasive Plant List, as compiled by the Connecticut Invasive Plant Council, are prohibited. <https://portal.ct.gov/-/media/CAES/Invasive-Aquatic-Plant-Program/Plant-Information/Invasive-Plant-List-2013.pdf?la=en>

M. Krogul: a citizen has commented to me, if a commercial lot comes into being next to a residential lot, the commercial lot should have to install a fence appropriate enough so as not to be an eyesore to the surrounding properties.

T. Penn: I believe this resident's concern is directly addressed in the item copied above. **If the Commission believes it needs further clarification**, then I will edit it accordingly.

Joseph Paridi-Brown read the language and Commissioners unanimously agreed with the definition.

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Article 4F Downtown Mill District

Article 4F, Section 2, Table of Permitted Uses

2. Agriculture (as defined in Article 7, of these regulations and also as in CGS, Section 1-1 (q))

4. Farm Stands

5. Agricultural-Ancillary Entertainment-Based Activities

6. Farm Stores

7. Rural Businesses

C. Dunne: Not enough acreage to for age development. Too dense and congested to support uses and the uses are for rural district.

T. Penn: These comments repeat a set of assumptions made in other districts. As previously stated: agriculture can occur under broader parameters than what one might typically picture as a "farm". Agriculture is practiced in much denser, more urban settings than will ever exist in Thompson (e.g. farming done in old warehouse spaces and on rooftops in Detroit; intensive crop spacing by market growers on vacant lots in many cities); therefore, the question for the Commission is not "why would anyone want to do that", but, "if an applicant proposes it, should it be allowed". Unless a compelling reason can be proposed that would specifically prohibit these activities, they should be kept in the table of uses. **Commission must decide its intent.**

Amy St. Onge reported that the Board of Selectmen approved to move forward with a Public Hearing to discuss rehabilitation area. She stated the developer of the mill is looking for tax relief which did not agree with Connecticut General Statutes. The town's attorney drafted options for the developer: 7 year set assessment of \$26,000 per year during the construction period and increase 10% annually until 100% of increase has been assessed. After the Public Hearing the developer will move forward to get his financing in place. The Board of Selectmen hope to finalize plans within the next month.

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Tyra proposed a slight change to align the language to Downtown Mill District to the Rehabilitation Area. She said changing the name of the district is a technicality only and has no effect on what we are doing.

Brian Santos moved and Joseph Parodi-Brown seconded the motion to include Agriculture, Farm Stands, Agricultural-Ancillary Entertainment-Based Activities, Farm Stores and Rural Businesses in



the Downtown Mill District. A “Yes” to keep them as written and a “No” vote to strike and prohibit them.

Roll Call Vote:

John Lenky-No

Michael Krugel -Yes

Joseph Parodi-Brown-No

Brian Santos-Yes

Alvan Hill-Yes

Charlene Langlois-Yes

Motion carried.

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Article 4F Downtown Mill District

Article 4F, Section 2, Table of Permitted Uses

17. Multi-Family Dwellings of Three or More Units (including conversion)

J. Rice: Does this include Section 8 housing?

T. Penn: Whether or not a landlord accepts Section 8 vouchers is not a zoning issue. Any landlord may apply to accept Section 8 vouchers. The Commission may not dictate the type of person to whom a landlord chooses to rent. **There is no Commission action required on this item.**

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Article 4F Downtown Mill District

Article 4F, Section 2, Table of Permitted Uses

1. Gasoline Filling Stations					x
2. Drive-Through Establishments					x

J. Rice: Wants to know why these are prohibited in this district

T. Penn: John may have been absent at the discussion session where this item was decided by the subcommittee. Drive-throughs have negative impacts on walkability, stormwater management and the environment. Since one of the primary goals of this entire rewrite was to revitalize the historic downtown area for increased livability/walkability/property value, it is important not to disrupt that purpose. Drive-throughs provide sufficient convenience for banking and pharmacy pickup that a compromise was reached to allow them in the Thompson Corridor Development District and the Business Development District; but, allowing them in the Downtown Mill District, which is meant to be our revitalization area, privileges fast food chains over local eateries and privileges car-dependence over pedestrians. That is contrary to our purpose. **The Commission has previously accepted this reasoning, and so no further action is required unless the Chairman prefers to open the item back up for consideration.**

Commissioners unanimously agreed to keep as written.

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Article 4F Downtown Mill District

Article 4F, Section 4 Parking, Access and Loading

C. Dunne: Why are we putting additional parking standards in this section. Confusing because we have a section on parking: Article Five Special Provisions

5B Design Section 6 Parking

Standards.....82 Recommend referring parking standards to this section.

T. Penn: Because of the previously stated goals of increasing walkability in this district, I believe you will find that there are some slightly more specific requirements in this section. If the Commission believes that they are not substantively different than the requirements laid out in the article on parking standards, they may opt to strike it. **Recommend the Commissioners read the article on parking side-by-side with this section, and then decide whether to retain or strike the item from the Downtown Mill District.**

Without any objection, the Commissioners authorized Tyra to address this issue.

A. Page 49

Article 5A, Section 1 Development Standards for Home Occupations and Rural Businesses

A. Home Occupations

1. The purpose of these regulations is to provide economic opportunities in all districts by permitting the operation of small businesses which are capable of co-existing with residential uses, without undue adverse effects on the quality of life, environment, aesthetics and property values of the District

B. Dunne: The purpose of these regulations is to provide economic opportunities in all districts by permitting the of ~~Home Occupation~~ operation of ~~small businesses~~ which are capable of co-existing with residential uses

T. Penn: Not sure I understand Cindy's rationale behind the suggested language change. Home occupations are small businesses, even if they are very very small. It seems less clear not to refer to them in this way. I do not recommend this language change.

C. Dunne: suggests adding the following text as item #2: Home Occupation Application shall be filed and approved by the ZEO. Questionable activities for compliance may be presented to the Commission, upon recommendation of the ZEO, for approval.

T. Penn: agree with the addition & will do so. **No Commission action required.**

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Article 5A, Section 1 Development Standards for Home Occupations and Rural Businesses

A. Home Occupations

2, c. The house shall be primarily used as a residence.

C. Dunne: suggests the following instead:

c. A home occupation located in a single family dwelling shall not occupy more than 50% of the habitable

floor area of the dwelling. The uses shall be clearly secondary to the residential use of the dwelling. This prevents someone from buying a house in the area, not living in the house but opening a business under home occupation. This is very hard and time consuming when following up on a compliant.

d. A home occupation may use the total area of an accessory building :

i. The location and appearance of the accessory building is consistent with the residential character of the lot and neighborhood, and

ii. It can be demonstrated that the type and intensity of the proposed use in the accessory building will not alter the primary residential character.

B. Davis: No max size of business use space for home occupations is listed. I believe it is currently 25% of total floor space. No limitation means someone could put up a huge building in a residential area and use only one small corner for living space.

T. Penn: I strongly disagree with imposing an arbitrary limit on the % of the square footage that may be used in the home. Current regs stipulate 33%. I had proposed to the Commission, and they agreed, that it is not an effective use of the ZEO's time to be checking on what happens inside the walls of the home, and our jurisdiction should probably end once you get over the threshold.

Theoretically it is correct that somebody could build a house and then sleep on a cot & use the rest for a business; but, all of the dimensional requirements & limitations would have to be met, and there are stated limits on # of persons employed and parking/lighting; however, the **Commission may choose to vote on the two versions of this language to clarify their intent.**

Two versions recommended

3. Next Meeting

June 22, 2020 PZC Regular Meeting via Zoom 7:00 PM

June 24, 2020 PZC Sub-Committee Meeting Review Regulations 6:00 PM

4. Adjourn

John Lenky moved and Charlene Langlois second the motion to adjourn. The motion carried. The meeting adjourned at 8:54 PM unanimously.

Respectfully Submitted,  
Gloria Harvey  
Recording Secretary