

**TOWN OF COLUMBIA**  
**PLANNING AND ZONING COMMISSION**  
Adella G. Urban Administrative Offices Conference Room  
323 Route 87, Columbia, CT  
Monday, July 13, 7:00 p.m.

**Regular Meeting Minutes**  
**Virtual Meeting via Zoom**

**Members Present:** Chairman Rick Nassiff, Thomas Currier, Alex Bothell, Robert Powell, Larry Preston (Alternate),

**Members Excused:** Vice-Chair Vera Englert, Richard Napolitano, E.J. Starkel

**Staff Present:** Town Planner Paula Stahl, Board Clerk Flo Polek

**Others Present:** Melissa Martineau, Brenda Tomlins, Joseph Petrowsky, Walter Tabor

**1. CALL TO ORDER:** R. Nassiff called the meeting to order at 7:04 p.m.

**2. ROLL CALL AND SEATING OF ALTERNATES:** L. Preston was seated for V. Englert.

**3. ADDITIONS/CHANGES TO AGENDA:**

R. Nassiff asked P. Stahl if there was a change to the agenda. P. Stahl suggested moving Items 6.3, 7.1, and 7.2 after Item 6.1.

R. Nassiff **MOVED** to **MOVE** Item 6.3, 7.1, and 7.2 after Item 6.1; R. Powell **SECONDED**;  
**MOTIONED CARRIED 5:0:0**

**4. APPROVAL OF PZC REGULAR MEETING MINUTES of June 22, 2020**

R. Nassiff **MOVED** to **APPROVE** the 06/22/2020 meeting minutes as presented; R. Powell **SECONDED**; **MOTIONED CARRIED 5:0:0**

**5. AUDIENCE OF CITIZENS:** None

**OPEN PUBLIC HEARING-** R. Nassiff continued the Public Hearing at 7:08 p.m.

PZC 1920-08 - Application for Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor's Map 33, Lot 3B

P. Stahl stated that the applicant has withdrawn the accessory building in writing. She also said after the last meeting, the Tomlins contacted her to say they had concerns with future usage of 113 Pine Street if the home occupation was approved. P. Stahl met with the Tomlins and talked about what a designation of a home occupation means. The Tomlins were concerned, as they heard the word commercial in the last meeting and wondered if Ms. Martineau sold her property, would the next person be able to have a commercial business. P. Stahl explained to the Tomlins, that anytime business is transacted it is considered commercial but explained that the property is residential and would always be considered residential, and if approved, would now be residential with a specific home occupation permitted. The Tomlins felt comfortable with the explanation and spoke to Ms. Martineau later that same day as they were meeting to talk about screening between the two properties. The Tomlins decided they did not need further screening and conveyed that in writing to the Town.

R. Nassiff asked the Commission members if they had any comments or concerns. There were none.

B. Tomlins, of 111 Pine Street stated that she and her husband Frank have no objections for the home occupation at 113 Pine Street.

R. Nassiff asked the Commission members if they were comfortable with closing the public hearing. The Commission members were comfortable, and P. Stahl stated that the hearing may be closed. T. Currier stated that the hours were established, and P. Stahl noted the the new statement of use conveys the hours, number of vehicles and visits.

R. Nassiff read the suggested motion for the public. He wants to be clear that there will be no unsupervised dogs outside. The Commission members agreed to the amended motion.

R. Nassiff **MOVED** to close the public hearing at 7:14 pm, R. Powell **SECONDED; MOTION CARRIED: 5:0:0.**

### **6.1 UNFINISHED BUSINESS (Discussion/Possible Action)**

**PZC 1920-08** - Application for Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor's Map 33, Lot 3B

R. Nassiff asked Commission members if they have any discussion items. P. Stahl suggested that the motion be modified to include "no unsupervised dogs outdoors." R. Powell said that the clause should be added, and Commission members agreed. He also said that you could have dogs in a pen with a person watching them.

R. Nassiff **MOVED** to **APPROVE** the application of Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor's Map 33, Lot 3B based upon the application, site plan, and statements made at the hearing, and the revised statement of use that limits the activity to equine therapy and indoor canine training, and that no unsupervised dogs remain outdoors, no more than 5 visits per week in total, no boarding of dogs, operating hours limited to between 9am and 6pm, and no accessory structure as originally proposed; A. Bothell **SECONDED; MOTION CARRIED; 5:0:0.**

R. Nassiff wanted to emphasize how concerned the Commission was to make sure that there would be no interruptions of a quiet residential neighborhood. He thanked M. Martineau for her tenacity and wish her good luck in her new business.

### **6.3 Fairview Farms South – Cistern installation, possible bond**

Joseph Petrowsky of 82 Kennerson Reservoir Road, Eastford, CT, represented the Fairview Farms South for a cistern installation as required by the subdivision approval. He stated when his attorney put the documents together for the cistern, he did not indicate to him that cistern needed to be in place prior to any of sale of the lots. He went on to say that he has been involved in a situation like this with culverts in another town. Building permits were issued with a restriction that a certificate of occupancy would not be issued until the cistern was in place. He said he was able at any point to put up a bond for the cistern, but went on to say that he did not think it was worth pursuing the time to do a bond even though it is available because he is ready to move forward with installation. He has two different contractors he has interacted with and the discussions lead to whether the cistern should be one tank or one 10,000, and one 5,000-gallon tank. The two contractors were interacting with the Fire Department to get their answer. J. Petrowsky did not want to go through the motions of bonding, he just want to put the cistern in and move on. R. Nassiff stated to J. Petrowsky that he probably did not need to come to this meeting tonight. He asked Commission members if they are comfortable with the Fire Department signing off on the type of cistern and asked P. Stahl if she would weigh in on the matter. P. Stahl said that she would leave it up to the Fire Department to sign off on the number

of tanks, whether it was installed properly, as the subdivision regulations require cistern approval by the Fire Department. The Commission's consensus was that the Fire Department should sign off on the cistern installation. J. Petrowsky indicated that if the tanks were delayed for any reason, he did not want to stand in the way of the people who purchased the lots and have their building permits held up and asked if a bond would be appropriate at that point. R. Nassiff told J. Petrowsky that he would have to answer that. R. Nassiff told J. Petrowsky he would have to decide for himself whether he would go forward with the installation of the cistern or have a bond issued. He would then follow the procedure to bond. J. Petrowsky said he would rather install the cistern without going through the bond process. R. Nassiff stated that if there is any delay with the installation of the cistern, he should refrain from offering for sale or selling any other lots knowing that a non-compliance issue exists with the approval of the sub-division. Mr. Petrowsky stated that he is fine with that. R. Nassiff said if he should want to post a bond, he would go through the Town Planner for direction. T. Currier asked if the cistern would be installed or a bond in place before the building permits were issued. R. Nassiff said yes. Mr. Petrowsky thanked the Commission. **No action was taken by the Commission.**

## **7. NEW BUSINESS (Discussion/Possible Action)**

**7.1 PZC 2021-01:** Walter Tabor, application to modify an approved special permit to add a farmer's market at Heartstone Farm and Winery, 468 RT 87, Assessor's Map 30, Lot 038.

Walt Tabor, of 544 RT 87, said he emailed P. Stahl an intended statement of use and stated that the farmer's market would be operated by a small non-profit organization which he serves on the board and has input as the property owner. The intended hours of the operation would be on Thursday afternoon from 3 p.m. to 7 p.m. depending on the sunset. The market would be located at the edge of the parking lot. The pop-up tents would be on the grassy area adjacent to the parking lot. The vendor parking would be adjacent to that. The existing parking area along the drive would be for the public. P. Stahl said that part of the zoning regulations for agriculture, Section 21.5, includes a farmer's market. Those regulations state that the market property shall have 50' of frontage, the property has 70', the distance from an off-premises dwelling shall be 200', the actual distance from one dwelling is 240', the other dwelling is 230', and the hours proposed also meets regulations. R. Nassiff asked the Commission members their thoughts on the application. T. Currier said it was a great idea. R. Nassiff said the same.

R. Nassiff **MOVED** to **APPROVE** the application of Walter Tabor, as presented, R. Powell **SECONDED; MOTION CARRIED; 5:0:0.**

### **7.2 Corso subdivision – Extension Request for Filing of Final Plans**

P. Stahl said this is the subdivision located on RT 87 across from the Tabor's home. It is a one-lot subdivision so the daughter could build a house. The mortgage company is "dragging their heels" on completing a release for their mortgage on the portion of the property that is the area of the new lot and that must happen before they can complete a title change. The Commission granted an extension in April. The regulations allow for two extensions. This would be the second and final extension. R. Nassiff asked Commission members for comments. There were none.

R. Nassiff **MOVED** to **GRANT** a second 90-day extension to file the Corso/Hoar Subdivision Mylars on the Town's land records in accordance with Section 4.13 of the Columbia Subdivision Regulations; L. Preston **SECONDED; MOTIONED CARRIED 5:0:0**

**OPEN PUBLIC HEARING** - R. Nassiff continued the Public Hearing at 7:37 p.m.

**PZC 1920-07 – PZC Proposed Zoning Regulation Revisions to Sections 8.5, 61 and 65**

P. Stahl started the conversation on section 8.5, Home Occupation. Members discussed each of the three proposed levels and agreed three seemed appropriate but wanted a table format for discussion purposes. P. Stahl will develop one and will share it with the members.

Members also agreed to to be careful not to gravitate into a commercial use. R. Nassiff thought it was a very productive meeting, and members acknowledged this.

R. Nassiff asked to briefly go over the other two items. P. Stahl said that the current parking regulations are in need of revision for clarity, and minor changes. The performance standards are outdated and need to be updated. The members discussed noise level regulations.

There were no members of the public at the meeting.

R. Nassiff **MOVED to CONTINUE** the Public Hearing to the next regular PZC meeting; R. Powell **SECONDED; MOTIONED CARRIED 5:0:0**

## **6.2 UNFINISHED BUSINESS (Discussion/Possible Action)**

**PZC 1920-07** – PZC Proposed Zoning Regulation Revisions to Sections 8.5, 61 and 65 - **No action was taken by the Commission.**

- 8. REGULATION REVISIONS:** P. Stahl said that the owner of By the Pond would like to have a small flea market where people can set up their booths outside, which is not allowed in the regulations. Another business, in a different location, also has asked to have a flea market. Most towns do not allow flea market venues. R. Powell asked if the flea market would be proposed in the parking lot, and if so, the parking area would have to be recalculated. He added that the flea markets are one day events, and would booths need to be dismantled or would they stay up. P. Stahl said during the Governor's COVID rules, restaurants could set up outside, or a retail business, but that was for existing business' merchandise, and it was only with town approval for public safety concerns. R. Nassiff said that the consensus of the Commission is that they are not excited about it and said that an application can be submitted to propose a regulation change, and the Commission would consider it.

- 9. COMMUNICATIONS AND REPORTS:** None

- 10. COMMISSION OPEN DISCUSSION:** R. Nassiff told the members that a beloved member of our community passed, Jeff Vose. He served on several different commissions in town. He offered his condolences to the family. Jeff was a good guy and did a lot of things to service the community. He was involved in many different public interactions and wants to mention how much he was appreciated.

- 11. AUDIENCE OF CITIZENS:** None

- 12. ADJOURNMENT:**

R. Nassiff **MOVED to ADJOURN**; R. Powell **SECONDED; MOTION CARRIED 5:0:0**.  
The meeting was **ADJOURNED at 8:41 p.m.**

Respectfully submitted by Flo Polek, Board Clerk

Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.